

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:

61J1-7.020 Public Comment

PURPOSE AND EFFECT: The Board proposes to develop and adopt a new rule to establish procedures for public participation in public meetings.

SUBJECT AREA TO BE ADDRESSED: Public comment.

RULEMAKING AUTHORITY: 286.0114 FS.

LAW IMPLEMENTED: 276.0114 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: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

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

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NOS.: RULE TITLES:

64B-1.005 Special Testing Accommodations

64B-1.008 Grading of Examinations; Grade Notification

64B-1.013 Post-Examination Review

PURPOSE AND EFFECT: This rulemaking deletes definitions that were identified as unnecessary, removes language that is duplicative of existing law or unnecessary, and clarifies the re-examination timeframe.

SUBJECT AREA TO BE ADDRESSED: Special Testing Accommodations, Grading of Examinations; Grade Notification, and Post-Examination Review.

RULEMAKING AUTHORITY: 456.004(5), 456.017(1), 456.017(2) FS.

LAW IMPLEMENTED: 456.017(1), 456.017(2) 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: Rob Wheeler, (850)245-4444, Ext. 3360

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 AGRICULTURE AND CONSUMER
 SERVICES**

Office of Energy

RULE NO.: RULE TITLE:

50-4.001 Natural Gas Fuel Fleet Vehicle Rebate

PURPOSE AND EFFECT: The purpose of this rule is to provide guidance to interested taxpayers for the application process, review, and administration of the Natural Gas Fuel Fleet Vehicle Rebate.

SUMMARY: The proposed rule revises the existing rule which describes the application process and the Department's review and administrative process for the Natural Gas Fuel Fleet Vehicle Rebate program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS (SERC) AND LEGISLATIVE RATIFICATION: The Agency has determined that this rule 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's economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. The Natural Gas Fuel Fleet Vehicle Rebate is a voluntary program. Taxpayers may elect to participate in this program to take advantage of rebates associated with the purchase, lease or conversion of a qualifying natural gas vehicle. Additionally, no interested party provided statements or submitted additional information regarding the economic impact for this program.

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

RULEMAKING AUTHORITY: 377.810, 570.07(23) FS.

LAW IMPLEMENTED: 377.810 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Matthew Arsenault, 600 South Calhoun Street, Suite 251, Tallahassee, Florida 32399-0001 or telephone: (850)617-7470.

THE FULL TEXT OF THE PROPOSED RULE IS:

5O-4.001 Natural Gas Fuel Fleet Vehicle Rebate.

(1) This rule applies to any applicant seeking a rebate under the Natural Gas Fuel Fleet Vehicle Rebate program for the cost of conversion or the incremental cost incurred by an applicant in connection with the conversion, purchase, or lease for a minimum term of 5 years, of a natural gas fleet vehicle placed into service on or after July 1, 2013. Pursuant to Section 377.810(3), F.S., an applicant is eligible to receive a maximum rebate of \$25,000 per ~~purchased, leased, purchased/leased~~ or converted vehicle, not to exceed 50 percent of eligible costs. Each applicant may receive up to a total of \$250,000 per fiscal year on a first come, first serve basis.

(a) "Placed into service" means when a vehicle is purchased, leased, or converted.

(b) "Natural gas fuel" means any liquefied petroleum gas product, compressed natural gas product, or combination thereof used in a motor vehicle as defined in Section 206.01(23), F.S. This term includes, but is not limited to, all forms of fuel commonly or commercially known or sold as natural gasoline, butane gas, propane gas, or any other form of liquefied petroleum gas, compressed natural gas, or liquefied natural gas. This term does not include natural gas or liquefied petroleum placed in a separate tank of a motor vehicle for cooking, heating, water heating, or electric generation.

(2) An applicant seeking a Natural Gas Fuel Fleet Vehicle Rebate must apply to the Department of Agriculture and Consumer Services, Office of Energy (Department) as follows:

(a) Applicants ~~shall complete a must submit a completed~~ Natural Gas Fuel Fleet Vehicle Rebate Application, FDACS-01976, Rev. 10/13, for each vehicle ~~purchase, lease, purchase/lease or conversion, by certified mail or hand delivery to the Natural Gas Fuel Fleet Vehicle Rebate, 600 South Calhoun Street, Suite 251, Tallahassee, Florida 32399-0001, by~~

~~5:00 P.M. Eastern Standard Time on June 30 of each year that funding is available.~~

(b) Applications shall be submitted by certified mail or hand delivery to the Natural Gas Fuel Fleet Vehicle Rebate, 600 South Calhoun Street, Suite 251, Tallahassee, Florida 32399-0001. Applications must be received by the Department by 5:00 p.m.. Eastern Standard Time on June 30 of each year that funding is available.

1. Certified mail means the service provided by the United States Postal Service whereby the sender is provided with a mailing receipt and delivery record.

2. Hand delivery means any submission of an application or applications to the Department from a representative of an applicant, courier, or a private delivery service. If there is a physical first-come, first-served line, applications delivered by couriers and private delivery services will be signed for by the Department and then given a place at the end of that line at the time that they are received.

~~(c)(b)~~ Applications will be accepted according to the following schedule:

1. During the first year of the program (July 1, 2013 to June 30, 2014) applications will be accepted beginning at 8:00 a.m. Eastern Standard Time on January 7, 2014;

2. During the second year of the program (July 1, 2014 to June 30, 2015) applications will be accepted beginning at 9:00 ~~8:00~~ a.m. Eastern Standard Time on July 1, 2014;

3. During the third year of the program (July 1, 2015 to June 30, 2016) applications will be accepted beginning at 9:00 ~~8:00~~ a.m. Eastern Standard Time on July 1, 2015;

4. During the fourth year of the program (July 1, 2016 to June 30, 2017) applications will be accepted beginning at 9:00 ~~8:00~~ a.m. Eastern Standard Time on July 1, 2016; and

5. During the fifth year of the program (July 1, 2017 to June 30, 2018) applications will be accepted beginning at 9:00 a.m. Eastern Standard Time on July 3, 2017.

~~(d)(e)~~ Applications must include the information required by the Natural Gas Fuel Fleet Vehicle Rebate Application, FDACS-01976, Rev. 10/13.

~~(e)(d)~~ Applications must include an itemized list of the following supporting documentation ~~to include:~~

1. A legible photocopy of the purchased, leased, purchased/leased or converted vehicle's valid and current (as of the date the application is received by the Department) registration. Applications for vehicles proportionally registered in Florida must also provide a letter signed by an authorized corporate officer that includes an affirmation that a majority of the vehicle's operation will take place in Florida, as well as a description of the location(s) of the facilities where the vehicles are primarily headquartered, fueled and maintained.

2. The Vehicle Identification Number (VIN) of the ~~purchased, leased, purchased/leased~~ or converted vehicle.;

3. For converted vehicles, a clear and legible photograph of the Vehicle Identification Number (VIN) from the vehicle.;

4. For converted vehicles, a clear photograph of ~~the each~~ ~~purchased/leased~~ or converted vehicle.;

5. For converted vehicles, a clear photograph of the natural gas fuel tank installed on the vehicle.;

6. A copy of the Environmental Protection Agency Certificate of Conformity with the Clean Air Act of 1990 that corresponds with the vehicle's engine or installed conversion kit, or documentation that the installed conversion system is an Environmental Protection Agency Certified Alternative Fuel Conversion System, Intermediate Age Clean Alternative Fuel Conversion System, or Outside Useful Life Clean Alternative Fuel Conversion System, vehicle or conversion kit;

7. ~~For In the case of~~ a vehicle purchase or lease, documentation of the cost of the equivalent ~~diesel diesel-~~ or gasoline vehicle.;

8. In the case of a conversion of a metered taxi, a copy of a valid and current weights and measures permit pursuant to Section 531.60, F.S.

~~(f)(e)~~ Applications must document investment in a natural gas fuel fleet by including both an invoice and corresponding proof of payment purchase for all vehicle purchases, leases, purchases/leases or conversions for which the applicant is seeking a Natural Gas Fuel Fleet Vehicle Rebate. An explanation shall ~~can~~ be included concerning price and proofs of payment if multiple vehicles are purchased, leased, purchased/leased or converted with the same payment.

1. Proofs of payment shall redact instances of bank account and credit card numbers (except the last 4 digits) and all financial information not pertaining to the purchase, lease or conversion of the vehicle represented on the application.

~~2.4.~~ Acceptable forms of proof of payment include purchase are:

- a. A canceled check with proof of deposit;
- b. A copy of an electronic funds transfer from a financial institution including showing the purchase amount and to whom the payment is being made going;
- c. A bank statement or a screenshot of an online bank statement bank account reflecting the transaction (with unrelated information redacted) showing the purchase amount and to whom the payment is being made going;
- d. A signed and executed lease contract; ~~or~~
- e. A credit card statement reflecting the transaction showing the cardholder's name, address, the purchase amount, and to whom the payment is being made; ~~or-~~
- f. A signed and executed promissory note or signed and executed auto loan.

~~3.2.~~ ~~The A valid~~ proof of payment purchase must contain at least:

a. A payment amount of at least the ~~The~~ price of the purchased or leased purchased/leased vehicle or vehicle conversion; and

b. ~~The date of vehicle purchase/lease or conversion;~~

~~b.e.~~ The name, address, and phone number of the seller from which the vehicle was purchased or leased, purchased/leased or the company that completed the vehicle conversion; and

~~d. A description of the purchased/leased vehicle or conversion work performed.~~

4. The invoice must contain at least:

a. The name and address of the seller from whom the vehicle was purchased or leased, or the company that completed the vehicle conversion;

b. The price of the vehicle purchase, lease, or conversion;

c. The Vehicle Identification Number of the purchased, leased or converted vehicle represented on the application; and

d. In the case of a vehicle purchase or lease, a clear indication that the vehicles represented on the invoice are natural gas powered vehicles.

~~(g)(f)~~ Copies of documentation in place of originals will be accepted; however, if the Department determines the application or supporting documentation is illegible, the application will be determined incomplete.

~~(h)(g)~~ Each applicant shall complete the sworn statement, included as part of the application form, affirming; that the natural gas fuel fleet vehicle(s) eligible for the rebate are in compliance with applicable United States Environmental Protection Agency emission standards.

~~(i)(h)~~ Each applicant shall complete the sworn statement, included as part of the application form, affirming: that the information contained in the application and supporting documentation is true and correct; that vehicle purchase/lease or conversion for which the applicant is seeking a Natural Gas Fuel Fleet Vehicle Rebate have not previously received a Natural Gas Fuel Fleet Vehicle Rebate; and that the requirements of Section 377.810, F.S., and this rule have been met.

(3) through (5) No change.

~~(6) The~~ Within 60 days of receipt of an application, the Department will evaluate the application to verify that the applicant has met the qualifying statutory and rule criteria. If the Department determines that the applicant is eligible for rebate, the Department will retain the original application and issue a written notification that the application is complete. The Department shall submit each application to the Florida Department of Financial Services for issuance of payment issue each rebate after it is determined that all required information has been provided to make that application complete and after

that application has been reviewed and approved, provided funds are available to do so.

(7) through (9) No change.

(10) Applications received after funding has been exhausted will be returned to applicant with a notice that funding has been exhausted for that program year. ~~Applicants will be notified if their application appeared to be complete or incomplete.~~

(11) No change.

PROPOSED EFFECTIVE DATE: July 1, 2014

Rulemaking Authority 377.810(5) FS. Law Implemented 377.810 FS. History—New 1-7-14, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Patrick Sheehan, Office of Energy Executive Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 10, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 11, 2014

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-602.201 Inmate Property

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to expand the sources of authorized property and to clarify that property received from authorized sources does count towards the maximum property limits established in the rule.

SUMMARY: The rule expands the sources of authorized property.

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: upon review of the proposed changes to these rules, the department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), F.S.

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

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

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 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: LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-602.201 Inmate Property.

(1) through (3) No change.

(4) Authorized Property.

(a) through (d) No change.

(e) Inmates shall be required to maintain receipts for items purchased from an authorized source ~~the canteen~~ for as long as they possess the items. An authorized source includes the canteen, the friends and family program, and any vendor authorized to conduct business with the department that has been approved to make items available for purchase to the inmates. In instances where items purchased from an authorized source ~~the canteen~~ are added to Form DC6-224, Inmate Personal Property List, by the property officer, the inmate will not be required to maintain the original ~~canteen~~ receipt from the authorized source. Perishable food and beverage items purchased from an authorized source ~~the canteen~~ are intended for immediate consumption and may not be stored in an inmate's housing area. Perishable food and beverage items are those that are unsealed or that require refrigeration. Nonperishable food or beverage items may not be kept longer than 30 days, as evidenced by the ~~canteen~~ receipt from an authorized source, and shall be considered contraband if found in the possession of an inmate more than 30 days after purchase.

(f) No change.

(5) through (15) No change.

(16) Religious Property.

(a) through (e) No change.

(f) Religious property and other religious items shall be acquired through an authorized source ~~vendor, canteen purchase~~, bona fide religious organization, or donor.

(g) through (i) No change.

