

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

RULE NO.: RULE TITLE:

6M-9.400 Anti-Fraud Plan

PURPOSE AND EFFECT: Each early learning coalition is statutorily required to adopt an anti-fraud plan. This plan must be approved by the Office of Early Learning. The Office of Early Learning is statutorily required to establish criteria for the anti-fraud plans. This rule sets forth the criteria for these anti-fraud plans.

SUBJECT AREA TO BE ADDRESSED: Anti-fraud plan criteria, including due process requirements.

RULEMAKING AUTHORITY: 1001.213(2), 1002.91(8) FS.

LAW IMPLEMENTED: 1002.91(8) FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIMES: Thursday, March 20, 2014, 2:00 p.m. – 3:00 p.m. or until business is concluded, whichever occurs first and 6:00 p.m. – 7:00 p.m. or until business is concluded, whichever occurs first

PLACE: 250 Marriott Drive, Tallahassee, FL 32399 or via WebEx. WebEx link and call in telephone number may be found at the following website: http://www.floridaearlylearning.com/oel_resources/rules_guidance_technical_assistance/proposed_rules.aspx

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rodney McKinnon, Inspector General, Office of Early Learning, 250 Marriott Dr. Tallahassee, Florida 32399, (850)717-8550

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON THE OFFICE'S WEBSITE AT: http://www.floridaearlylearning.com/oel_resources/rules_guidance_technical_assistance/proposed_rules.aspx

STATE BOARD OF ADMINISTRATION

RULE NO.: RULE TITLE:

19-8.028 Reimbursement Premium Formula

PURPOSE AND EFFECT: To discuss proposed amendments to Rule 19-8.028, F.A.C., Reimbursement Premium Formula.

SUBJECT AREA TO BE ADDRESSED: Premium formula requirements for the 2014-2015 contract year.

RULEMAKING AUTHORITY: 215.555 FS.

LAW IMPLEMENTED: 215.555 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: March 20, 2014, 9:00 a.m. – 11:00 a.m. (ET)

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida 32308. Persons wishing to participate by phone may dial (888)670-3525 and enter conference code 7135858151.

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: Leonard E. Schulte, Florida Hurricane Catastrophe Fund, P. O. Box 13300, Tallahassee, Florida 32317-3300; (850)413-1335; leonard.schulte@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Leonard Schulte at the telephone number or e-mail address listed above
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-1.008 Public Comment

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address a written comment of the Joint Administrative Procedures Committee with regard to the rule.

SUBJECT AREA TO BE ADDRESSED: Changing the word “testify” to “comment.”

RULEMAKING AUTHORITY: 286.0114 FS.

LAW IMPLEMENTED: 286.0114 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allison M. Dudley, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-9.007 Standards of Practice

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to add physician assistants to the rule.

SUBJECT AREA TO BE ADDRESSED: The addition of physician assistants to the standards of practice rule.

RULEMAKING AUTHORITY: 458.309 FS.

LAW IMPLEMENTED: 458.331(1)(v) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allison M. Dudley, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.: RULE TITLES:

64B8-13.004 Requirements for Reactivation of an Inactive License

64B8-13.005 Continuing Education for Biennial Renewal

PURPOSE AND EFFECT: The proposed amendment to Rule 64B8-13.004, F.A.C., is intended to remove an outdated reference in the rule. The proposed amendment to Rule 64B8-13.005, F.A.C., removes the language regarding continuing education audits that are no longer conducted by the Department.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments remove an outdated rule reference and language which is no longer necessary.

RULEMAKING AUTHORITY: 456.013(6), (7), 456.031(4), 456.033, 456.036(9), 458.309, 458.317, 458.319, 458.321(1) FS.

LAW IMPLEMENTED: 456.013(6), (7), 456.031(1)(a), (3), 456.033, 456.036(9), 458.317, 458.319(4), 458.321(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allison M. Dudley, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-8.001 The Probable Cause Panel

PURPOSE AND EFFECT: The purpose of the amendment is to restructure the probable cause panels to avoid tie votes and reduce the number of panels as a result of reduction in case loads.

SUBJECT AREA TO BE ADDRESSED: Restructuring of Probable Cause Panel.

RULEMAKING AUTHORITY: 456.073(2), (4), 464.006 FS.

LAW IMPLEMENTED: 456.073(6) 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: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, Joe.Baker@flhealth.gov

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:

64B16-28.820 Sterile Products and Special Parenteral/Enteral Compounding

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete out-of-date language.

SUBJECT AREA TO BE ADDRESSED: Sterile Products and Special Parenteral/Enteral Compounding.

RULEMAKING AUTHORITY: 465.005, 465.007, 465.022 FS.

LAW IMPLEMENTED: 465.007, 465.018, 456.0196 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: Tammy Collins, Acting Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

RULEMAKING AUTHORITY: 288.7102(7) FS.

LAW IMPLEMENTED: 288.7094(2), 288.7102, 288.714 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: Stacy Bouie, Division of Community Development, Department of Economic Opportunity, 107 East Madison Street, Tallahassee, Florida 32399-4128, (850)717-8533

THE FULL TEXT OF THE PROPOSED RULE IS:

- 73C-1.001 Definitions and Forms
- 73C-1.002 Application Process
- 73C-1.003 Program Implementation ~~Certification Decision~~

(Substantial rewording of Rule 73C-1.001 follows. See Florida Administrative Code for present text.)

73C-1.001 Definitions and Forms.

The terms and phrases defined herein and used throughout Section 288.7102, F.S., and Chapter 73C-1, F.A.C., apply only during the fiscal year in which a Certified Applicant receives an award of funds under the Program. Terms and phrases not defined by statute or rule shall be construed according to their plain meaning.

(1) "Applicant" means a corporation registered in Florida that seeks certification or recertification to become a Recipient or a New Recipient of funds appropriated by the legislature for the purpose of providing loans, loan guarantees, or investments, in black business enterprises under the Program.

(2) "Application Period" means the annual period during which an Applicant may submit an application to the Department, which is May 1 through June 1 (or the next business day if June 1 is a Saturday, Sunday, or legal holiday) of each year.

(3) "Certified Applicant" means an Applicant that has received notice from the Department certifying that the Applicant is qualified to receive an award of funds under the Program.

(4) "Conflict Statement" means a quarterly written certification by a Recipient's governing board that no board member, employee, agent, or other person, connected to or affiliated with the Recipient is receiving, or will receive, any type of compensation or remuneration from a black business enterprise that receives funds pursuant to the Program.

(5) "Department" means the Department of Economic Opportunity, whose address is 107 East Madison Street, Caldwell Building, Tallahassee, Florida 32399-4128.