APPENDIX ONE

PROPERTY LIST

This list incorporates all property authorized to be possessed by inmates in all department institutions and facilities except community correctional centers. Except for items specified below as "exemptions," property received must be in compliance with this list. Inmates in possession of property

previously approved by the Department of Corrections which meets the description of property on the list shall be allowed to retain the property. Inmates transferring to department facilities from private correctional facilities shall be allowed to retain only those items that are in compliance with the list of authorized property. As items sold in canteens at private facilities may differ from those sold by an authorized source ~~in department canteens~~, items purchased in canteens at private facilities will not always be admissible in department facilities.

Definitions.

The “quantity” establishes a maximum possession limit. This does not mean that all state issue items will be issued to each inmate, or that the maximum number of items will be issued. All ~~canteen~~ items from authorized source are subject to availability and may not be available for purchase. Items found in the possession of an inmate that are in excess of the established “quantity” shall be treated as contraband in accordance with Rule 33-602.203, F.A.C. Where there is a “value” indicated, the authorized item shall not exceed that value. The terms “authorized source” ~~“canteen”~~ and “state issue” refer to the sources from which property can be obtained after January 1, 1996. All items with the “authorized source”

~~“canteen”~~ designation shall be available in all institutional canteens or through orders from an authorized source ~~canteen order~~. All authorized source ~~canteen~~ items are transferable between department institutions. “State issue” means that the institution has the authority to issue this item to inmates based upon the character of the institution, the location of the institution, the housing or work assignment of the inmate, or other factors related to institution or inmate needs. Institutions housing death row inmates shall make adjustments to this property list when possession of listed items by death row inmates would create a threat to the security of the institution.

Exemptions.

Inmates already in possession of the following previously approved items shall be allowed to retain the items until they are no longer serviceable, but shall not be allowed to replace them with like items.

- Clothing items of a different color than specified on the property list.
- Locks other than V68 series
- Plastic bowls, tumblers, cups and lids
- Pantyhose
- Nail clippers larger than 2-1/2"

AUTHORIZED PROPERTY LIST

CLOTHING

Quantity	Unit	Value	Articles
1	each		Athletic Bra (<u>authorized source</u> canteen – female only)
1	each		Belt (state issue)
4	each		Bras (state issue or <u>authorized source</u> canteen – female only)
1	each		Coat (state issue)
1	pair		Gloves, work (state issue)
4	each		Handkerchief, cotton, white only (<u>authorized source</u> canteen)
1	each		Hats (state issue)
2	pair		Pajamas – long (state issue or <u>authorized source</u> canteen) Light blue or white – female only Light blue – male
7	each		Panties (state issue or <u>authorized source</u> canteen – female only)
3	each		Pants (state issue)
1	each		Raincoat or Poncho – clear (state issue or <u>authorized source</u> canteen)
1	each		Robe (state issue – female only)
3	each		Shirt, outer (state issue)
4	each		Shirt, T-Shirt (state issue or <u>authorized source</u> canteen order – gray for female, white for male) *inmates may possess both state-issue and <u>authorized source-purchased</u> canteen-purchased shirts, but the total combined number cannot exceed 4.
1	pair		Shoes, Athletic (<u>authorized source</u> canteen)
1	pair		Shoes, Boots (<u>authorized source</u> canteen or state issue)
2	each		Shorts, athletic (navy blue) (<u>authorized source</u> canteen)
1	each		Shower cap, clear only (female only) (<u>authorized source</u> canteen)
1	pair		Shower slides (<u>authorized source</u> canteen)

6	pair		Socks (state issue or <u>authorized source eanteen</u>)
1	each		Supporter, athletic (male only) (<u>authorized source eanteen</u>)
2	each		Sweatshirts (gray only) (<u>authorized source eanteen</u> order)
4	each		Undershorts (male only) (state issue or <u>authorized source eanteen</u>)
2	each		Underwear, thermal (state issue or <u>authorized source eanteen</u>)
PERSONAL ARTICLES			
Quantity	Unit	Value	Articles
Number in use			Batteries (<u>authorized source eanteen</u>)
25	each		Roller clips – plastic only (females only), (<u>authorized source eanteen</u>)
*			Books (legal, educational, religious, fiction) – * Quantity as specified by Rule 33-501.401, F.A.C.
1	each		Bowl – plastic (<u>authorized source eanteen</u>)
1	package		Breath tablets (<u>authorized source eanteen</u>)
1	each		Calendar, as specified by Rule 33-501.401, F.A.C.
*			Canteen purchases – * limited by approved storage space;
1	each		Canteen bag (<u>authorized source eanteen</u>)
1	set		Checkers (light wood or plastic, standard checkers only) (<u>authorized source eanteen</u> order)
1	set		Chess (light wood or plastic, 2 inches max. height) (<u>authorized source eanteen</u> order)
1	each		Coffee mug – plastic (<u>authorized source eanteen</u>)
1	each		Comb-pocket type, no handles (non-metal) (state issue or <u>authorized source eanteen</u>)
*			Correspondence – * limited by storage space limitations
1	pack		Cotton swabs (plastic or paper stems only) (<u>authorized source eanteen</u>)
2	each		Crème rinse and conditioner (<u>authorized source eanteen</u>)
1	each		Cup, drinking – plastic (<u>authorized source eanteen</u>)
1	package		Dental floss, (floss loops only), unwaxed (<u>authorized source eanteen</u>)
1	each		Denture adhesive (state issue or <u>authorized source eanteen</u>)
1	each		Denture cup (<u>authorized source eanteen</u> order)
2	each		Deodorant and antiperspirant (no aerosols) (<u>authorized source eanteen</u>)
1	set		Domino (light wood or plastic, standard size) (<u>authorized source eanteen</u> order)
1	Set		Earbuds (<u>authorized source eanteen</u>)
1	pair		Earphone pads (replacement) (<u>authorized source eanteen</u> order)
1	pair		Ear rings, post type (female only) (<u>authorized source eanteen</u> order)
*			Educational supplies (items must be pre-approved for vocational education or correspondence study programs. Items are authorized only for the duration of the course)
1	pack		Emery board – cardboard (<u>authorized source eanteen</u>)
25	each		Envelopes – legal (#10 size) (<u>authorized source eanteen</u>)
5	each		Envelopes – oversized (10" x 13") (<u>authorized source eanteen</u>)
*			Envelopes, self-addressed stamped – * the total in the inmate’s possession shall not exceed the limit of 1 pack
2	each		Eyeglasses, case, contact lens and solutions (state issue or personal; “personal” means that inmates already in possession of these items will be allowed to retain them, but any future items will be provided by the institution if needed.) Contact lenses will only be provided if medically indicated

1	each		Eye shadow, eyeliner, mascara, eyebrow pencil, blemish preparation, lipstick, blemish and spot cover-up, lip coloring (female only) (<u>authorized source eanteen</u>)
1	box		Feminine hygiene products (internal and external) (female only) (state issue or <u>authorized source eanteen</u>)
*			File folders (*limited by storage space)
20			Greeting cards and accompanying envelopes
1	each		Hairbrush – nonmetal, handles for females only (<u>authorized source eanteen</u>)
2	each		Hairdressing (styling gel, pink oil, cholesterol, perm kit – female only) (no aerosols) (<u>authorized source eanteen</u>)
1	each		Hair net (female only) (<u>authorized source eanteen</u>)
25	each		Hair rollers (female only) (<u>authorized source eanteen</u>)
2	each		Handballs or racketballs (<u>authorized source eanteen</u>)
1	each		Headphones for use with radio (<u>authorized source eanteen</u>)
Maximum weekly dosage			Health aids – headache and cold remedies, antacids, antifungal preparations, cough drops, nasal spray, etc. No imidazoline, tetrahydrozoline, or hydrochloride compounds (<u>authorized source eanteen</u> – as approved by health services)
2	each		Hearing aid (state issue or personal)
*			Hobby craft – at locations where program exists and subject to storage space limitations
1	each		Insect repellent (<u>authorized source eanteen</u>)
1	each		Jigsaw puzzle (<u>authorized source eanteen</u> order)
1	each		Keyboard (<u>authorized source eanteen</u>)
1	each		Laundry bag (state issue or <u>authorized source eanteen</u>)
1	each		Lip balm (<u>authorized source eanteen</u>)
1	each		Locks, combination (V68 series) (<u>authorized source eanteen</u>)
1	each		Make-up bag, clear only (female only) (<u>authorized source eanteen</u>)
1	each		Mirror – plastic, nonbreakable, 5" × 7" max. (<u>authorized source eanteen</u>)
1	each		Moisturizer – (<u>authorized source eanteen</u>)
1	each		Mouthwash (<u>authorized source eanteen</u>)
1	each		MP3 Player (<u>authorized source eanteen</u>)
1	each		MP3 Player arm band holder (<u>authorized source eanteen</u>)
1	each		Nail clippers, not to exceed 2 1/2" (<u>authorized source eanteen</u>)
2	pack		Notebook paper (<u>authorized source eanteen</u>)
4	each		Pens, ballpoint, flair-type, pencils with erasers, or security pens, no markers (<u>authorized source eanteen</u>)
*			Periodicals – * as specified by Rule 33-501.401, F.A.C., and storage space limitations
1	each		Photo album, non-metal (<u>authorized source eanteen</u>)
50	each		Photographs (personal)
2	decks		Playing cards (standard) (<u>authorized source eanteen</u>)
5	each		Pony tail holder (fabric) or hair claws (plastic) (female only)
1	each		P.R.I.D.E. service pin (issued to inmate from P.R.I.D.E.)
*			Prosthesis – * as approved by health services
1	each	50.00	Radio, DC/AM/FM only, "Walkman" type, maximum 4" × 5" (<u>authorized source eanteen</u>)

1	each		Razor, disposable (state issue)
1	each	50.00	Razor, battery operated, non-rechargeable (authorized source eanteen order)
*			Religious requirements – as approved by chaplaincy services, (examples: head covering, prayer rug)
1	each	50.00	Religious medallion with chain (personal or provided by Chaplain)
1	each	100.00	Ring, engagement (personal, female only)
1	each	100.00	Ring, wedding (personal)
1	each		Roller cap, clear only (female only) (authorized source eanteen)
1	set		Scrabble (authorized source eanteen order)
1	each		Screen protector (authorized source eanteen)
2	each		Shampoo (authorized source eanteen)
1	each		Shaving cream (authorized source eanteen)
1	each		Shaving powder (authorized source eanteen)
1	pair		Shoe laces (authorized source eanteen)
1	each		Shoe wax (Liquid only, non flammable, no nitrobenzene; authorized source eanteen)
2	each		Soap, bath (state issue or authorized source eanteen)
1	each		Soap dish (authorized source eanteen)
1	each		Soap, laundry (female only) (authorized source eanteen)
*			Special needs – * special devices as approved for compliance with medical needs
1	each		Spoon, plastic (authorized source eanteen)
40	each		Stamps (the equivalent of 40 1-ounce 1st class) (authorized source eanteen)
1	each		Sunglasses, no mirror type (authorized source eanteen)
1	each		Sunscreen lotion (authorized source eanteen)
1	each		Talcum powder (authorized source eanteen)
1	each		Toilet Paper (state issue or authorized source eanteen)
1	each		Toothbrush (state issue or authorized source eanteen)
1	each		Toothbrush holder (authorized source eanteen)
2	each		Toothpaste and Toothpaste with mouthwash (state issue or authorized source eanteen)
2	each		Towels (state issue)
1	each		Wallet (authorized source eanteen)
1	each	50.00	Watch (personal or authorized source eanteen)
1	each		Watch band (nylon and Velcro only) (authorized source eanteen)
2	each		Washcloths (state issue or authorized source eanteen)

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 6-4-81, Formerly 33-3.025, Amended 11-3-87, 11-13-95, 5-20-96, 1-8-97, 6-1-97, 7-6-97, 10-15-97, 2-15-98, 3-16-98, 8-4-98, 12-7-98, Formerly 33-3.0025, Amended 11-21-00, 9-12-01, 5-16-02, 7-8-03, 8-18-04, 1-25-05, 10-23-06, 2-27-08, 12-25-08, 1-25-10, 7-4-10, 10-26-11, 8-19-12, 11-20-12, 3-3-13,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
James Upchurch, Assistant Secretary of Institutions
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael D. Crews, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 15, 2014
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 3, 2014

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.:	RULE TITLES:
59A-5.002	Definitions
59A-5.003	Licensure Procedure
59A-5.004	Validation, Licensure, & Life Safety Inspections and Complaint Investigations
59A-5.005	Governing Body
59A-5.0085	Departments and Services
59A-5.012	Medical Records
59A-5.018	Comprehensive Emergency Management Plan

PURPOSE AND EFFECT: The purpose is to revise rules related to the ambulatory surgical centers standards and licensure. These revisions will update definitions, reword for clarity, update licensure fee amounts, correct rule and statutory references, update references to a form that has been revised and incorporated in rule, clarify who can administer anesthesia, and update rule references that are now found in the Florida Building Code.

SUMMARY: Rule 59A-5.002, F.A.C., is amended to reorder, delete, and add definitions. Rule 59A-5.003, F.A.C., is amended to incorporate a form revision, update fee, and update rule references that are now in Florida Building Code. Rule 59A-5.004, F.A.C., is amended to add references and align with language in Chapters 395 and 408, F.S. Rule 59A-5.005, F.A.C., is amended to specify the position of Administrator. Rule 59A-5.0085, F.A.C., is amended to expand the list of who can administer anesthesia in licensed ambulatory surgical centers. Rule 59A-5.012, F.A.C., is amended to specify a patient’s record, correct grammar, and strike language requiring original documents. Rule 59A-5.018, F.A.C., is amended to add references to the Florida Building Code and correct grammar.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will 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 this will have an adverse impact on small business, but will not 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 been prepared by the agency.

A statement of estimated regulatory costs has been prepared for proposed Rule 59A-5.003, F.A.C., and is available from the person listed below. The following is a summary of the SERC: For proposed rule subsection 59A-5.003(7), F.A.C., license fees are increased by the Consumer Price Index pursuant to Section 408.805(2), F.S. The biennial licensure fee will increase by \$179.82 per ambulatory surgical center. Based on the number of currently licensed ambulatory surgical centers the total impact over 5 years will be \$197,442.36.

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: 395.1055, 408.819 FS.

LAW IMPLEMENTED: 395.001, 395.002, 395.003, 395.004, 395.009. 395.1055, 395.0161, 395.0191, 395.1011, 395.1065, 395.3025, 408.806, 408.809, 408.811 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: May 14, 2014, 4:00 p.m. – 5:00 p.m.

PLACE: Ft. Knox Bldg. 3, Conference Room D, 2727 Mahan Drive, Tallahassee, FL 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kim Stewart via e-mail: Kimberly.Stewart@ahca.myflorida.com or by phone: (850)412-4362

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 59A-5.002 follows. See Florida Administrative Code for present text.)

59A-5.002 Definitions.

In addition to definitions contained in Chapters 395, F.S. Part I and 408, F.S., Part II, the following definitions shall apply specifically to ambulatory surgical centers.

(1) “Administrator” means a person who is delegated the responsibility of carrying out the policies and programs established by the governing body.

(2) “Agency” means the Agency for Health Care Administration.

(3) “Anesthesiologist” means a person currently licensed to practice medicine or osteopathy pursuant to Chapter 458 or 459, F.S., and who has completed an approved residency in the field of anesthesiology.

(4) “Anesthesiologist Assistant” means a person currently licensed pursuant to Chapter 458 or 459, F.S. as an anesthesiologist assistant.

(5) “Center” means an ambulatory surgical center.

(6) “Certified Registered Nurse Anesthetists” means a person currently licensed and certified pursuant to Chapter 464, F.S. and certified by the Council on Certification of Nurse Anesthetists.

(7) “Dentist” means a person currently licensed to practice dentistry pursuant to Chapter 466, F.S.

(8) “F.A.C.” means the Florida Administrative Code.

(9) “Governing Body” means an individual owner, partnership, corporation or other legally established authority in whom the ultimate authority and responsibility for management of the ambulatory surgical center is vested.

(10) “Licensed Practical Nurse” means a person currently licensed as defined in Section 464.003(16), F.S.

(11) “Operating room” means a room used for the sole purpose of performing surgical procedures and meeting the requirements of Florida Building Code for ambulatory surgical centers.

(12) “Operating room technician” means a person with specialized training in operation room techniques and considered by the governing body qualified to serve as part of the operating room staff.

(13) “Organized Medical Staff” means a formal organization of physicians, dentists, podiatrists, or other health professionals, who are appointed by the governing body to attend patients within the ambulatory surgical center.

(14) “Patient” means a person admitted to the ambulatory surgical center.

(15) “Pharmacist” means a person currently licensed pursuant to Chapter 465, F.S.

(16) “Physician” means a person currently licensed to practice medicine or osteopathy pursuant to Chapter 458 or 459, F.S.

(17) “Podiatrist” means a person currently licensed to practice podiatric medicine pursuant to Chapter 461, F.S.

(18) “Procedure Room” means a room designated for the performance of special procedures that do not require a restricted environment but may use sterile instruments or equipment.

(19) “Recovery Bed” means an accommodation with support services used for post-operative recovery in an ambulatory surgical center.

(20) “Registered Professional Nurse” means a person currently licensed as defined in Section 464.003(22), F.S. Rulemaking Authority 395.1055, FS. Law Implemented 395.002 FS. History—New 6-14-78, Formerly 10D-30.02, Amended 2-3-88, 5-5-92, Formerly 10D-30.002, Amended 11-13-95, _____.

59A-5.003 Licensure Procedure.

(1) In addition to the licensure requirements contained in Chapters 395, F.S., Part I and 408, F.S., Part II, ~~Section 395.003, F.S.~~, all ambulatory surgical centers shall comply with the following:

(2) All persons requesting licensure for the operation of a ~~ambulatory surgical~~ center under the provisions of Chapter 395, F.S., ~~on or after January 1, 1978,~~ shall make application to the ~~Agency for Health Care Administration, Office of Health Facility Regulation, Tallahassee, Florida~~ on Health Care Licensing Application, Ambulatory Surgical Centers, AHCA Form 3130-2001 September 2013 May 95, which is hereby incorporated by reference, and available from the Agency for Health Care Administration. The ambulatory surgical center shall receive a regular license prior to the acceptance of patients for care or treatment. The form is available at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX> and available from the Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 31, Tallahassee, Florida 32308, or at the web address at: <http://ahca.myflorida.com/HQALicensureforms>. The center must obtain a standard license prior to the acceptance of patients for care or treatment.

(3) Each ~~ambulatory surgical~~ center applying for a license shall be designated by a distinctive name, and the name shall not be changed without first notifying the ~~A~~agency and receiving approval in writing. Duplication of an existing ~~ambulatory surgical~~ center’s name is prohibited.

(4) ~~In addition to the requirements found in Chapter 408, Part II, the~~ ~~The~~ following documents shall accompany the initial application:

(a) ~~Proof of fictitious name registration if applicable; The Affidavit of Compliance with Fictitious Name pursuant to Section 865.09, F.S.;~~

(b) ~~Registration of Articles of Incorporation or similarly titled document registered by the applicant with the Florida Department of State in the State of Florida for the ambulatory surgical center;~~ and

(c) The ambulatory surgical center's Zoning Certificate or proof of compliance with zoning requirements.

(5) The following documents shall be available for inspection at the center by the Agency area office at the initial licensure inspection:

- (a) The governing body bylaws, rules and regulations, or other written organizational plan;
- (b) Medical staff bylaws, rules and regulations;
- (c) Roster of medical staff members;
- (d) Nursing procedure manual;
- (e) Roster of registered nurses and licensed practical nurses with current license numbers;
- (f) The ambulatory surgical center's fire plan; and
- (g) The Comprehensive Emergency Management Plan pursuant to Rule 59A-5.018, F.A.C.

(6) In addition to the requirements found in Chapter 408, Part II, all applications for a change of ownership In the case of centers applying for first license after purchase, and previously licensed under other ownership, the licensure application shall include;

(a) A signed agreement with the Agency to correct physical plant deficiencies listed in the most recent licensure inspection that conforms to Florida Building Code Rules 59A-5.020 through 59A-5.031, F.A.C., shall accompany the license application;

(b) A copy of the closing documents, which must include an effective date and the signatures of both the buyer and the seller;

(c) ~~Registration of Articles of Incorporation or similarly titled document registered by the applicant with the Florida Department of State; in the State of Florida;~~

(d) ~~Proof of fictitious name registration if applicable; The Affidavit of Compliance with Fictitious Name pursuant to Section 865.09, F.S.;~~

(e) Evidence of payment of, or arrangement to pay, any liability to the state pursuant to Section 395.003(3)(b)2., F.S.

(7) A license fee of \$1,679.82 ~~\$1,500.00~~ for the operation of ~~a an ambulatory surgical~~ center as established by Chapter 395, F.S., shall accompany an application for an initial, renewal or change of ownership license. The license fee shall be made payable to the Agency for Health Care Administration. No license shall be issued without payment of the requisite fee, ~~and, if the application for licensure is withdrawn, only that portion of the fee which is in excess of the agency's actual costs for processing the application up to the point of withdrawal shall be refunded. Where licenses are denied, the license fee is not refundable.~~

(8) All permanent additions to the constructed center's operating room capacity occurring after the issuance of the initial annual license shall require a new application for licensure.

(9) Each license shall specifically state the number of operating rooms, procedure rooms, and ~~number of~~ recovery beds in the center ~~premise.~~

~~(10) Each license shall be returned to the agency immediately upon change in ownership or voluntary cessation of operations; or when license is suspended or revoked.~~

~~(10)(11)~~ There shall not be multiple ambulatory surgical center licenses for a single ~~ambulatory surgical~~ center.

~~(11)(12)~~ Each ~~ambulatory surgical~~ center licensed under Chapter 395, F.S., shall establish an internal risk management program pursuant to Chapter 59A-10, F.A.C., as a part of its administrative function.

~~(12)(13)~~ Upon receipt of the required information in subsections (1) through (4) above, completed initial application, the Agency shall conduct a licensure inspection a survey to determine ~~substantial~~ compliance with Chapter 395, F.S., Part I and Rules 59A-5.002 59A-5.004 through 59A-5.022, 59A-5.031, F.A.C.

~~(13)(14)~~ When a ~~an ambulatory surgical~~ center is in ~~substantial compliance with Chapters Chapter~~ 395, F.S., Part I, 408, F.S., Part II and Rules 59A-5.002 59A-5.004 through 59A-5.022 59A-5.031, F.A.C., and has received all approvals required by law, the Agency shall issue, a single license which identifies the licensee ambulatory surgical center and the name and location of the ~~ambulatory surgical~~ center. ~~This license must be displayed in a conspicuous place.~~

~~(14)(15)~~ Separate licenses shall not be required for separate buildings on the same grounds when used by the same ~~ambulatory surgical~~ center.

~~(15)(16)~~ A license issued to ~~a an ambulatory surgical~~ center shall be revoked or denied by the Agency in any case where the Agency finds there has been substantial failure to comply with provisions of Chapter 395, F.S., Part I, or Chapter 59A-5, F.A.C.

~~(16)(17)~~ A licensee shall notify the Agency of impending closure of ~~a an ambulatory surgical~~ center not less than 30 days prior to such closure. The ~~ambulatory surgical~~ center shall be responsible for advising the Agency as to the disposition of medical records.

Rulemaking Authority 395.1055, 408.819 FS. Law Implemented 395.001, 395.003, 395.004, 395.0161, 395.1055, 408.806, 408.809, 408.811 FS. History—New 6-14-78, Formerly 10D-30.03, Amended 2-3-88, Formerly 10D-30.003, Amended 11-13-95, _____.

59A-5.004 Validation, Licensure, & Life Safety Inspections and Complaint Investigations.

(1) ~~INSPECTIONS.~~ The ~~Agency for Health Care Administration~~ shall conduct periodic inspections of Ambulatory Surgical Centers in order to ensure compliance with all licensure requirements in accordance with Section 395.0161, F.S.

(2) ~~NON-ACCREDITED AMBULATORY SURGICAL CENTERS.~~ Those ~~ambulatory surgical centers~~ which are not accredited by ~~an accrediting organization~~ JCAHO or AAAHC shall be subject to a scheduled annual licensure inspection ~~survey by the agency.~~ The fee for conducting ~~a~~ an annual licensure inspection shall be \$400.00.

~~(a) Within 10 days of the completion of the agency's survey, the agency will mail a copy of the survey findings to the center. For those centers determined not in compliance with state licensure requirements, the notification shall include a statement of deficiencies.~~

~~(b) Within 10 days of receipt of a statement of deficiencies, the center must prepare and mail a plan of correction for review and approval to the agency. The plan of correction must address the action planned by the center to correct each deficiency, the individuals or entities responsible for implementing the corrective action, and the date by which each corrective action will be completed.~~

~~(c) The agency will conduct a follow up visit to those centers with an approved plan of correction within 30 days of receipt by the agency of the approved plan of correction, or within 30 days of the completion date for deficiencies contained in the approved plan, or will review pertinent materials submitted by the center, to determine compliance with the approved plan of correction.~~

~~(d) The agency will work with ambulatory surgical centers to ensure compliance with standards of care through the implementation of acceptable plans of correction. Those centers which fail to implement approved plans of correction shall be subject to sanctions imposed under Section 395.1065, F.S.~~

(3) ACCREDITED AMBULATORY SURGICAL CENTERS. The Agency shall accept the survey report of an accrediting organization in lieu of an annual licensure inspection for accredited centers and for centers seeking accreditation pursuant to Section 395.0161, F.S., provided that the standards included in the survey report of the accrediting organization are determined by the agency to document that the ambulatory surgical center is in substantial compliance with state licensure requirements, found in Chapters 395 and 408, F.S., and Chapters 59A-5 and 59A-35, F.A.C., and the center does not meet the criteria specified under subparagraphs ~~(c)(e)~~ 1. and 2.

(a) Upon receipt of the accrediting organization's survey report, the Agency will review the findings to determine if the center is in substantial compliance with state licensure requirements.