Section II Proposed Rules

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

RULE NOS.: RULE TITLES:
73C-1.001 Definitions and Forms
73C-1.002 Application Process
73C-1.003 Certification Decision

PURPOSE AND EFFECT: The revision of this rule chapter will permit DEO to eliminate unnecessary forms, remove unnecessary language already defined by statute and more efficiently administer the Black Business Loan Program while ensuring compliance with the statutory intent of Section 288.7102, Florida Statutes.

SUMMARY: Definitions for subject matter referenced within Section 288.7102, Florida Statutes but not specifically defined; Program application and certification processes; Removal of unnecessary forms and language already specifically defined by statute.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

(6) “Direct Administrative Cost” means a Recipient’s expenses, as authorized and limited by Section 288.7102(8)(c), F.S., which are made or incurred by a Recipient, in order to operate its business in compliance with the Program.

(7) “Direct Investment” means a Recipient’s purchase of stock, common or preferred, voting or nonvoting, in a black business enterprise.

(8) “Existing Recipient” is an Applicant that was a Recipient during the fiscal year immediately preceding the submittal of its Application for Recertification, Form DEO/CD 7102-2.

(9) “Instance(s) of Material Noncompliance” occur(s) when a financial audit reveals a violation of, or a failure by an Applicant to follow, the compliance requirements of any applicable state or federal law or the Applicant’s most recent fiscal year program agreement. An Instance of Material Noncompliance can occur through an individual violation, through the failure to follow compliance requirements, or can be aggregated with multiple violations or failures to follow compliance requirements. An audit which reveals or has a finding that is not specifically labeled as an Instance of Material Noncompliance shall be considered to be an Instance of Material Noncompliance if it otherwise meets this definition.

(10) “Material Weakness” occur(s) where a financial audit reveals an area of concern in a Recipient’s internal compliance controls such that the Department determines that there has been, will be, or that a Recipient cannot prevent, an Instance of Material Noncompliance. A Material Weakness also occurs where a financial audit reveals information, facts, or circumstances, that give rise to a concern regarding the entity’s business practices or financial stability that impairs the ability of the entity to implement the Program. An audit which reveals or has a finding that is not specifically labeled as a Material Weakness shall be considered to be a Material Weakness if it otherwise meets this definition.

(11) “New Recipient” is an Applicant that was not a Recipient during the fiscal year immediately preceding the submission of its Application for Certification, Form DEO/CD 7102-1.

(12) “Program” means the Black Business Loan Program as established in Sections 288.7094 through 288.714, F.S.

(13) “Recipient” is a Certified Applicant that has entered into an agreement with the Department to receive funds under the Program.

(14) “Program Funds” or “State Funds” are all funds provided by the Department to a Recipient under the Program as well as all Income and Return of Equity generated through the use of those funds. All such funds shall revert back to the Department, and all evidence of an obligation to repay Program Funds including, but not limited to, promissory notes, mortgages, stock certificates, judgments, and liens, shall be

assigned to the Department should any of the following occur: expiration or termination of the agreement between the Department and a Recipient, decertification of a Recipient, denial of recertification of an Existing Recipient, or the Program is allowed to sunset or is repealed by the Florida Legislature.

(15) “Reasonable Profit(s)” means the direct administrative costs authorized by Section 288.7102(8)(c), F.S., as well as those moneys collected through origination, closing, and servicing fees, charged by a Recipient and which are consistent with the industry standards for non-governmental lending. Money acquired by a Recipient through the charging of late fees or generated through the use of a collection agency do not fall under this definition.

(16) “Submit” or “Submitted” means the business date a document is received by the Department during normal business hours. If a document is received after 5:00 p.m. or on a weekend or legal holiday, it shall be deemed submitted on the next business day (a day that is not a Saturday, Sunday or legal holiday).

(17) “Technical support” or “Technical Assistance” as authorized and limited by Sections 288.7102(8)(c), and 288.714, F.S., means any support or assistance provided by a Recipient to a black business enterprise in furtherance of the intent and purpose of the Program. Any support or assistance provided by a Recipient must be specifically related to the Program. Support or assistance being undertaken on behalf of non-Program business does not qualify under this definition.

(18) “Unobligated Program Funds” are State Funds, as well as all Income from such funds, held by a Recipient, which are not currently obligated by a loan, loan guarantee, or Direct Investment under the Program.

Rulemaking Authority 288.7102(7) FS. Law Implemented 288.7094(2), 288.7102 FS. History—New 9-1-08, Amended 10-10-10, Formerly 27M-3.001, Amended _____.

(Substantial rewording of Rule 73C-1.002 follows. See Florida Administrative Code for present text.)

73C-1.002 Application Process.

(1) This Chapter applies to any Applicant, as defined in Rule 73C-1.001, F.A.C., that is seeking to receive funds under the Program. An Applicant shall submit an Application for Certification or an Application for Recertification to the Department during the Application Period. The Department will only process complete submissions received, using the appropriate forms, as identified below, which are available from the Department of Economic Opportunity at 107 East Madison Street, Mail Station 160, Caldwell Building, Tallahassee, Florida 32399-4128, or by going to: <http://sitefinity.floridajobs.org/business-growth-and-partnerships/for->

businesses-and-entrepreneurs/business-resources/minority-owned-business-assistance:

(a) Application for Certification, Florida Department of Economic Opportunity Form DEO/CD 7102-1, <http://sitefinity.floridajobs.org/business-growth-and-partnerships/for-businesses-and-entrepreneurs/business-resources/minority-owned-business-assistance>; effective date: _____, 2013, which is hereby adopted and incorporated by reference.

(b) Application for Recertification, Florida Department of Economic Opportunity Form DEO/CD 7102-2, <http://sitefinity.floridajobs.org/business-growth-and-partnerships/for-businesses-and-entrepreneurs/business-resources/minority-owned-business-assistance>; effective date: _____, 2013, which is hereby adopted and incorporated by reference.

(2) An Applicant must submit its application using the application processes as provided in this Chapter. Each application will be evaluated for completeness. No Applicant will receive certification until the Department is able to verify the requirements set forth in Section 288.7102, F.S. Applicants must provide assistance to the Department when verification is necessary. Some examples of Applicant assistance are as follows:

(a) Provide more detailed information or explanation to the Department in writing;

(b) Provide the methods of the calculations used in the application process;

(c) Discuss any concerns the Department may have with a submitted application.

(3) The Department shall process all applications submitted during the Application Period on or before July 31.

(4) If it is determined that an Applicant is ineligible to receive funds under the Program or if an application is found to be incomplete, the Department shall notify the Applicant in writing or via email, and shall identify the specific reasons for its determination or of what is missing from the application. This notice shall include ineligibility based on a determination that an Instance of Material Noncompliance or a Material Weakness exists.