(b) The Agency shall notify the ambulatory surgical center within 60 days of the receipt of the accrediting organization's survey report regarding the Agency's determination of the ambulatory surgical center's compliance or non-compliance with state licensure requirements. ~~For ambulatory surgical centers that are determined not to be in compliance with licensure requirements, the notification will include a statement of deficiencies.~~

~~(c) Ambulatory surgical centers determined by the agency not to be in substantial compliance with state licensure requirements shall submit a plan of correction to the agency within 10 days of receipt of the statement of deficiencies.~~

~~(d) The agency shall review the plan of correction in accordance with the procedures specified under paragraphs (2)(a) through (d).~~

~~(c)(e)~~ Accredited Ambulatory surgical centers shall be subject to an annual licensure inspection under the following circumstances:

1. The ambulatory surgical center has been denied accreditation or has received a provisional or conditional accreditation from an accrediting organization on its most recent accreditation report survey, and has not submitted an acceptable plan of correction to the accrediting organization and the agency.

2. The ambulatory surgical center has received full accreditation, but has not authorized the release of the report to the Agency or has not ensured that the Agency received the accrediting organization's survey report prior to the Agency's scheduled inspection survey.

~~(d)(f)~~ The fee for an annual licensure inspection shall be \$400.00 for any accredited center subject to inspection pursuant to paragraph ~~(c)(e)~~.

~~(4) LIFE SAFETY INSPECTIONS.~~ The ~~agency~~ shall conduct a scheduled annual life safety inspection of all ambulatory surgical centers to ensure physical plant compliance with life safety codes pursuant to Rules 59A 5.020 through 59A 5.031, F.A.C., and requirements for disaster preparedness pursuant to Rule 59A 5.018, F.A.C., unless:

~~(a) The ambulatory surgical center was surveyed during an accreditation survey by a Florida certified life safety inspector, and found to be in compliance with life safety requirements by the accrediting organization, and;~~

~~(b) The report of that survey has been released to and received by the agency prior to the agency scheduling a life safety inspection.~~

~~(4)(5)~~ LIFE SAFETY INSPECTION FEE. A separate fee of \$40.00 shall be assessed for a life-safety inspection, except when conducted as part of a licensure or a Centers for Medicare and Medicaid Services Health Care Financing Administration certification inspection.

~~(5)~~(6) VALIDATION INSPECTION. Each year, the Agency shall conduct validation inspections on a minimum of five percent of those centers that have undergone an accreditation inspection from an accrediting organization, to determine ongoing compliance with state licensure requirements.

(a) Upon ~~Within 10 days following the~~ completion of a validation inspection survey, the Agency will send mail a copy of its findings to the ~~ambulatory surgical~~ center. For those centers determined not to be in compliance with state licensure requirements the notification will include a statement of deficiencies.

~~(b) Ambulatory surgical centers found not in compliance based on a validation inspection shall submit a plan of correction as specified under paragraphs (2)(a) through (d).~~

~~(c)~~(e) If the Agency determines, based on the results of validation inspection survey findings, that an accredited center is not in substantial compliance with state licensure requirements, the Agency shall report its findings to the accrediting organization and shall conduct a full licensure inspection on that center during the following year.

~~(c)~~(d) The fee for conducting a licensure validation inspection shall be \$400.00. A separate fee for a validation inspection survey will not be assessed when conducted in conjunction with a Centers for Medicare and Medicaid Services Health Care Financing Administration certification inspection.

~~(6)~~(7) COMPLAINT INVESTIGATIONS. The Agency shall conduct investigations of complaints regarding violations of licensure, and life-safety standards in accordance with Sections 395.0161 and 408.811, F.S. Complaint investigations will be unannounced. An entrance conference shall be conducted upon arrival, by Agency personnel investigating the complaint, to inform the center's administrator about the nature of the complaint investigation and to answer questions from the center's staff. An exit conference shall be provided at the conclusion of the on-site investigation to inform the center of the scope of the investigation and to receive any additional information that the center wishes to furnish.

(a) Upon receipt of a complaint, the Agency shall review the complaint for allegations of non-compliance with licensure requirements compliance with licensure issues, and in addition, shall take the following actions:

1. Complaints involving any ~~ambulatory surgical~~ center shall be reviewed and sent to the appropriate agency's local area health facility regulation office for investigation, if it is determined that the allegations could constitute a violation of state licensure or ~~and~~ federal certification;

2. If allegations are more appropriately addressed by another state agency or entity, the complaint will be referred accordingly.

(b) Upon a determination that investigation of a complaint is warranted, the Agency shall conduct an complete the ~~complaint investigation within 90 days, unless there is an immediate threat to patient safety and well being, in which case an immediate investigation shall be undertaken.~~

~~(c) Upon conclusion of a complaint investigation by the agency, the agency shall notify the affected parties in writing within 10 days of its determination as to the validity of the complaint and any actions to be taken to resolve violations or sanctions imposed against the ambulatory surgical center.~~

~~(7)~~(8) CONFORMANCE WITH ACCREDITATION STANDARDS. In all ~~ambulatory surgical~~ centers where the Agency does not conduct an annual licensure inspection, by reason of the ~~ambulatory surgical~~ center's accreditation status, the ~~ambulatory surgical~~ center shall continue to conform to the standards of accreditation throughout the term of accreditation, or shall notify the Agency of the areas of non-conformance. Where the Agency is notified of non-conformance non-compliance, it shall take appropriate action as specified under subsection (3).

~~(8)~~(9) SANCTIONS. The Agency shall impose penalties pursuant to Section 395.1065, F.S., on those ~~ambulatory surgical~~ centers which fail to submit an acceptable plan of correction or implement actions to correct deficiencies identified by the Agency or an accrediting organization which are specified in an approved plan of correction or as identified as a result of a complaint investigation.

Rulemaking Authority 395.1055, 408.819 FS. Law Implemented ~~126.60, 395.001, 395.003, 395.0161, 395.1065, 408.811~~ FS. History—New 6-14-78, Formerly 10D-30.04, 10D-30.004, Amended 11-13-95, _____.

59A-5.005 Governing Body.

(1) The ~~ambulatory surgical~~ center's organization shall have an effective governing authority responsible for the legal and ethical conduct of the ~~ambulatory surgical~~ center. The governing body in fulfilling its responsibility shall be organized under approved written bylaws, rules and regulations which shall:

(a) State the qualifications for governing body membership, and the method of selecting members as well as the terms of appointment or election of members, officers and chairmen of committees. Where legally permissible, physicians who are members of the organized medical staff shall be eligible for, and should be included in, full membership of the ambulatory surgical centers' governing body bodies and its their action committees in the same manner as are other knowledgeable and effective individuals. Also, any other member of the organized medical staff shall be considered eligible for membership of the governing body.

(b) Provide for the designation of officers, their duties, and for the organization of the governing body into essential committees with the number and type consistent with the size and scope of the ~~ambulatory surgical~~ center's activities.

(c) Coordinate through an executive committee or the governing body as a whole, the policies and activities of the ~~ambulatory surgical~~ centers and special committees established by the governing body.

(d) Specify the frequency of meetings, at regular stated intervals, with a majority of the members constituting a quorum and with the requirement that minutes be recorded and made available to all members of the governing body.

(e) Establish the a position of administrator, the incumbent of which shall be responsible for operation and maintenance of the ~~ambulatory surgical~~ center as a functioning institution, and define the methods established by the governing body for holding such designated person responsible.

(f) Provide for the appointment, reappointment, or dismissal of members of the organized medical staff through a credentialing ~~credential~~ committee or its equivalent and a procedure for hearing and appeal. No action on appointment, reappointment or dismissal shall be taken without prior referral to the credentialing ~~medical-credential~~ committee for their recommendation, provided that the governing body may suspend an organized medical staff member pending final determination of any reappointment or dismissal. The governing body shall only appoint members of the organized medical staff as recommended by the credentialing ~~credential~~ ~~medical~~ committee.

(g) Provide for the approval of the bylaws, rules and regulations of the organized medical staff.

(h) Require that every patient shall be admitted by and remain under the care of a member of the organized medical staff.

(i) Require that all medications, treatments and procedures shall be administered upon specific orders of a member of the organized medical staff.

(j) Require that all attending organized medical staff members, ~~podiatrists and dentists~~ who do not have admitting privileges at an acute care general hospital ~~document~~, shall have a written agreement with ~~from~~ a physician who has staff privileges with one or more acute care general hospitals licensed by the state to accept any patient who requires continuing care; or

(k) Ensure that there is a written center facility agreement, with one or more acute care general hospitals licensed by the state, which will admit any patient referred who requires continuing care.

(l) Provide for a formal and official means of liaison among the medical staff, the governing body, and the administrator ~~chief administrative officer~~ to provide a channel for administrative advice.

(m) Specify the classification of services to be provided in the center facility and list authorized surgical procedures.

(2) Where a ~~the~~ physician-~~owner operator~~ serves as the licensee and governing body, the articles of incorporation or other written organizational plan shall describe the manner in which the licensee ~~owner operator~~ executes the governing body responsibility.

Rulemaking Authority 395.1055 FS. Law Implemented 395.003, 393.0191, 395.1055 FS. History—New 6-14-78, Amended 3-3-80, Formerly 10D-30.05, 10D-30.005, Amended 11-13-95, _____.

59A-5.0085 Departments and Services.

(1) SURGICAL DEPARTMENT. This department shall be organized under written policies and procedures relating to surgical staff privileges, anesthesia, functioning standards, staffing patterns and quality maintenance of the surgical suite.

(a) A qualified person designated by the administrator shall be responsible for the daily functioning and maintenance of the surgical suite.

(b) A surgery record shall be maintained on a current basis that contains at least the following information:

1. Patient's name, patient number, pre-operative diagnosis, post-operative diagnosis, surgical procedure, anesthetic, and complications, if any; and

2. Name of each member of the surgical team, including the surgeon, first assistant, anesthesiologist, nurse anesthetist, anesthesiologist assistant, circulating nurse and operating room technician.

~~Patient's name and facility patient number, pre operative diagnosis, post operative diagnosis, surgical procedure, surgeon, first assistant, anesthesiologist, nurse anesthetist, anesthetic, circulating nurse, O.R. technician, and complications, if any.~~

(c) Each center facility shall ensure, prior to any surgery being performed, that the ~~original~~ signed informed consent for the procedure, verification of the identity of patient, operative site, and operative procedure to be performed are in the patient's medical record.

~~(d) A registered nurse shall serve as O.R. Circulating Nurse.~~

~~(d)(e)~~ All infections of surgical cases shall be recorded and reported to the Infection Control Committee and a procedure shall exist for the investigation of such cases.

~~(e)(f)~~ Emergency equipment shall be provided as needed commensurate with the services of the center facility, maintained in functional condition, and capable of providing at least the following services:

1. Inhalation ~~and~~ therapy;
2. Defibrillation;
3. Cardiac monitoring;
4. Suctioning;
5. Maintenance of patent patient airway.

~~(f)~~(g) Written procedures in implementation of policies shall relate specifically to the functional activities of the surgical suite and include but not be limited to the following:

1. Surgical asepsis: preparation, handling, and maintenance of sterile equipment and supplies.
2. Medical asepsis: patients, staff, equipment, traffic, and equipment flow patterns.
3. Sterilization and disinfection standards and controls; equipment and supplies.
4. Housekeeping.

(2) ANESTHESIA SERVICE. This service shall be organized under written policies and procedures relating to anesthesia staff privileges, the administration of anesthesia, and the maintenance of strict safety controls.

(a) A qualified anesthesiologist, or certified registered nurse anesthetist, ~~certified pursuant to Section 464.012, F.S.,~~ shall be responsible for coordinating and supervising all anesthesia services ~~the functions, equipment and supplies of the service.~~

(b) All anesthesia shall be administered by an anesthesiologist, ~~or by a certified registered nurse anesthetist, under the on-site medical direction of a licensed physician, or anesthesiologist assistant,~~ except for local anesthesia administered by a podiatrist, and except for local anesthesia administered by a dentist, and such other anesthesia administered by a dentist in accordance with Section 466.017, F.S., and Chapter ~~64B5-14~~ 59Q-14, F.A.C.

(c) An anesthesiologist or other physician or a certified registered nurse anesthetist under the on-site medical direction of a licensed physician or an anesthesiologist assistant under the direct supervision of an anesthesiologist, shall be in the ~~ambulatory surgical~~ center during the anesthesia and post-anesthesia recovery period until all patients are alert or discharged.

(d) At least one registered professional nurse shall be in the recovery area during the patient's recovery period.

(e) Prior to the administration of anesthesia, patients shall have a history and physical examination including laboratory analysis when indicated.

(f) Written policies and procedures relative to the administration of anesthesia shall be developed by the anesthesia service, approved by the medical staff and the governing body, and be reviewed annually, dated at time of each review, revised as necessary, and enforced.

(g) Anesthetic safety regulations shall be developed, posted and enforced. Such regulations shall include at least the following requirements:

1. All operating room electrical and anesthesia equipment shall be inspected on no less than a semi-annual basis, and a written record of the results and corrective actions be maintained;

2. Flammable anesthetic agents shall not be employed in ~~ambulatory surgical~~ centers;

3. Electrical equipment in anesthetizing areas shall be on an audiovisual line isolation monitor, with the exception of radiologic equipment and fixed lighting more than 5 feet above the floor;

4. Each anesthetic gas machine shall have pin-index system or equivalent safety system and a minimum oxygen flow safety device; and

5. All reusable anesthesia equipment in direct contact with the patient shall be cleaned or sterilized as appropriate after each use;

6. ~~At a minimum~~ The following monitors shall be applied to all patients receiving conduction or general anesthesia:

- a. Blood pressure cuff;
- b. A continuous temperature device, readily available to measure the patient's temperature;
- c. Pulse Oximeter; and
- d. Electrocardiogram.
- e. An Inspired Oxygen Concentration Monitor and a Capnograph shall be applied to all patients receiving general anesthesia.

(3) NURSING SERVICE. This service shall be organized under written policies and procedures relating to patient care, establishment of standards for nursing care and mechanisms for evaluating such care, and nursing services.

(a) A qualified registered professional nurse designated by the administrator shall be responsible for coordinating and supervising all nursing services.

(b) There shall be a sufficient staffing pattern of registered professional nurses to provide quality nursing care to each surgical patient from admission through discharge. Such additional trained nursing service personnel shall be on duty as may be needed commensurate with the service of the center facility.

(c) A registered professional nurse shall serve as ~~be the operating room~~ circulating nurse for all surgical procedures performed in the center. A circulating nurse shall be present throughout the surgical procedure.

(d) A registered professional nurse shall be present in the recovery area at all times when a patient is present.

(e) A record shall be currently maintained of all nursing personnel and include regular and relief as well as full-time and part-time staff. The record shall include the current license number of each licensed person.

(f) A current job description delineating duties and responsibilities shall be maintained for each nursing service position.

(g) Written procedures in implementation of policies and to assure quality nursing care shall relate specifically to the functional activities of nursing service and include ~~but not be limited to~~ the following:

1. Patient admission;
2. Pre- and Post-Operative ~~c~~Care;
3. ~~Physician's and~~ Medical ~~o~~Orders from physicians and other members of the organized medical staff;
4. Standing ~~o~~Orders with required signatures;
5. Medications; storage and administration;
6. Treatments;
7. Surgical ~~a~~Asepsis;
8. Medical ~~a~~Asepsis;
9. Sterilization and ~~d~~Disinfection;
10. Documentation: ~~m~~Medical ~~r~~Records and ~~center~~ Facility ~~r~~Records;
11. Patient ~~d~~Discharge;
12. Patient ~~t~~Transfer;
13. Emergency ~~m~~Measures;
14. Isolation ~~m~~Measures;
15. Incident ~~r~~Reports;
16. Personnel ~~o~~Orientation;
17. Inservice ~~e~~Education ~~r~~Record;
18. Equipment and ~~s~~Supplies: availability and maintenance;
19. Visitors.

(4) LABORATORIES. Clinical Laboratory – Each ~~ambulatory surgical~~ center shall provide on the premises or by written agreement with a laboratory licensed under Chapter 483, F.S., and Chapter 59A-7, F.A.C., a clinical laboratory to provide those services commensurate with the ~~ambulatory surgical~~ center's needs and which conform to the provisions of Chapter 483, F.S., and Chapter 59A-7, F.A.C.

(5) RADIOLOGICAL SERVICES. Each ~~ambulatory surgical~~ center shall provide within the institution, or through arrangement, diagnostic radiological services commensurate with the needs of the ~~ambulatory surgical~~ center.

(a) If radiological services are provided by ~~center facility~~ staff, the service shall be maintained free of hazards for patients and personnel.

(b) New installations of radiological equipment, and subsequent inspections for the identification of radiation hazards shall be made as specified in Chapter ~~64E-5, 10D-91,~~ F.A.C.

(c) Personnel monitoring shall be maintained for each individual working in the area of radiation. Readings shall be on at least a monthly basis and reports kept on file and available for review.

1. Personnel – The ~~ambulatory surgical~~ center shall have a radiologist either full-time or part-time on a consulting basis, both to supervise the service and to discharge professional radiological services.

2. A technologist shall be on duty or on call at all times when there are patients within the ~~center facility~~.

3. The use of all radiological apparatus shall be limited to personnel designated as qualified by the radiologist; and use of fluoroscopes shall be limited to physicians.

(d) If provided under arrangement with an outside provider, the radiological services must be directed by a qualified radiologist and meet the standards as specified in Chapter ~~64E-5, 10D-91,~~ F.A.C.

(6) HOUSEKEEPING SERVICE. The Housekeeping Service shall be organized under effective written policies and procedures relating to personnel, equipment, materials, maintenance, and cleaning of all areas of the ~~ambulatory surgical~~ center. A qualified person designated by the administrator shall be responsible for all procedures. Policies and procedures shall include ~~but not be limited to~~ the following areas:

- (a) Operating room suite;
- (b) Recovery and pre-operative;
- (c) Clean and soiled utilities;
- (d) Operating room clean-up;
- (e) Operating room materials preparation;
- (f) Storage and dispensing;
- (g) Laboratory, X-ray and ~~procedure rooms~~ ~~Physical examination~~;
- (h) Isolation units, linen and equipment;
- (i) Staff lounges;
- (j) Admitting and ~~h~~Business areas;
- (k) Separation, handling, and storage of clean and soiled linen.

(l) Identification, separation, handling, and storage of biomedical waste.

Rulemaking Authority 395.1055 FS. Law Implemented 395.001, 395.009, 395.1055, 395.1011, ~~464.012, 466.017, 483.051~~ FS. History– New 12-12-96, Amended _____.

59A-5.012 Medical Records.

(1) Each ~~ambulatory surgical~~ center shall establish processes to obtain, manage, and utilize information to enhance and improve individual and organizational performance in patient care, management, and support processes. Such processes shall:

(a) Be planned and designed to meet the center’s internal and external information needs;

(b) Provide for confidentiality, integrity and security;

(c) Provide education and training in information management principles to decision-makers and other center personnel who generate, collect, and analyze information; and

(d) Provide for information in a timely and accurate manner;

(2) Each center shall have a medical records service, patient information system or similarly titled unit with administrative responsibility for medical records.

(3) The administrator shall appoint in writing a qualified person responsible for the ~~m~~Medical ~~r~~Records ~~s~~Service. This person shall meet the qualifications established for this position, in writing, by the governing body.

(4) A current job description delineating duties and responsibilities shall be maintained for each medical records service position.

(5) The medical records service shall:

(a) Maintain a system of identification and filing to ensure the prompt location of a patient’s medical record. Patient records may be stored on electronic medium such as computer, microfilm or optical imaging;

(b) Maintain a current and complete medical record for every patient admitted to the ~~ambulatory surgical~~ center.

(c) All clinical information pertaining to the patient’s medical treatment shall be centralized in the patient’s medical record.

(d) Ensure that each medical record shall contain ~~the original~~ of the following, as appropriate to the service provided:

1. Identification data;
2. Chief complaint;
3. Present illness;
4. Past personal history;
5. Family medical history;
6. Physical examination report;
7. Provisional and pre-operative diagnosis;
8. Clinical laboratory reports;
9. Radiology, diagnostic imaging, and ancillary testing reports;
10. Consultation reports;
11. Medical and surgical treatment notes and reports;
12. The appropriate informed consent signed by the patient;
13. Record of medication and dosage administered;
14. Tissue reports;
15. Physician orders;
16. Physician and nurse progress notes;
17. Final diagnosis;
18. Discharge summary; and
19. Autopsy report, if appropriate.

(e) Ensure that:

1. Operative reports signed by the surgeon shall be recorded in the ~~patient’s health~~ record immediately following surgery or that an operative progress note is entered in the patient record to provide pertinent information; and

2. Postoperative information shall include vital signs, level of consciousness, medications, blood or blood components, complications and management of those events, identification of direct providers of care, discharge information from post-anesthesia care area.

(f) Index, and maintain on a current basis, all medical records according to surgical procedure and physician.

Rulemaking Authority 395.1055 FS. Law Implemented 395.001, 395.1055, 395.3025 FS. History—New 6-14-78, Formerly 10D-30.12, 10D-30.012, Amended 11-13-95,_____.

59A-5.018 Comprehensive Emergency Management Plan.

(1) Each ~~ambulatory surgical~~ center shall develop and adopt a written comprehensive emergency management plan for emergency care during an internal or external disaster or emergency which it shall review and update annually.

(2) The emergency management plan shall be developed in conjunction with other agencies and providers of health care services within the local community pursuant to Section 252.32(2), F.S., and in accordance with the “Emergency Management Planning Criteria for Ambulatory Surgical Centers”, AHCA FORM 3130-2003 July 94, which is incorporated by reference. The form is available at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX> and available from the Agency for Health Care Administration, at http://ahca.myflorida.com/MCHQ/Health_Facility_Regulation/Hospital_Outpatient/forms/ASC_CEMP_Reconstructed_122104.pdf;

The plan shall include:

(a) Provisions for internal and external disasters, and emergencies, pursuant to Section 252.34, F.S.;

(b) A description of the ~~ambulatory surgical~~ center’s role in a community wide comprehensive emergency management plan;

(c) Information about how the center plans to implement specific procedures outlined in its comprehensive emergency management plan;

(d) Precautionary measures, including voluntary cessation of center operations, to be taken by the center in preparation and response to warnings of inclement weather, including hurricanes and tornadoes, or other potential emergency conditions.

(e) Provisions for the management of patients, including the discharge or transfer of patients and staff to a hospital or subacute care facility, at the direction of the center’s administrator, in the event of an evacuation order, or when a

determination is made by the Agency for Health Care Administration (AHCA) that the condition of the center facility is sufficient to render it a hazard to the health and safety of patients and staff, pursuant to Chapter 59A-5, F.A.C. Such provisions shall address the role and responsibility of the physician in the decision to move or relocate patients;

(f) Provisions for coordinating with hospitals that would receive patients to be transferred;

(g) Provisions for the management of staff, including the distribution and assignment of responsibilities and functions, and the assignment of staff to accompany patients to a hospital or subacute care facility;

(h) A provision that a verification check will be made to ensure patients transferred to a hospital arrive at the designated hospital;

(i) A provision that ensures that copies of medical records and orders accompany patients transferred to a hospital;

(j) Provisions for the management of patients who may be treated at the center during an internal or external disaster or emergencies, including control of patient information and medical records, individual identification of patients, transfer of patients to hospital(s) and treatment of mass casualties;

(k) Provisions for contacting relatives and necessary persons advising them of patient location changes. A procedure must also be established for responding to inquiries from patient families and the press;

(l) A provision for educating and training personnel in carrying out their responsibilities in accordance with the adopted plan;

(m) Identification of mutual aid agreements or statements of understanding for services; and

(n) Provisions for coordination with designated agencies, including the local Red Cross, and the county emergency management agency pursuant to Section 252.311, F.S.

(3) The plan, including appendices, as required by the "Emergency Management Planning Criteria for Ambulatory Surgical Centers", shall be submitted annually to the county emergency management agency for review and approval. A fee may be charged for the review of the plan as authorized by Sections 252.35(2)(l) and 252.38(1)(e), F.S.

(a) The county emergency management agency has 60 days upon receipt of the plan, in which to review and approve the plan, or advise the ambulatory surgical center of necessary revisions. If the county emergency management agency advises the center of necessary revisions to the plan, those revisions shall be made as authorized by Section 395.1055(1)(c), F.S., and the plan shall be resubmitted to the county emergency management agency within 30 days of notification by the county emergency management agency.

(b) The county emergency management agency shall be the final administrative authority for emergency management plans developed by ambulatory surgical centers.

(4) The ambulatory surgical center shall test the implementation of the emergency management plan semiannually, either in response to an emergency or in a planned drill, and shall evaluate and document the center's performance. This documentation must be on file at the center and available for inspection by the county emergency management agency and the Agency for Health Care Administration.

(5) The emergency management plan shall be available for immediate access by the staff.

(6) If a center evacuates during or after an emergency, the center shall not be reoccupied until a determination is made by the center's administrator that the center can meet the needs of the patients. A center with significant structural damage shall not be reoccupied until approval is received from the Agency's Agency for Health Care Administration's Office of Plans and Construction that the center can be safely occupied as required by the Florida Building Code reoccupied, pursuant to Rules 59A-5.020 through 59A-5.031, F.A.C.

(7) A center that must evacuate the premises due to a disaster or an emergency condition, shall report the evacuation to the Agency's Agency for Health Care Administration's local area health facility regulation office within 24 hours or as soon as practical. The names and destination of patients relocated shall be provided to the county emergency management agency or its designee having responsibility for tracking the population at large. The licensee shall inform the Agency's Agency for Health Care Administration's local area office of a contact person who will be available 24 hours a day, seven days a week, until the center is reoccupied.

Rulemaking Authority 395.1055, 408.819 FS. Law Implemented 395.001, 395.1055, 252.35, 252.38 FS. History—New 6-14-78, Formerly 10D-30.18, 10D-30.018, Amended 12-28-94, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kim Stewart via e-mail at
Kimberly.Stewart@ahca.myflorida.com or by phone at
(850)412-4362

NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Elizabeth Dudek, Secretary
Agency for Health Care Administration

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: April 1, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: September 4, 2013

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:

61J1-10.002 Registered Trainee Real Estate Appraiser

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and to add new language to clarify the pre-registration courses for trainee appraisers approved by the Board.

SUMMARY: The rule amendment will delete unnecessary language and to add new language to clarify the pre-registration courses for trainee appraisers approved by the Board.

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, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature.

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

RULEMAKING AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.611(1)(r), (u), (v), 475.613(2), 475.615, 475.617(1) 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: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-10.002 Registered Trainee Real Estate Appraiser
(1) No change.