(5) An Applicant that receives notice that it is ineligible or that its application is incomplete shall have an opportunity to cure any issue determined to exist, if possible, and shall submit a revised application to the Department no later than 10 business days prior to July 31. If an Applicant fails to submit a revised application within the required time, or if the revised application is incomplete, the Department shall deny the application.

(6) If the Department determines that all required information has been timely submitted by an Applicant, it shall deem the application complete and begin the process of approving or denying the application. In order for an application to be considered complete by the Department, all

sections must be complete when the application, or a revised application pursuant to subsection (5) above, is received by the Department.

(7) When the Department approves an application it shall notify the Applicant either in writing or via email that the Applicant is now a Certified Applicant. In order to become a Recipient and receive funds under the Program a Certified Applicant shall do all of the following:

(a) Meet all of the requirements set forth in Section 288.7102, F.S.

(b) Provide the Department with a Conflict Statement concerning the use of future funds received under the Program.

(c) Enter into an agreement with the Department.

(8) A Certified Applicant shall submit a signed agreement to the Department within 45 days after its receipt of the agreement. A Certified Applicant's failure to timely do so will result in a denial of its application. An extension of the 45 day deadline for the return of the agreement may be granted by the Department if good cause is provided by the Certified Applicant.

(9) Where the Department denies an application, it shall notify the Applicant either in writing or via email and shall identify the specific reasons for its denial. The Department's denial decision shall be subject to review under Chapter 120, F.S.

Rulemaking Authority 288.7102(7) FS. Law Implemented 288.7094(2), 288.7102 FS. History—New 9-1-08, Amended 10-10-10, Formerly 27M-3.002, Amended _____.

(Substantial rewording of Rule 73C-1.003 follows. See Florida Administrative Code for present text.)

73C-1.003 Program Implementation Certification Decision.

In addition to the requirements set forth in Section 288.7102, F.S., and this Chapter, a Recipient must meet the performance conditions provided for in the agreement it enters into with the Department in order to remain qualified to receive funds under the Program. Any award of funds under the Program is conditioned upon their availability and upon a Certified Applicant's execution of an agreement with the Department.

(1) Quarterly submission of a Conflict Statement.

(a) In addition to the requirements provided in Section 288.714, F.S., all Recipients receiving funds under the Program shall provide the Department with a Conflict Statement quarterly. The Department may waive a conflict if good cause is shown.

(b) Falsifying or misrepresenting information or the existence of a conflict within a Conflict Statement may be considered as grounds for the immediate termination of the agreement by the Department and for the decertification of a Recipient. Any previously granted waivers by the Department

of a conflict shall not exempt its disclosure in a Conflict Statement.

(2) Unobligated Program Funds shall be maintained by the Recipient in a separate interest bearing account subject to the terms and conditions of the agreement entered into with the Department to carry out the legislative intent and purposes of the Program.

(3) Quarterly Reports.

(a) In addition to the reporting requirements provided for in Section 288.714, F.S., a Recipient's quarterly report shall include a detailed summary of the Recipient's performance duties imposed under the agreement it enters into with the Department.

(b) Based upon a Recipient's quarterly report, the Department may deny Direct Administrative Costs that do not advance the purpose of the Program. The Department's denial shall be in writing and is subject to review under Chapter 120, F.S.

(4) Technical Support and Technical Assistance.

(a) In the quarterly reports provided to the Department, and as further described in Section 288.714, F.S., a Recipient shall describe the nature and amount of all Technical Support and Technical Assistance it has provided during that quarter to black business enterprises.

(b) Based upon a Recipient's quarterly reporting of funds used as Technical Support and Technical Assistance, the Department may deny funds so expended that do not advance the purpose of the Program. The Department's denial shall be in writing and is subject to review under Chapter 120, F.S.

(5) Financial Audits.

(a) The Department will evaluate all financial audits received pursuant to Section 288.7102, F.S. in order to determine if an Instance of Material Noncompliance or a Material Weakness is revealed.

(b) If the Department determines that any item submitted by a Recipient reveals an Instance of Material Noncompliance, a Material Weakness, or both, that cannot be cured within a reasonable time, the Department may deny an application or terminate the agreement pursuant to its terms.

(c) An Existing Recipient shall not employ the same independent certified public accountant or accounting firm for more than three consecutive years to prepare its annual financial audit. A Recipient's failure to change its independent certified public accountant or accounting firm shall result in the Department denying the Existing Recipient's Application for Recertification.

Rulemaking Authority 288.7102(7) FS. Law Implemented 288.7094(2), 288.714, 288.7102 FS. History—New 9-1-08, Amended 10-10-10, Formerly 27M-3.003, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Stacy Bouie, Division of Community Development
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jesse Panuccio

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 5, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 19, 2013

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NOS.:	RULE TITLES:
58A-5.0131	Definitions
58A-5.014	License Application, Change of Ownership, and Provisional Licenses
58A-5.015	License Renewal and Conditional Licenses
58A-5.016	License Requirements
58A-5.0161	Inspection Responsibilities
58A-5.0181	Admission Procedures, Appropriateness of Placement and Continued Residency Criteria
58A-5.0182	Resident Care Standards
58A-5.0185	Medication Practices
58A-5.0186	Do Not Resuscitate Orders (DNROs)
58A-5.019	Staffing Standards
58A-5.0191	Staff Training Requirements and Competency Test
58A-5.0194	Alzheimer's Disease or Related Disorders Training Provider and Curriculum Approval
58A-5.020	Food Service Standards
58A-5.021	Fiscal Standards
58A-5.023	Physical Plant Standards
58A-5.024	Records
58A-5.0241	Adverse Incident Report
58A-5.0242	Liability Claim Report
58A-5.025	Resident Contracts
58A-5.026	Emergency Management
58A-5.029	Limited Mental Health
58A-5.030	Extended Congregate Care Services
58A-5.031	Limited Nursing Services
58A-5.033	Administrative Enforcement
58A-5.035	Waivers

NOTICE OF CORRECTION

Notice is hereby given that the following corrections have been made to the Notice of Proposed Rule, published on November 27, 2013 in Volume 39, Issue 231 of the Florida Administrative Register. These corrections do not affect the substance of the proposed rules as they appeared in the Florida Administrative Register.

The Department has prepared a Statement of Estimated Regulatory Costs ("SERC") for Rule 58A-5.0191, Florida Administrative Code, in accordance with Section 120.541(2), Florida Statutes. A copy of the SERC is available at: http://elderaffairs.state.fl.us/doea/alf_rulemaking.php. Any

person who wishes to provide the agency with information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), F.S., must do so in writing within 21 days after publication of the notice.