(2) Board approved pre-registration courses for trainee appraisers must include the following subject matter:

(a) through (l) No change.

(m) Coverage of Florida rules and regulations that pertain to the practice of appraisal. Effective ~~December~~ January 1, 2014 ~~2008~~, Board approved pre-registration courses for trainee appraisers must include a minimum of three (3) ~~six (6)~~ hours coverage of Florida laws, rules, and regulations that pertain to the practice of appraisal; and

(n) Effective December 1, 2014, Board approved pre-registration courses for trainee appraisers must include a minimum of three (3) hours of instruction and cover the following topics regarding the roles and rules of supervisor and trainee appraisers:

1. The definitions of direct supervision, registered trainee appraiser, supervisory appraiser, training and work file pursuant to Section 475.611(1)(k), (n), (o), (p), (s), F.S.

2. Review of Chapter 475, Part II, F.S., sections regarding the postlicensure education requirement for a registered trainee appraiser, displaying and disclosure of licensure, certification or registration, employment of and by registered trainee real estate appraiser, supervision and training of registered trainee appraisers, and retention of records.

3. Review of Chapter 61J1, F.A.C., sections regarding postlicensing education for registered trainee appraisers, supervision of registered trainee appraisers, display and disclosure of registration, licensure or certification designation and advertising.

4. Review of the Uniform Standards of Professional Appraisal Practice as referenced and incorporated by Rule 61J1-9.001, F.A.C., including at least the following topics: USPAP Advisory Opinion 31, USPAP Standards Rules 2-3 and 3-3, signature authority and security, competency, and preparation of appraisals.

(3) through (5) No change.

Rulemaking Authority 475.614 FS. Law Implemented 475.611(1)(r), (u), (v), 475.613(2), 475.615, 475.617(1) FS. History—New 12-27-07, Amended 3-31-09, 7-17-11, 12-23-12, _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 4, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 4, 2014

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:

61J1-10.003 Certified Residential Appraiser

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify the language to clarify the procedures and requirements for a certified residential appraiser.

SUMMARY: The rule amendment will modify the language to clarify the procedures and requirements for a certified residential appraiser.

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, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature.

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

RULEMAKING AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.613(2), 475.615(2), 475.617(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-10.003 Certified Residential Appraiser.

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

(1) Education requirement.

(a) An Bachelor's Associate degree, or higher, from an accredited college, ~~junior college, community college,~~ or university; ~~or~~

~~(b) Successful passage of at least 21 semester credit hours or its equivalent, including all of the following collegiate subject matter courses from an accredited college, junior college, community college, or university:~~

- ~~1. English Composition;~~
- ~~2. Principles of Economics (Micro or Macro);~~
- ~~3. Finance;~~
- ~~4. Algebra, Geometry, or higher mathematics;~~
- ~~5. Statistics;~~
- ~~6. Computer Science; and~~
- ~~7. Business or Real Estate Law.~~

~~If an accredited college or university accepts the College Level Examination Program (CLEP) examinations(s) and issues a transcript for the exam, showing its approval, it will be considered as credit for the college course.~~

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

1. through 9. No change.

10. Appraisal Subject Matter Electives (20 hours) which shall include three (3) six (6) hours of the Florida laws and rules and three (3) hours in the roles and responsibilities of supervisors and trainees set forth in Rule 61J1-10.002, Florida Administrative Code.

(2) through (3) No change.

Rulemaking Authority 475.614 FS. Law Implemented 475.613(2), 475.615(2), 475.617(2) FS. History--New 12-27-07, Amended 3-31-09, 7-17-11, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Florida Real Estate Appraisal Board

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Florida Real Estate Appraisal Board

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: December 4, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: February 4, 2014

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:

61J1-10.004 Certified General Appraiser

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify the language for the minimum education,

experience, and examination requirements for certification as a general real estate appraiser.

SUMMARY: The rule amendment will modify the language for the minimum education, experience, and examination requirements for certification as a general real estate appraiser.
 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, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature.

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

RULEMAKING AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.613(2), 475.615(2), 475.617(3) 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: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-10.004 Certified General Appraiser.

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

(1) Education requirement.

(a) A Bachelors degree, or higher, from an accredited college or university; or

~~(b) Successful passage of at least 30 semester credit hours or its equivalent, including all of the following collegiate subject matter courses from an accredited college, junior college, community college, or university:~~

- ~~1. English Composition;~~
 - ~~2. Micro Economics;~~
 - ~~3. Macro Economics;~~
 - ~~4. Finance;~~
 - ~~5. Algebra, Geometry, or higher mathematics;~~
 - ~~6. Statistics;~~
 - ~~7. Computer Science;~~
 - ~~8. Business or Real Estate Law; and~~
 - ~~9. Two elective courses in accounting, geography, agricultural economics, business management, or real estate.~~
- ~~If an accredited college or university accepts the College Level Examination Program (CLEP) examinations(s) and issues a transcript for the exam, showing its approval, it will be considered as credit for the college course.~~

(b)(e) Satisfactory completion of at least 300 classroom hours in approved academic courses in subjects related to real estate appraisal, including the following required core curriculum that are prerequisites to taking the AQB-approved examination in subsection (3) of this rule:

1. through 9. No change.

10. Appraisal Subject Matter Electives (30 hours) which shall include three (3) ~~six (6)~~ hours of the Florida laws and rules and three (3) hours of the roles and responsibilities of supervisors and trainees set forth in Rule 61J1-10.002, Florida Administrative Code.

(2) through (3) No change.

Rulemaking Authority 475.614 FS. Law Implemented 475.613(2), 475.615(2), 475.617(3) FS. History—New 12-27-07, Amended 3-31-09, 7-17-11, _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 4, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 4, 2014

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NOS.: RULE TITLES:

69A-62.030 Definitions

69A-62.032 Division Inspection or Investigation

PURPOSE AND EFFECT: This rule promulgation amends firefighter employers' notification requirements to the Division for certain injuries. The promulgation also includes minor editorial corrections.

SUMMARY: The rule changes the notification requirements and makes editorial corrections.

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 Division of State of Fire Marshal conducted an analysis of the proposed rule’s potential economic impact and determined that it did not exceed any of the criteria established in subsection 120.541(1), F.S. and it therefore does not require legislative ratification pursuant to subsection 120.541(3), F.S.

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

RULEMAKING AUTHORITY: 633.128(1)(a), 633.518 FS.

LAW IMPLEMENTED: 633.518 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Thursday, May 22, 2014, 9:00 a.m.

PLACE: Florida State Fire College, 11655 NW Gainesville Road, Ocala, FL 34482-1486

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: Rick Rochford, (352)369-2836 or Rick.Rochford@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rick Rochford, Safety Program Manager, Bureau of Fire Fighters Standards & Training, Division of State Fire Marshal, Department of Financial Services, The Florida State Fire College, 11655 N.W. Gainesville Road, Ocala, FL 34482-1486, (352)369-2836 or Rick.Rochford@myfloridacfo.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69A-62.030 Definitions.

Part III of this rule chapter incorporates by reference the definition of “occupational disease” contained in subsection Section 440.151(2), F.S. (2003), and the definitions contained in Section 440.02, F.S. (2003). Further, with respect to Part III of these rules, the division adopts the following definitions:

(1) through (6) No change.

(7) “Investigation” means verification of firefighter employer compliance with the Act or division rule by a firefighter employer including firefighter employer requests, complaint investigations, fatality investigations, and serious safety incident investigations.

(8) through (11) No change.

Rulemaking Authority 633.518 633.806 FS. Law Implemented 633.518 633.806 FS. History–New 9-6-04, Amended.

69A-62.032 Division Inspection or Investigation.

(1) through (10) No change.

(11) Fatality or Serious Incident ~~Multiple Injury Event~~ Investigation or equipment failure.

(a) Each firefighter employer shall notify the Division ~~division~~ of any fatality or three (3) or more serious on-duty injury that requires a hospitalization period of greater than twenty-four (24) hours injuries. ~~The employer shall notify the Division at the same incident~~ via the Division’s 24-hour phone number 1(352)427-4401 within four (4) hours of the occurrence.

(b) The division shall conduct an investigation of each fatality or serious incident ~~multiple injury events~~, of which it is notified.

(c) The Division shall conduct an investigation of a fatality or serious incident involving equipment failure. ~~Any injury or fatality that is reported to or appears to be the result of equipment failure shall be investigated by the division.~~

(12) through (13) No change.

Rulemaking Authority 633.12845(1)(a), 633.518 633.806 FS. Law Implemented 633.518 633.801, 633.806, 633.815 FS. History–New 9-6-04, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rick Rochford, Safety Program Manager, Bureau of Fire Fighters Standards & Training, Division of State Fire Marshal, Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief of Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 10, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 18, 2013

Section III
Notice of Changes, Corrections and
Withdrawals

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: RULE TITLE:
 12D-7.0143 Additional Homestead Exemption Up To
 \$50,000 for Persons 65 and Older Whose
 Household Income Does Not Exceed
 \$20,000 Per Year

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 187, September 25, 2013 issue of the Florida Administrative Register.

The original proposed rule was revised by a Notice of Change published in the F.A.R. on March 27, 2014. Public comment and previous versions of this proposed rule are available at http://dor.myflorida.com/dor/property/legislation/rules/pdf/12_d70143.pdf. When presented to the Governor and Cabinet for final adoption of, and approval to file and certify with, the Department of State under Chapter 120, F.S., the additional proposed change to subsection (4) of this rule, as previously revised on March 27, 2014, will read as follows:

(4) When determining if the taxpayer has been a permanent resident of the property for 25 years or more, the taxpayer must have resided on the property for 25 consecutive years to qualify for the additional homestead exemption.

(a) The property appraiser must consider that the residency requirement is met if the taxpayer has qualified and been receiving the homestead exemption on the property for 25 years or more.

(b) If the taxpayer has not received the homestead exemption on the property for 25 years or more, but maintained permanent residency on the property, the property appraiser must look at other evidence, including but not limited to, evidence described in Section 196.015, F.S., to determine if the taxpayer has maintained their permanent residence on the property for the required period.

(c) The taxpayer did not have to receive or qualify for the homestead exemption on the property during the entire period as long as they maintained it as their permanent residence.

(d) If the taxpayer was not the owner of the property but maintained permanent residency on the property for at least 25 years and currently has legal and equitable title, the taxpayer qualifies for the additional homestead exemption.

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
 33-302.108 Monitoring Sex Offender Conditions of
 Supervision

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 40, No. 51, March 14, 2014 issue of the Florida Administrative Register has been withdrawn.

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE NO.: RULE TITLE:

11B-18.0051 Regional Training Council Meetings

NOTICE IS HEREBY GIVEN that on April 16, 2014, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of paragraphs 11B-18.004(9)(a) and 11B-18.004(6)(a), F.A.C. These rules place the Petitioner, Hernando County Sheriff’s Office within Region IX for training purposes. The Petitioner wishes to rejoin Region VI, which Petitioner contends provides closer training opportunities with agencies that are smaller and serve similar smaller communities than those agencies within Region IX. If the Commission will not grant a permanent waiver, Petitioner requests, in the alternative, a temporary waiver until a rule change can be effectuated.

Petitioner contends that it suffers a substantial hardship by being included in Region IX. It contends that the training opportunities are, on average, 61.16 miles from Petitioner’s offices. On the other hand, Petitioner asserts that training opportunities in Region VI are, on average 37.65 miles from its offices, which it contends would result in great cost reduction for training its officers. In addition, Petitioner states that it is the smallest Sheriff’s Office in Region IX and is only one of many agencies. Region IX is the third largest region with 8044 law enforcement and correctional officers. Region VI, on the other hand is the second smallest region and serves only 1304 officers. If the Petition is granted, Petitioner states that it would be one of the top three largest agencies in the region. Petitioner argues that if it were permitted to transfer to Region VI, it would have significant impact on training money allocated to that

region, resulting in more opportunities there. Petitioner further argues that its departure from Region IX would hardly be noticed because it is so small and would not impact regional training moneys in a significant way.

Petitioner states that granting this waiver will serve the purposes of the underlying statute by alleviating hardships and advancing the Commission’s directive of developing and maintaining a plan assessing regional criminal justice training needs. Petitioner argues that implicit in the clear language of the statute is that any plan ought to be functional and practical in its effect and application. Petitioner asserts that granting its Petition would better serve the training needs of the Petitioner as well as rebalance the Regions and create a cost effective, more frequent, and accessible training atmosphere.

Petitioner states that the only other Hernando County law enforcement agency, Brooksville Police Department, is a member of Region VI. Petitioner states that it was made a member of Region IX by a previous Sheriff who had some concerns about training at Citrus County Public Safety Training Center. That Sheriff believed membership in Region IX would result in greater training opportunities. The Petitioner states that those opportunities did not materialize and the CCPSTC has now come under the direction of the Citrus County Sheriff’s Office and has greatly improved its training offerings for Region VI.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302 or by telephone: (850)410-7676.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

NOTICE IS HEREBY GIVEN that on April 14, 2014, the St. Johns River Water Management District, received a petition for variance from St. Johns County Utility Department (the “Utility”). Pursuant to Section 120.542, Fla. Stat., the Utility seeks a variance from subsection 40C-3.517(3), F.A.C., with regard to the required two-inch thickness of grout to seal the annular space between two casings. The Utility proposes to repair an existing public supply water well at its Inlet Beach Water Treatment Plant in Ponte Vedra by installing a steel liner into the existing well casing and grouting the liner in place. The petition, as amended, has been assigned F.O.R. Number 2014-16. Comments on this petition should be filed with the District Clerk, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kealey West, Assistant General Counsel, at the Office of General Counsel, St. Johns River Water Management

District, 4049 Reid Street, Palatka, Florida 32177 or by telephone: (386)312-2317.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on April 14, 2014, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, Section 3-305.14, 2009 FDA Food Code, Section 6-202.15, 2009 FDA Food Code, Section 6-202.16, 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code, from Velasco Lunch Truck II located in Wauchula. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods other than frankfurters from an open air mobile food dispensing vehicle.