The following is a summary of the SERC:

- The Department has determined that one of the proposed rules, 58A-5.0191, must be ratified by the Legislature in accordance with Section 120.541, Florida Statutes, because it is likely to increase regulatory costs by more than \$1 million over the next five years. The rule imposes regulatory costs by increasing the amount of training required for ALF administrators and managers from 26 to 40 hours, and by increasing the amount of continuing education required for ALF administrators and managers from 12 hours every two years to 18 hours every two years. Based upon an analysis of the criteria contained in Section 120.541, Florida Statutes, the Department has determined that the remainder of the proposed rules published by the Department do not impose regulatory costs in excess of \$1 million, and therefore are not required to be ratified by the Legislature.
- The number of individuals and entities likely to be impacted within the first five years after implementation of the rule include: 9,646 prospective administrators and managers that are expected to apply for training and 5,131 administrators and managers that are expected to participate in continuing education.
- While proposed Rule 58A-5.0191 is anticipated to have a financial impact on the state’s private sector, the proposed amendments to rule Chapter 58A-5 are not expected to require the expenditure of state funds, will not negatively impact the delivery of services by state agencies, and will not otherwise divert state resources.
- Although data indicates that the vast majority of the state’s assisted living facilities qualify as “small businesses” as defined in to Section 288.703, Florida Statutes, the proposed changes to rule Chapter 58A-5 do not disproportionately affect small businesses in the state.
- There will be no impact on small counties or small cities as defined in Section 120.52, Florida Statutes.

**Section IV
Emergency Rules**

NONE

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on March 3, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for TownePlace Suites. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.18.5.1, 2.20.4, 2.20.5 and 2.20.9 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-055).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on March 3, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for James Place Condominium. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3 and 3.10.4(u) as adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators with firefighters’ emergency operations and emergency stop switch which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-054).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On March 4, 2014 the Division issued an order. The Final Order was in response to a Petition for a Variance from Westminster Asbury East, filed February 10, 2014, and advertised on February 14, 2014 in Vol. 40, No. 31, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1, 2.20.4, and 2.24.2.1 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires the use of a 9.5 mm steel rope and requirement of a metallic sheave because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2014-036).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on March 4, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Wells Fargo. Petitioner seeks an emergency temporary variance of the requirements of ASME A17.3, Section 4.3.3 and ASME A17.1, Rule 8.6.5.8, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators safety bulkhead which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-056).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009: Applications

The Board of Medicine hereby gives notice that on February 25, 2014, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver was filed by Nanda Gopal Salem, M.D., on December 20, 2013, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation directly from Petitioner’s medical school. The Notice was published in Vol. 40, No. 4, of the Florida Administrative Register, on January 7, 2014. The Board, at its meeting held on February 7, 2014, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting: the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: RULE TITLE:

69A-37.084: Definitions

69A-37.085: Eligibility Requirements for Supplemental Compensation

NOTICE IS HEREBY GIVEN that on February 24, 2014, the Department of Financial Services, received a petition for Variance or Waiver from Mary Napoli. A waiver of or variance from the definition of “Eligible Bachelor’s Degree” in subsection 69A-37.084(3), F.A.C., that requires the degree to be conferred by a regionally accredited university or college or a nationally accredited college or university that meets certain requirements and from subsection 69A-37.085(1), F.A.C., that requires a firefighter to possess an eligible bachelor’s degree to be eligible for supplemental compensation is being requested based on Mary Napoli’s possession of a Bachelor of Science degree issued by the University of Wales, which is not a regionally accredited university or college or a nationally accredited college or university that meets the rule’s requirements.

A copy of the Petition for Variance or Waiver may be obtained by contacting: R. Terry Butler, Assistant General Counsel, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-0333, terry.butler@myfloridacfo.com.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Cultural Affairs

The Florida Division of Cultural Affairs and the Florida Council on Arts and Culture announces a public meeting to which all persons are invited.

DATE AND TIME: March 19, 2014, 9:00 a.m.

PLACE: 22nd Floor Gallery at The Capitol, 400 South Monroe Street, Tallahassee

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss, review and take action on funding recommendations for grants and any other business which may appropriately come before the Council. Note: If a quorum of members does not attend, items on the agenda for formal action will be discussed as a workshop by those present, and written minutes will be taken although no formal action will be taken. Council members must be physically present in order to participate.

A copy of the agenda may be obtained by contacting: Rachelle Ashmore at (850)245-6490, by email at Rachelle.Ashmore@DOS.MyFlorida.com, or via the Division's website: www.florida-arts.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Maureen McKloski at (850)245-6475 or by email at Maureen.McKloski@DOS.MyFlorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rachelle Ashmore at (850)245-6490 or by email at Rachelle.Ashmore@DOS.MyFlorida.com.

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: March 12, 2014, 12:00 Noon

PLACE: Everglades Research and Education Center, 3200 East Palm Beach Road, Belle Glade, FL 33430

GENERAL SUBJECT MATTER TO BE CONSIDERED: 12:00 Lunch

12:20 Welcome and Introductions

12:25 DuPont's Fontelis Overview For Leafy Vegetables, New Label Additions – Bond McInnes, US Technical Fungicide Manager, DuPont

Questions and Answers – General Discussion

12:40 Introduction of Newly Registered Insecticides (Exirel and Verimark Powered By Cyazypyr) – Richard Royal, Technical Sales Agronomist, DuPont

Questions and Answers – General Discussion

1:05 Leafy Vegetable Disease Management Update – Dr. Richard Raid UF/IFAS Plant Pathology

Questions and Answers – General Discussion

1:25 Lettuce Bacterial Leaf Spot Breeding Efforts and Variety Selection for Commercial Production – Dr. H. Lu, UF/IFAS Horticulture Sciences

Questions and Answers – General Discussion

1:45 Old Business

1:50 New Business

a. Division of Plant Industry Representatives

b. EREC staff project updates

2:00 Adjourn

*Lunch is sponsored by DuPont

A copy of the agenda may be obtained by contacting: Stephen Basore, Chairman, 2305 Cypress Lane, Belle Glade, FL 33430, (561)996-1980.

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: Stephen Basore, Chairman, 2305 Cypress Lane, Belle Glade, FL 33430, (561)996-1980. 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: Stephen Basore, Chairman, 2305 Cypress Lane, Belle Glade, FL 33430, (561)996-1980.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Florida Forest Service

The Florida Department of Agriculture and Consumer Services, Florida Forest Service (FFS) and the Welaka State Forest (WeSF) Management Plan Advisory Group (MPAG) announce two public meetings and a public hearing to which all persons are invited.

MPAG ORIENTATION MEETING:

DATE AND TIME: Tuesday, April 1, 2014, 6:00 p.m.

PLACE: Welaka State Forest Training Room, 794 County Road 309, Welaka, FL 32193

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the WeSF Management Plan Advisory Group to prepare for a public hearing later in the evening which will provide recommendations to the FFS to help in preparation of a management plan for the WeSF.

PUBLIC HEARING:

DATE AND TIME: Tuesday, April 1, 2014, 6:30 p.m.

PLACE: Welaka State Forest Training Room, 794 County Road 309, Welaka, FL 32193

GENERAL SUBJECT MATTER TO BE CONSIDERED: To solicit comments from the public on the management of the WeSF. Comments may be presented orally or in writing at the hearing. Written comments may also be submitted to the WeSF at Florida Forest Service, 390 Holloway Road, Florahome, FL 32140, to the attention of Scott Crosby and should be mailed so as to arrive at the office by the date of the public hearing.

MPAG MEETING:

DATE AND TIME: Wednesday, April 2, 2014, 1:30 p.m.

PLACE: Welaka State Forest Training Room, 794 County Road 309, Welaka, FL 32193

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the WeSF Management Plan Advisory Group to review comments from the public hearing of April 1, 2014 and provide recommendations to the FFS to help in preparation of a management plan for the WeSF.

A copy of the agenda may be obtained by contacting: Florida Forest Service at 390 Holloway Road, Florahome, FL 32140, contacting Scott Crosby at (386)329-2552, or online at http://www.freshfromflorida.com/public_notices/.

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 72 hours before the workshop/meeting by contacting: FFS's WeSF office at the above listed address. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Thursday, March 13, 2014, 6:00 p.m. – 8:00 p.m.

PLACE: Midway Safe Harbor Center, 2405 Rightway, Sanford, FL 32771

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No. 240216-6-52-01.

Project Description: State Road (SR) 46 from Mellonville Avenue to SR 415 – Detour Road Construction, Seminole County, FL.

The project includes constructing a temporary detour road to facilitate soil surcharge operations, clearing roadside vegetation, and utility relocation within the SR 46 FDOT Right-of-Way. This is continuation of work already underway along the corridor and is in preparation for the future SR 46 widening project.

A copy of the agenda may be obtained by contacting: a flyer will be distributed at the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Matthew Ross, 150 N. Orange Avenue, Suite 200, Orlando, Florida 32801; telephone, (407)843-6552 or e-mail matt.ross@aecom.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If 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: Either Kathleen Enot, the FDOT Project Manager, at (386)943-5149 or email at kathleen.enot@dot.state.fl.us.

EXECUTIVE OFFICE OF THE GOVERNOR

The Governor's Commission on Community Service (Volunteer Florida) announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, March 13, 2014, 9:00 a.m. until all business is complete.

PLACE: (850)414-7400

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance committee to review 2012-13 audit.

A copy of the agenda may be obtained by contacting: Debbie Brown at (850)414-7400 or Debbie@volunteerflorida.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Debbie Brown at (850)414-7400 or Debbie@volunteerflorida.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Debbie Brown at (850)414-7400 or Debbie@volunteerflorida.org.

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

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

DATE AND TIME: Thursday, March 20, 2014, 9:00 a.m.

PLACE: SWFRPC's Offices – 1st Floor Conference Room, 1926 Victoria Avenue, Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular monthly board meeting of the SWFRPC. Also, both the Budget & Finance and Energy & Climate Committees will be meeting immediately following the board meeting.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at ngwinnett@swfrpc.org or (239)338-2550, ext. 232.

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: SWFRPC Offices at (239)338-2550. 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 visit the SWFRPC's website at www.swfrpc.org.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The North Florida Regional Water Supply Partnership Stakeholder Advisory Committee (the Advisory Committee) is a committee of stakeholders selected by the St. Johns River Water Management District and the Suwannee River Water Management District in consultation with the Florida Department of Environmental Protection, to advise these agencies on issues affecting water supplies in both water management districts. The Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 17, 2014, 1:00 p.m.

PLACE: Florida Gateway College, Wilson S. Rivers Library and Media Center, 149 SE College Place, Building 200, Room 102, Lake City, FL 32025

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Advisory Committee described above. The purpose of the meeting is to conduct administrative and procedural matters related to the committee, discuss proposed resource protection criteria for the regional water supply plan, and hear an update on the status of the development of the NFSEG Regional Groundwater Model. There will also be a briefing of the SRWMD Governing Board action on Lower Santa Fe River MFLs and an update on the status of the Clay-Putnam MFLs Rule Development. An opportunity for public comment will be provided near the end of the meeting.

NOTE: One or more members of the Governing Board from each of the water management districts named above may attend and participate in the meeting of the Advisory Committee.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Julie Green, 4049 Reid Street, Palatka, FL 32177, (386)329-4240, email: jgreen@sjrwm.com or by visiting the North Florida Regional Water Supply Partnership website at www.northfloridawater.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Vanessa Fultz, Communications/Creative Services Specialist, Suwannee River Water Management District, (386)362-1001. 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: Julie Green, (386)329-4240, email: jgreen@sjrwm.com.

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: Tuesday, March 25, 2014, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings and Public Hearing: Consider SWFWMD business. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

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: luanne.stout@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, ext. 4605 (Ad Order EXE0309).

REGIONAL UTILITY AUTHORITIES

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

DATE AND TIME: Monday, March 17, 2014, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee Meeting.

A copy of the agenda may be obtained by contacting: Records Department, (727)796-2355.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Records Department, (727)796-2355. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Records Department, (727)796-2355.

SPACE FLORIDA

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

DATE AND TIME: Tuesday, March 18, 2014, 8:00 a.m. EST

PLACE: Space Life Sciences Laboratory, 505 Odyssey Way, Exploration Park, FL 32953

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Space Florida Evaluation Committee Members will be considering the proposals submitted by vendors in response to the competitive solicitation for the Request for Qualifications for Construction Services at the Launch Complex 25 at the Cape Canaveral Air Force Station for the Navy Strategic Weapons System Ashore Testing Facility, RFQ-SF-18-0-2014/TB.

A copy of the agenda may be obtained by contacting: Debbie Hebert at dhebert@spaceflorida.gov or on www.spaceflorida.gov/proposals.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Debbie Hebert at dhebert@spaceflorida.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Debbie Hebert at dhebert@spaceflorida.gov.

SPACE FLORIDA

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

DATE AND TIME: March 14, 2014, 2:30 p.m. EST

PLACE: The Canaveral Port Authority Maritime Center, 445 Challenger Road, Cape Canaveral, Florida 32920

GENERAL SUBJECT MATTER TO BE CONSIDERED: Call for Projects 2014 and Spaceport Master Plan Update.