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

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on April 15, 2014, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurant, received a petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, from Marriott Concierge Lounge located in Ft. Lauderdale. The above referenced F.A.C. addresses the requirement that each establishment have areas for food preparation and storage. They are requesting to share food preparation and food storage areas with another licensed food service establishment under the same ownership and on the same premise.

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

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

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 April 16, 2014, the Division issued an order. The Final Order was in response to a Petition for a Variance from Cruise Terminal 1 Parking Garage @ Port Canaveral, filed March 25, 2014, and advertised on March 28, 2014, in Vol. 40, No. 61, 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, 2.20.1, 2.20.4, 2.20.5 and 2.20.9 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm 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 (VW2014-076).

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

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

On April 16, 2014, the Division issued an order. The Final Order was in response to a Petition for a Variance from Cruise terminal 1 @ Port Canaveral, filed March 25, 2014, and advertised on March 28, 2014, in Vol. 40, No. 61, 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 2.20.1, 2.18.5.1, 2.20.4, 2.20.5 and 2.20.9 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm 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 (VW2014-075).

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-4.010 Sanitation and Safety Requirements

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

On March 28, 2014, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code, from Pops Kitchen located in Jacksonville. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within an adjacent establishment under a different ownership for use by customers only.

The Petition for this variance was published in Vol. 40, No. 65 of the Florida Administrative Register on April 3, 2014. The Order for this Petition was signed and approved on April 9, 2014. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the bathrooms located within Moncrief Express are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and are available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the ownership of Moncrief Express (Tsaam Inc.) changes, an updated signed agreement for use of the bathroom facilities is required immediately.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

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 April 16, 2014, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Emerald Isle Club, filed April 4, 2014, and advertised on April 9, 2014, in Vol. 40, No. 69, 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 2.15.9 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators platform guards 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 (VW2014-082).

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 April 15, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Westshore Tech. Petitioner seeks an emergency variance of the requirements of ASME A17.1 Section 2.2.2.5, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators sump and pump operations 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 (VW2014-099).

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 April 15, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for SoHo on Central. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.4, 2.18.5.1, 2.24.2.1 and 2.2.2.5 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 and sump and pump 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 (VW2014-098).

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 April 11, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Sunset Harbor. Petitioner seeks an emergency temporary variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations 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 (VW2014-094).

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 April 11, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for 2712 Rew Circle (1). Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) 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 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-093).

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 April 11, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for 2712 Rew Circle (2). Petitioner seeks an emergency variance of the requirements of ASME A17.1 Section 2.4.6.2 and 2.10.2.1, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators folding car top handrails operations 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 (VW2014-095).

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 April 17, 2014, the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from BB&T Tower, filed March 18, 2014, and advertised on March 24, 2014, in Vol. 40, No. 57, 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 2.27.1, 2.27.2, 2.27.3.3 and 2.27.3.3.7 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, from providing fire fighter service 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 (VW2014-069).

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

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

On April 17, 2014, the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from BB&T Garage, filed April 9, 2014, and advertised on April 11, 2014, in Vol. 40, No. 71, 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 2.27.1, 2.27.2, 2.27.3.3 and 2.27.3.3.7 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, from providing fire fighter service 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 (VW2014-087).

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

Board of Professional Engineers

RULE NO.: RULE TITLE:

61G15-20.007 Educational Requirements for Applicants Without EAC/ABET Accredited Engineering Degrees

NOTICE OF WITHDRAWAL OF NOTICE OF VARIANCES AND WAIVERS

Notice is hereby given that the above notice, filed by Robert Norton, P.E., as noticed in Vol. 40, No. 72, April 14, 2014 Florida Administrative Register has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: RULE TITLE:

61G15-20.007 Educational Requirements for Applicants Without EAC/ABET Accredited Engineering Degrees

NOTICE OF WITHDRAWAL OF NOTICE OF VARIANCES AND WAIVERS

Notice is hereby given that the above notice, filed by Jelena Vukov, as noticed in Vol. 40, No. 72, April 14, 2014 Florida Administrative Register has been withdrawn.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-5.002 Criteria for Approval

The Board of Optometry hereby gives notice of Intent to Deny the Petition for Waiver or Variance filed on February 20, 2014, by State University of New York, College of Optometry. The Notice of Petition for Variance or Waiver was published in Vol. 40, No. 40, of the February 27, 2014, Florida Administrative Register. The Petitioner, an educational institution, sought a variance or waiver of paragraph 64B13-5.002(3)(c), Florida Administrative Code, which requires that, for a course to be considered transcript quality, it must be approved as transcript quality by the Board prior to the time it is taken.

The Board's Order, filed on April 3, 2014, denied issuing a variance or waiver because Petition has not demonstrated how the underlying purpose of the statute would be met by other means or how application of the rule would violate principles of fairness.

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

The Board of Optometry hereby gives notice: Notice of Intent to Deny the Petition for Waiver or Variance filed on February 18, 2014, by John H. Bannwarth, O.D. The Notice of Petition for Variance or Waiver was published in Vol. 40, No. 40, of February 27, 2014, Florida Administrative Register. The Petitioner, an optometrist licensed to practice optometry in Colorado, seeks a variance or waiver of subsection 6B13-4.001(2), Florida Administrative Code, with regards to the requirement that applicants for licensure in Florida submit scores on the national licensing exam taken no longer than 7 years prior to application.

The Board's Order, filed on April 3, 2014, dismissed the Petition, without prejudice, since the Petition was not in substantial compliance with Section 120.542, F.S. or Rule 28-104, F.A.C.

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

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

RULE NO.: RULE TITLE:

73C-23.0041 Application Process and Administrative Requirements

NOTICE IS HEREBY GIVEN that on April 11, 2014, the Department of Economic Opportunity received a petition for Waiver of subsection 73C-23.0041(4), F.A.C., from the City of Dade City, Florida. The rule from which the City of Dade City seeks a waiver adopts by reference the Fiscal Year 2012 Community Development Block Grant program application forms contained in application manual CDBG-A-1, Application for Funding.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or James.Bellflower@DEO.myflorida.com.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

Florida Elections Commission

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

DATES AND TIMES: May 6, 2014, 8:30 a.m. until adjourned; May 7, 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: the Agency Clerk at (850)922-4539, by email: 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: the Agency Clerk at (850)922-4539, by email: 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: the Agency Clerk at (850)922-4539, by email: FEC@myfloridalegal.com or write to: 107 West Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399-1050.

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

The Florida Prepaid College Board announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, April 28, 2014, 2:00 p.m. (EDT) via telephone conference call

PLACE: Public access to the telephone conference call will be made available at the following location: the Hermitage Centre, Hermitage Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308. For instructions on how to access the meeting via telephone conference call, please call: (850)488-8514

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider the regular business of the Board and matters concerning the 2014-2015 proposed marketing budget.

A copy of the agenda may be obtained by contacting: <http://www.myfloridaprepaid.com/> or by calling (850)488-8514.

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: fax a written request to the Florida Prepaid College Board at (850)488-3555 no later than five (5) days prior to the meeting. 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).

EXECUTIVE OFFICE OF THE GOVERNOR

The Florida Gubernatorial Fellows Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 22, 2014, 1:00 p.m.

PLACE: 1602 Florida Capitol and via conference call. Number: 1(888)676-3525, passcode: 516-218-1370#

GENERAL SUBJECT MATTER TO BE CONSIDERED: New Fellow Recruitment, Vote on Award Winners, Fundraising Update, Discussion on New Members.

A copy of the agenda may be obtained by contacting: Ted Stratton at Ted.Stratton@eog.myflorida.com.

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

The Institute for Community Collaboration, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 12, 2014, 10:30 a.m.

PLACE: Murray E. Nelson Government & Cultural Center, 102050 Overseas Highway, Key Largo, FL 33037

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Meeting of the Institute for Community Collaboration, Inc.

A copy of the agenda may be obtained by contacting: (954)985-4416.

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: (954)985-4416. 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: (954)985-4416.

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

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

DATE AND TIME: Monday, May 12, 2014, 10:30 a.m.

PLACE: Murray E. Nelson Government & Cultural Center, 102050 Overseas Highway, Key Largo, FL 33037

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting. Any Generally Consistent Comprehensive Plan Amendment Review received prior to the meeting; Any Generally Inconsistent Comprehensive Plan Amendment Review received prior to the meeting; Meeting on monthly Council business. Council Executive Committee and subcommittees may meet periodically before and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of such committee meetings should call the Council Offices at (954)985-4416 (Broward).

A copy of the agenda may be obtained by contacting: (954)985-4416.

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: (954)985-4416. 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: (954)985-4416.

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces workshops to which all persons are invited.

DATE AND TIME: Wednesday, May 7, 2014, 1:00 p.m. – 6:00 p.m.

PLACE: Port St. Lucie Civic Center, 9221 S.E. Civic Center Place, Port St. Lucie, FL 34952

DATE AND TIME: Thursday, May 8, 2014, 1:00 p.m. – 6:00 p.m.

PLACE: Indian Riverside Park, 1707 NE Indian River Drive, Jensen Beach, FL 34957

DATE AND TIME: Friday, May 9, 2014, 1:00 p.m. – 6:00 p.m.

PLACE: City of Fort Pierce River Walk Center, 600 North Indian River Drive, Fort Pierce, FL 34950

GENERAL SUBJECT MATTER TO BE CONSIDERED: This project involves the development of a plan and strategies to leverage economic benefits related to the waterways in Martin and St. Lucie Counties, including the Intracoastal Waterway, St. Lucie River (north and south forks), and St. Lucie Canal. The plan will evaluate land development opportunities, water-based transportation, and measures to improve efficiency, access to the waterways, recreational opportunities, and marine-related benefits.

Three separate public workshops will be conducted, wherein following an opening presentation, participants will have the opportunity to work with facilitators to identify opportunities and challenges related to the waterways of Martin & St. Lucie counties as well as introduce new ideas. Following the workshops, the Treasure Coast Regional Planning Council will host a week-long public charrette with a multidisciplinary team assembled to synthesize the public’s input with the research and evaluations received from these workshops. There will be an opportunity where the public can review preliminary findings and observations regarding the project and provide additional public input as appropriate.

A copy of the agenda may be obtained by contacting: Kim DeLaney at (772)221-4060 or kdelaney@tcrpc.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: Kim DeLaney at (772)221-4060 or kdelaney@tcrpc.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: Kim DeLaney at (772)221-4060 or kdelaney@tcrpc.org.

METROPOLITAN PLANNING ORGANIZATIONS

Collier Metropolitan Planning Organization

The Collier Metropolitan Planning Organization (MPO) announces a public meeting to which all persons are invited.

DATE AND TIME: May 7, 2014, 2:00 p.m.

PLACE: Collier County Government Center, Information Technology Training Room, 5th Floor, 3299 East Tamiami Trail, Naples, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Local Coordinating Board for the Transportation Disadvantaged meeting. The LCB agenda will be posted on the MPO’s web site approximately two weeks prior to the meeting. A copy of the agenda may be obtained by contacting: MPO Principal Planner Lorraine Lantz at (239)252-8192. To access the LCB’s agenda, go to: www.colliermmpo.net, select the calendar and then select the meeting date.

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: MPO Principal Planner Lorraine Lantz at (239)252-8192. 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: MPO Principal Planner Ms. Lorraine Lantz at (239)252-8192.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The Big Cypress Basin Board announces a public meeting to which all persons are invited.

DATE AND TIME: April 29, 2014, 9:00 a.m., Big Cypress Basin Board Meeting

PLACE: Collier County Government Center, Commission Chambers, 3299 Tamiami Trail East, Naples, FL 34112-5746

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Conduct regular Big Cypress Basin Board business.

A copy of the agenda may be obtained by contacting: Lucia Martin, (239)263-7615, ext. 7602, lmartin@sfwmd.gov or at <https://www.sfwmd.gov/bcb>.

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: Lucia Martin, (239)263-7615, ext. 7602. 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: Lucia Martin, (239)263-7615, ext. 7602, lmartin@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: RULE TITLE:

61D-9.001 Interstate and Intertrack Broadcasts

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, announces a hearing to which all persons are invited.

DATE AND TIME: June 23, 2014, 9:00 a.m. – 12:00 Noon

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a Public Hearing on the adoption of proposed amendments to Rule 61D-9.001, F.A.C., published on September 23, 2013, in Vol. 39, No. 185, of the Florida Administrative Register and modified by the Notice of Change published on March 28, 2014, in Vol. 40, No. 61, of the Florida Administrative Register. A copy of the agenda may be obtained by contacting: the Division's website at <http://www.myfloridalicense.com/dbpr/pmw/rules.html> or Mary Polombo at (850)717-1098.