A copy of the agenda may be obtained by contacting: Linsley Piestch at lpiestch@spaceflorida.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Linsley Piestch at lpiestch@spaceflorida.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Linsley Piestch at lpiestch@spaceflorida.gov.

DEPARTMENT OF ELDER AFFAIRS

Statewide Public Guardianship Office

The Department of Elder Affairs, Statewide Public Guardian Office, Foundation for Indigent Guardianship, Inc. announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, March 24, 2014, 12:30 p.m. EST
 PLACE: Conference call: 1(888)670-3525, participant code 7919129022

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of Foundation for Indigent Guardianship, Inc. A copy of the agenda may be obtained by contacting: Angela Runyan, (850)414-2381.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Angela Runyan, (850)414-2381. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.006: Elevator Fees; Permits; Certificates of Operation; Delinquency Fee; Transfer of Ownership; Certificate Replacement

The Department of Business and Professional Regulation, Division of Hotels and Restaurants announces a workshop to which all persons are invited.

DATE AND TIME: April 1, 2014, 10:00 a.m.

PLACE: Department of Business and Professional Regulation, Professions Board Room, 1940 N. Monroe St., Tallahassee, FL 32399; or by conference call to 1(888)670-3525, participant code 9003077628#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Elevator alteration permits, alteration permit inspections, and the Affidavit of Elevator Plans Code Compliance.

A copy of the agenda may be obtained by contacting: Michelle Comingore, Division of Hotels and Restaurants, 1940 N. Monroe St., Tallahassee, FL 32399-1011; DHR.Rules@myfloridalicense.com; (850)488-1133.

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: Michelle Comingore, Division of Hotels and

Restaurants, 1940 N. Monroe St., Tallahassee, FL 32399-1011; DHR.Rules@myfloridalicense.com; (850)488-1133. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

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

DATE AND TIME: April 2, 2014, 10:00 a.m.

PLACE: Via telephone conference call, dial-in number 1(888)670-3525, conference code number 9071262934

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Education Advisory Committee to consider items relating to the education requirements to sit for the CPA examination.

A copy of the agenda may be obtained by contacting: DeWayne McBride, Regulation Specialist II, Florida Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

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

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
 Mental Health Program

RULE NO.: RULE TITLE:

- 65E-14.001: Applicability
- 65E-14.002: Retention and Access Requirements for Records
- 65E-14.003: Audits of Contractors Participating in the Substance Abuse and Mental Health Programs
- 65E-14.004: Program Income
- 65E-14.005: Matching
- 65E-14.006: Valuation of Donated and Volunteer Services
- 65E-14.007: Appraisal of Real Property
- 65E-14.010: Property
- 65E-14.014: Contractor's Financial Management Responsibilities
- 65E-14.016: Transactions Resulting in Additional Cost to the Program
- 65E-14.017: Cost Principles

- 65E-14.018: Sliding Fee Scale
- 65E-14.019: Methods of Paying for Services
- 65E-14.020: Cost Reimbursement Method of Payment
- 65E-14.021: Unit Cost Method of Payment
- 65E-14.022: Data Requirements

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

DATE AND TIME: Friday, March 14, 2014, 1:00 p.m. – 5:00 p.m. (Eastern)

PLACE: This public hearing will be conducted by means of communications media technology in accordance with Chapter 28-109, F.A.C. The hearing will be facilitated at the Department’s Tallahassee location with closed conference call links to the alternate locations listed below. Individuals wishing to participate must attend in person at one of the following locations.

- 1) Department of Children and Families, 1317 Winewood Boulevard, Building 6, Room 361-A, Tallahassee, FL 32399. Contact: Jimmers Micallef, jimmers_micallef@dcf.state.fl.us, (850)717-4294.
- 2) LSF Health Systems, 10459 San Jose Blvd., Unit A, Jacksonville, FL 32257. Contact: Wendy Hinton, wendy_hinton@dcf.state.fl.us, (904)485-9753.
- 3) Daytona Beach Regional Service Center, 210 N. Palmetto Ave., Room 312, APD, Daytona Beach, FL 32114. Contact: Herbert Helsel, herbert_helsel@dcf.state.fl.us, (904)485-9533.
- 4) Department of Children and Families, 201 West Broward Blvd., Suite 511, Fort Lauderdale, FL 33301. Contact: Pat Kramer, pat_kramer@dcf.state.fl.us, (954)453-3426.
- 5) Department of Children and Families, Rhode Building, 401 NW 2nd Avenue, Suite N – 423, Miami, Florida 33128. Contact: Dr. Conchita Lundblad, conchita_lundblad@dcf.state.fl.us, (786)257-5187.
- 6) Department of Children and Families, 9393 North Florida Avenue, Room 808, Tampa, FL 33612. Contact: April Teamer, april_teamer@dcf.state.fl.us, (813)337-5755.
- 7) Department of Children and Families, 400 W. Robinson St., Room 1112, Orlando, FL 32801. Contact: Jean Sandor, jean_sandor@dcf.state.fl.us, (407)317-7010, ext. 7130.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Revisions to the Notice of Proposed Rule to amend Chapter 65E-14, F.A.C. This notice updates the Notice of Public Hearing published in FAR Vol. 40, No. 38, on February 25, 2014. The multiple locations identified in this Notice replace the single location identified in the original Notice. Additional information related to this rulemaking project is available at this website: www.myflfamilies.com/service-programs/substance-abuse/rule-development.

A copy of the agenda may be obtained by contacting: DCF Office of Substance Abuse and Mental Health, 1317 Winewood Blvd., Building 6, Room 235, Tallahassee, FL 32399, Attn:

Jimmers Micallef, jimmers_micallef@dcf.state.fl.us, (850)717-4294.

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 24 hours before the workshop/meeting by contacting: Jimmers Micallef, jimmers_micallef@dcf.state.fl.us, (850)717-4294. 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: Jimmers Micallef, jimmers_micallef@dcf.state.fl.us, (850)717-4297.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Refugee Services

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

DATE AND TIME: Thursday, March 27, 2014, 10:00 a.m. – 12:00 Noon

PLACE: Pastoral Center, 11 North B Street, Pensacola, FL 32502

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

A copy of the agenda may be obtained by contacting: Theresa Leslie at (850)778-4065 or Taddese Fessehaye at (407)317-7335.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Theresa Leslie at (850)778-4065 or Taddese Fessehaye at (407)317-7335. 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: Theresa Leslie at (850)778-4065 or Taddese Fessehaye at (407)317-7335.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Office on Homelessness

Council Committee Calls
April – June 2014

The Department of Children and Families, Council on Homelessness announces a series of conference call meetings

of its respective committees to which all interested parties are invited to participate:

Executive

DATES AND TIMES: Monday, April 7, 2014; Monday, May 5, 2014; Monday, June 2, 2014, all from 2:00 p.m. – 3:00 p.m.

PLACE: Conference call 1(888)670-3525, code: 9798513235, then #

Awareness and Outreach

DATES AND TIMES: Thursday, April 3, 2014; Thursday, May 1, 2014; Thursday, June 5, 2014, all from 10:00 a.m. – 11:00 a.m.

PLACE: Conference call 1(888)670-3525, code: 9798513235, then #

Data Collection

DATES AND TIMES: Wednesday, April 9, 2014; Wednesday, May 14, 2014; Wednesday, June 11, 2014, all from 1:30 p.m. – 2:30 p.m.

PLACE: Conference call 1(888)670-3525, code: 9798513235, then #

Affordable Housing

DATES AND TIMES: Wednesday, April 16, 2014; Wednesday, May 21, 2014; Wednesday, June 18, 2014, all from 10:00 a.m. – 11:00 a.m.

PLACE: Conference call 1(888)670-3525, code: 9798513235, then #

Veterans

DATES AND TIMES: Tuesday, April 8, 2014; Tuesday, May 13, 2014; Tuesday, June 10, 2014, all from 2:00 p.m. – 3:00 p.m.

PLACE: Conference call 1(888)670-3525, code: 9798513235, then #

Continuum of Care

DATES AND TIMES: Tuesday, April 22, 2014; Tuesday, May 27, 2014; Tuesday, June 24, 2014, all from 2:00 p.m. – 3:00 p.m.

PLACE: Conference call 1(888)670-3525, code: 9798513235, then #

Children’s

DATES AND TIMES: Thursday, April 17, 2014; Thursday, May 15, 2014; Thursday, June 19, 2014, all from 2:00 p.m. – 3:00 p.m.

PLACE: Conference call 1(888)670-3525, code: 9798513235, then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: These conference calls will address the committees’ continued development of policy recommendations and work tasks to address the Council’s Annual Report on recommendations to end homelessness in Florida.

A copy of the agenda for any of the conference calls can be obtained by contacting: Office on Homelessness, 1317

Winewood Boulevard, Tallahassee, FL 32399-0700, at (850)922-4691.

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 November contact: The Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-4691.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access these meetings who is in need of special assistance should contact the Office on Homelessness at (850)922-4691 at least 48 hours in advance of the meeting.

FLORIDA LEAGUE OF CITIES

The Florida Municipal Loan Council (FMLC) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 27, 2014, 10:00 a.m.

PLACE: The Renaissance Orlando at Sea World, 6677 Sea Harbor Drive, Orlando, Florida, (407)351-5555

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Municipal Loan Council general meeting conducted through the use of communications media technology, as authorized by Section 163.01(18), Florida Statutes. Persons interested in attending may do so in person at The Renaissance Orlando at Sea World, 6677 Sea Harbor Drive, Orlando, Florida, (407)351-5555; where a communications media technology facility will be located.

A copy of the agenda may be obtained by contacting: lbridges@flcities.com or call: (850)222-9684.

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: lbridges@flcities.com or call: (850)222-9684.

FLORIDA LEAGUE OF CITIES

The Florida Municipal Investment Trust (FMIvT) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 27, 2014, 1:00 p.m.

PLACE: The Renaissance Orlando at Sea World, 6677 Sea Harbor Drive, Orlando, Florida; (407)351-5555

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Municipal Investment Trust general meeting conducted through the use of communications media technology, as authorized by Section 163.01(18), Florida Statutes. Persons interested in attending may do so in person at The Renaissance Orlando at Sea World, 6677 Sea Harbor Drive, Orlando, Florida, (407)351-5555; where a communications media technology facility will be located.

A copy of the agenda may be obtained by contacting: lbridges@flcities.com or call (850)222-9684.

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: lbridges@flcities.com or calling (850)222-9684. 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: lbridges@flcities.com or call (850)222-9684.

FLORIDA LEAGUE OF CITIES

The Florida Municipal Pension Trust Fund (FMPTF) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 27, 2014 11:00 a.m.

PLACE: The Renaissance Orlando at Sea World, 6677 Sea Harbor Drive, Orlando, Florida, (407)351-5555

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Municipal Pension Trust Fund general meeting conducted through the use of communications media technology, as authorized by Section 163.01(18), Florida Statutes. Persons interested in attending may do so in person at The Renaissance Orlando at Sea World, 6677 Sea Harbor Drive, Orlando, Florida, (407)351-5555, where a communications media technology facility will be located.

A copy of the agenda may be obtained by contacting: lbridges@flcities.com or calling (850)222-9684.

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: lbridges@flcities.com or calling (850)222-9684. 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: lbridges@flcities.com or call (850)222-9684.

FLORIDA LEAGUE OF CITIES

The Florida Association of Counties Trust announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 13, 2014, 2:00 p.m.

PLACE: Dennis, Jackson, Martin & Fontela, P.A., 1591 Summit Lake Drive, Suite 200, Tallahassee, FL 32317

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Association of Counties Trust Strategic Needs Committee Meeting conducted through the use of communications media technology, as authorized by section 163.01(18), Florida Statutes. Persons interested in attending may do so in person at the Dennis, Jackson, Martin & Fontela, P.A., 1591 Summit Lake Drive, Suite 200, Tallahassee, FL 32317, where a communications media technology facility will be located.

A copy of the agenda may be obtained by contacting: jgarner@flcities.com, (850)701-3623.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: jgarner@flcities.com, (850)701-3623. 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: jgarner@flcities.com, (850)701-3623.

FLORIDA LEAGUE OF CITIES

The Florida Association of Counties Trust announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 14, 2014, 8:00 a.m.

PLACE: Staybridge Suites, 1600 Lake Summit Drive, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Association of Counties Trust general board meeting conducted through the use of communications media technology, as authorized by Section 163.01(18), Florida Statutes. Persons interested in attending may do so in person at the Staybridge Suites, 1600 Lake Summit Drive, Tallahassee, FL 32312, where a communications media technology facility will be located.

A copy of the agenda may be obtained by contacting: jgarner@flcities.com, (850)701-3623.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 3 days before the workshop/meeting by contacting: jgarner@flcities.com, (850)701-3623. 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: jgarner@flcities.com, (850)701-3623.

HDR, INC.

Lake County announces a project information meeting to which all persons are invited.

DATE AND TIME: Thursday, March 13, 2014, 5:00 p.m. – 7:00 p.m.

PLACE: Olive Ingram Community Building, 25029 CR 561, Astatula, Florida 34705

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Lake County will conduct a Project Information Meeting regarding intersection safety improvements at the intersection of CR 561 and CR 455. A roundabout design is proposed for the intersection. The meeting will be conducted in an open house format and the project team will be available to answer questions. There will not be a presentation. Additional information may be obtained by contacting Mindy Heath with HDR Engineering at (407)420-4200 or mindy.heath@hdrinc.com, or Noble Olasimbo with Lake County at (352)483-9092 or NOlasimbo@lakecountyfl.gov. Persons requesting special accommodations under the Americans with Disabilities Act of 1990 may contact Mindy Heath in writing at HDR Engineering, 315 East Robinson Street, Suite 400, Orlando, Florida 32801, or at the email address above, at least 5 days prior to the meeting. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. One or more elected officials may be present.

Section VII

**Notice of Petitions and Dispositions
Regarding Declaratory Statements**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department

of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Susan Pikus, In Re: Isla Merita Homeowners’ Condominium Association II, Inc., Docket No. 2013050066, on December 10, 2013. The following is a summary of the agency's declination of the petition:

The Division declined to issue a Declaratory Statement because it may not interpret an association’s ambiguous governing documents. The order was filed with the Agency Clerk on February 19, 2014.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Danny Brown, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217; (850)717-1486; Daniel.Brown@myfloridalicense.com.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-3.009: Criteria for Certification of Independence

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from W.W. Schaefer Engineering & Consulting, P.A. The petition seeks the agency's opinion as to the applicability of Rule 61G20-3.009 as it applies to the petitioner.

Petitioner seeks clarification as to whether he is permitted to be a validator for product approval applications where he is an engineer of record for the product seeking approval if he has no financial interest in any of the parties involved.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203, (850)921-0342, AGC.Filing@myfloridalicense.com.

Please refer all comments to: Mo Madani, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 North Monroe, Tallahassee, Florida 32399, (850)487-1824, mo.madani@myfloridalicense.com.

April L. Hammonds, Office of the General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1000, (850)487-1824, april.hammonds@myfloridalicense.com.

Responses, motions to intervene, or requests for a hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

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**

VISIT FLORIDA

The Florida Tourism Industry Marketing Corp., d.b.a. VISIT FLORIDA, is accepting proposals for the 2014-2015 advertising program. The purpose of this Invitation to Negotiate is to solicit proposals for Brand/Dedicated and Sanctioned Cooperative Advertising programs. For more information, please click [here](#) for a complete packet including deadlines, project contacts and submission information. Deadline for submission is March 25, 2014.

**Section XII
Miscellaneous**

DEPARTMENT OF EDUCATION
State Board of Education

**Annual State Application under Part B of the Individuals
with Disabilities Education Act**

In order to receive a grant under Part B of the Individuals with Disabilities Education Act (IDEA), states must submit an application annually. The public participation requirements relevant to Part B are set forth in the Part B regulations at 34 CFR 300.165 and in section 441(b)(7) of the General Education Provisions Act (GEPA). States are required to make the Part B Application available to the public for a period of 60 days, and accept comments for a period of at least 30 days. Florida's Part B Application will be available to the public through May 4, 2014, on the Florida Department of Education, Bureau of Exceptional Education and Student Services website at www.fldoe.org/ese/. Comments will be accepted between March 4, 2014, and April 4, 2014. Comments may be submitted in writing to Cathy Bishop, Bureau of Exceptional Education and Student Services, 325 West Gaines Street, Suite 614, Tallahassee, Florida 32399; via email at cathy.bishop@fldoe.org; or via fax at (850)245-0953.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Nassau Equipment, Inc. for the establishment of WNGY motorcycles

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Hammer Brand, LLC, intends to allow the establishment of Nassau Equipment, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co., Ltd. (line-make WNGY) at 2385 Jamestown Road, Fernandina Beach, (Nassau County), Florida 32034, on or after April 7, 2014.

The name and address of the dealer operator(s) and principal investor(s) of Nassau Equipment, Inc., are dealer operator(s): Neil Borum, 2385 Jamestown Road, Fernandina Beach, Florida 32034, principal investor(s): Neil Borum, 2385 Jamestown Road, Fernandina Beach, Florida 32034.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Diana Hammer, Hammer Brand, LLC, 12485 44th Street North, Suite A, Clearwater, Florida 33762.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

North Miami Motorsports, LLC, for the establishment of OREI low-speed vehicles

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Oreion Motors, LLC, intends to allow the establishment of North Miami Motorsports, LLC, as a dealership for the sale of low-speed vehicles manufactured by Oreion Motors, LLC (line-make OREI) at 17777 Northwest 2nd Avenue, Miami, (Miami-Dade County), Florida 33169, on or after April 7, 2014.

The name and address of the dealer operator(s) and principal investor(s) of North Miami Motorsports, LLC, are dealer operator(s): James J. Dauria, 705 North Northlake Drive, Hollywood, Florida 33019; principal investor(s): James J. Dauria, 705 North Northlake Drive, Hollywood, Florida 33019 and Michael Zanakis, 8626 Tompson Point Road, Port St. Lucie West, Florida 34986.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Roseanne Knox, Oreion Motors, LLC, 5115 Industrial Park LP, Rio Rancho, New Mexico 87124.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Seaside Powersports, LLC, for the establishment of SANY motorcycles.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Alliance-Sym, Inc., intends to allow the establishment of Seaside Powersports, LLC, as a dealership for the sale of motorcycles manufactured by Sanyang Industry Co., Ltd. (line-make SANY) at 850 North Dixie Highway, Lantana, (Palm Beach County), Florida 33462, on or after April 7, 2014.

The name and address of the dealer operator(s) and principal investor(s) of Seaside Powersports, LLC, are dealer operator(s): Charles Banner, 850 North Dixie Highway, Lantana, Florida 33462; principal investor(s): Charles Banner, 850 North Dixie Highway, Lantana, Florida 33462, Simon Benlolo, 850 N Dixie Hwy, Lantana, Florida 33462.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Gene Chang, Alliance-Sym, Inc., 3788 Milliken Avenue, Suite C, Mira Loma, California 91752.

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

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On March 4, 2014, State Surgeon General issued an Order of Emergency Restriction of License with regard to the license of Tequila L. Gordon, C.N.A, License No. CNA 171719. This to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Pharmacy

Notice of Emergency Action

On March 4, 2014, State Surgeon General issued an Order of Emergency Suspension of License with regard to the license of William E. M. Whatley, R.Ph., License No. PS 20453. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2012-2013). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. (2012-2013). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Section XIII

Index to Rules Filed During Preceding Week

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