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: Mary Polombo at (850)717-1098. 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 Cosmetology

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

DATE AND TIME: May 28, 2014, 3:00 p.m.

PLACE: Conference number: 1(888)670-3525, participant code: 8492079683#

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General board business.

A copy of the agenda may be obtained by contacting: Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

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 Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395. 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 Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Engineers Management Corporation Nominations Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 12, 2014, 9:00 a.m. or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: To nominate a chair and vice chair for 2014-2015 and general business of the committee. If you would like to participate in the call, please contact Rebecca Sammons at (850)521-0500, ext. 114, at least 48 hours prior to the date of the meeting.

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF HEALTH

Board of Medicine

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

DATE AND TIME: Wednesday, April 30, 2014, 12:00 Noon

PLACE: Conference call, meet me #: 1(888)670-3525, participation code: 125 528 7056

GENERAL SUBJECT MATTER TO BE CONSIDERED: Emergency Rule Conference Call on Rule 64B8-9.0141, FAC – Standards for Telemedicine Practice. General business of the Full Board. Please check the Board website at www.FLBoardofMedicine.gov for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Crystal Sanford at crystal.sanford@flhealth.gov or calling (850)245-4131.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Crystal Sanford at crystal.sanford@flhealth.gov or calling (850)245-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Crystal Sanford at crystal.sanford@flhealth.gov or call (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – Probable Cause Panel South announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 9, 2014, 2:00 p.m.

PLACE: Meet-Me #: 1(888)670-3525, participation code: 125-528-7056

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Sheila Autrey at (850)245-4444, ext. 8210 or email her at sheila.autrey@flhealth.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 10 days before the workshop/meeting by contacting: Sheila Autrey at (850)245-4444, ext. 8210 or email her at sheila.autrey@flhealth.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: Sheila Autrey at (850)245-4444, ext. 8210 or email her at sheila.autrey@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – Probable Cause Panel North announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 23, 2014, 2:00 p.m.

PLACE: Meet-Me #: 1(888)670-3525, participation code: 125-528-7056

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Precious Woods at (850)245-4444, ext. 8215 or email her at Precious.Woods@flhealth.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 10 days before the workshop/meeting by contacting: Precious Woods at (850)245-4444, ext. 8215 or email her at Precious.Woods@flhealth.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: Precious Woods at (850)245-4444, ext. 8215 or email her at Precious.Woods@flhealth.gov.

For more information, you may contact: Alicia Stephen at (850)429-8905 or alicia.stephen@hdrinc.com.

DEPARTMENT OF HEALTH
Board of Nursing Home Administrators
The Board of Nursing Home Administrators Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, May 19, 2014, 8:30 a.m., at meet me number: 1(888)670-3525, participant code: 9238150597

PLACE: Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida 32399-3257

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Sherra W. Mears, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

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: Sherra W. Mears. 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.

NORTHWEST FLORIDA TRANSPORTATION CORRIDOR AUTHORITY

The Northwest Florida Transportation Corridor Authority announces a public meeting to which all persons are invited.

DATE AND TIME: April 24, 2014, 10:00 a.m., Central Time

PLACE: Destin City Hall Annex

GENERAL SUBJECT MATTER TO BE CONSIDERED: Northwest Florida Transportation Corridor Authority Board Meeting and/or Financial Committee meeting.

A copy of the agenda may be obtained by contacting: Alicia Stephen at (850)429-8905 or alicia.stephen@hdrinc.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: Alicia Stephen at (850)429-8905 or alicia.stephen@hdrinc.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).

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF HEALTH
Board of Psychology
NOTICE IS HEREBY GIVEN that April 10, 2014, the Board of Psychology has received the petition for declaratory statement from Mary Wetherby. The petition seeks the agency’s opinion as to the applicability of Section 490.003(4)(a), Florida Statutes, as it applies to the petitioner.

The petitioner seeks a statement from the Board as to whether her practice of telepsychology, at times from California, for patients in Florida, falls within the meaning of Section 490.003(4)(a), Florida Statutes. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Allen Hall, Executive Director, Department of Health, 4052 Bald Cypress Way Bin #C05, Tallahassee, Florida 32399-0797, (850)245-4373, Allen_Hall@doh.state.fl.us.

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. dba VISIT FLORIDA is accepting submissions of resumes and work samples for its next season of Florida Insiders. VISIT FLORIDA is looking for diverse and enthusiastic Floridians who know and love Florida, and who can develop content and an online following around their interests. Insider categories will be: Beaches; Family; Outdoors & Nature; Golf; Shopping; Smart Travel; Entertainment & Luxury; Off the Beaten Path; Food & Dining and Diverse Florida. It is important to note that this is a contract position with services needed during Fiscal Year 2014/2015 (July 2014-June 2015). Deadline for submissions is May 2, 2014. For more information, go to: <http://www.visitflorida.org/work-with-us/rfpitn-notices/>.

SARASOTA MEMORIAL HOSPITAL
REQUEST FOR STATEMENTS OF QUALIFICATIONS for
ARCHITECTURAL AND ENGINEERING SERVICES

The Sarasota County Public Hospital Board of Sarasota, Sarasota Memorial Hospital, Sarasota County, Florida (“the Hospital”) is accepting statements of qualifications from Architectural/Engineering Consulting Firms under the provisions of the Consultants’ Competitive Negotiation Act. The scope of work may include programming, schematic design, design development, construction documents, and construction administration for all architectural, interior design, civil, site work, mechanical, electrical, plumbing, fire protection, structural design work, and all required demolition of an existing 5-story, 50,000-square-foot building, demolition of an emergency transformer vault, and the relocation of an existing service road, in association with the design of a new inpatient comprehensive rehabilitation facility, along with related outpatient rehabilitation services, to include two options.

Option 1 is a 4-story, approximately 85,000-square-foot comprehensive rehabilitation facility where level one is surface parking and patient drop off, level two is outpatient rehabilitation and support space, and level three and four are inpatient comprehensive rehabilitation nursing units. Option 1

also includes the relocation of an existing service road and the demolition of an existing transformer vault. New and existing facilities will have to be connected to the main energy plant.

Option 2 is a 5-story, approximately 110,000-square-foot comprehensive rehabilitation facility where level one is surface parking and patient drop off, level two is outpatient rehabilitation and support space, level three and four are inpatient comprehensive rehabilitation nursing units, level 5 is enclosed interior, conditioned mechanical space, and the entire building structure is designed with vertical expansion capability to 9 stories. Option 2 also includes the relocation of an existing service road and the demolition of an existing transformer vault. New and existing facilities will have to be connected to the main energy plant.

Services required by qualified firms include architectural design, civil, mechanical, electrical, plumbing, fire protection and structural design and engineering; and construction administration. Firms interested in being considered as candidates are required to submit five bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida construction licensure and corporate registration certificates.
 2. Proof of General and Professional Liability Insurability.
 3. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm’s current, valid MBE, WMBE certificate is required as part of the submission package.
 4. Proposed design team with resumes.
 5. A current list of five client references consisting of name, title, address, telephone number and project name(s) for each project specified.
 6. Past design experience on inpatient comprehensive rehabilitation units, outpatient rehabilitation services and associated support functions.
 7. Design and permitting experience within the City of Sarasota, FL and other applicable permitting agencies.
 8. Location of the design firm’s main office, and location of the proposed team for this project.
 9. An explanation of how the firm intends to respond expeditiously on urgent project matters.
 10. Illustrate the project team including resumes for each.
- All interested firms are further informed as follows:

1. This will be a two-step public selection process:
 - a. An initial public meeting will be conducted to short list three firms from all who submit complete and on-time submissions.
 - i. The three short list firms will be announced and invited to return for a second public meeting.

- ii. An information packet will be given to the short list firms.
- iii. The owner representative will answer questions up to the time of the submission deadline.
- b. A second public meeting will invite the three short list firms to present project specific qualifications.
 - i. This second public meeting will be used to rank and award the project to the number one ranked firm.
- 2. The Hospital reserves the right to reject any or all submittals at any time during this process.
- 3. The basis for selecting candidates includes, but is not limited to the firm’s experience with local regulatory agency having jurisdiction, consideration of related project experience, qualifications of proposed team, design criteria experience as stated above, ability to respond, and project approach.
- 4. The Hospital reserves the right to request additional information beyond the data set forth above.
- 5. Questions regarding submissions shall be directed only to Thomas Perigo, (941)917-1804.

Submissions shall be titled

Statement of Qualifications for
ARCHITECTURAL AND ENGINEERING SERVICES

The Sarasota Memorial Hospital
Comprehensive Rehabilitation Project

- 6. Submittals must be received by the Hospital no later than 3:30 p.m. Thursday, May 15, 2014. Submit statements to Thomas Perigo, Director of Architecture and Construction at 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.
- 7. Only Thomas Perigo shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Architecture and Construction.
- 8. Interested persons should contact Thomas Perigo, (941)917-1804 with any project-related questions.
- 9. The selection committee will meet in a public meeting in Sarasota Memorial’s first floor Waldemere Auditorium located at 1700 S. Tamiami Trail, Sarasota, FL 34239, on Thursday, May 29, 2014 from 12:30 p.m. to 3:00 p.m. to discuss and announce the top three short list firms with whom the Hospital will subsequently invite to a second public meeting on June 19, 2014, in a venue and time to be determined, where all three firms will present project specific qualifications. Immediately after the public meeting

the Hospital will rank and announce the ranking order. The Hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.

SARASOTA MEMORIAL HOSPITAL
REQUEST FOR STATEMENTS OF QUALIFICATIONS for
GENERAL CONTRACTING WORK

The Sarasota County Public Hospital Board of Sarasota, Sarasota Memorial Hospital, Sarasota County, Florida (“the Hospital”) is accepting statements of qualifications from General Contracting Firms. The scope of work may include pre-construction phase services such as cost estimating, value engineering, critical path method scheduling, constructability reviews and cost control, in addition to phased construction management services including but not limited to all required demolition of an existing 5-story, 50,000-square-foot building, demolition of an emergency transformer vault, and the relocation of an existing service road, in association with the design of a new inpatient comprehensive rehabilitation facility, along with related outpatient rehabilitation services, to include two options.

Option 1 is a 4-story, approximately 85,000-square-foot comprehensive rehabilitation facility where level one is surface parking and patient drop off, level two is outpatient rehabilitation and support space and level three and four are inpatient comprehensive rehabilitation nursing units. Option 1 also includes the relocation of an existing service road and the demolition of an existing transformer vault. New and existing facilities will have to be connected to the main energy plant.

Option 2 is a 5-story, approximately 110,000-square-foot comprehensive rehabilitation facility where level one is surface parking and patient drop off, level two is outpatient rehabilitation and support space, level three and four are inpatient comprehensive rehabilitation nursing units, level 5 is enclosed interior, conditioned mechanical space, and the entire building structure is designed with vertical expansion capability to 9 stories. Option 2 also includes the relocation of an existing service road and the demolition of an existing transformer vault. New and existing facilities will have to be connected to the main energy plant.

Firms interested in being considered as candidates are required to submit *five bound statements of qualifications* that include at least the following data, *to be organized in the following order*:

- 1. A copy of Florida construction licensure and corporate registration certificates.
- 2. Completed AIA Document A305 Contractor’s Qualification Statement, latest edition.
- 3. Proof of general, automobile and workers’ compensation liability insurance coverage.

4. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm's current, valid MBE, WMBE certificate is required as part of your qualification statement submittal.
5. A CURRENT list of five client references consisting of name, title, address, telephone number and project name(s) for each project specified.
6. Resumes of key personnel that would be used on this project.
7. Past design experience on comprehensive rehabilitation projects and associated support functions.
8. Construction building experience with AHCA and within the City of Sarasota, FL.
9. Location of the firm's main office and location of the proposed project team members

All interested firms are further informed as follows:

1. This will be a two-step public selection process:
 - a. An initial public meeting will be conducted to short list three firms from all who submit complete and on-time submissions.
 - i. The three short list firms will be announced and invited to return for a second public meeting.
 - ii. An information packet will be given to the short list firms.
 - iii. The owner representative will answer questions up to the time of the submission deadline.
 - b. A second public meeting will invite the three short list firms to present project specific qualifications.
 - i. This second public meeting will be used to rank and award the project to the number one ranked firm.
2. The Hospital reserves the right to reject any or all submittals at any time during this process.
3. The basis for selecting candidates includes, but is not limited to the firm's experience AHCA, and with the local regulatory agency having jurisdiction, consideration of related project experience, qualifications of proposed team, construction management experience as stated above, ability to respond, and project approach.
4. The Hospital reserves the right to request additional information beyond the data set forth above.

5. Questions regarding submissions shall be directed only to Thomas Perigo, (941)917-1804.

Submissions shall be titled
Statement of Qualifications for
GENERAL CONTRACTING WORK
The Sarasota Memorial Hospital
Comprehensive Rehabilitation Project

6. Submittals must be received by the Hospital no later than 3:30 p.m. Thursday, May 15, 2014. Submit statements to Thomas Perigo, Director of Architecture and Construction at 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.
7. Only Thomas Perigo shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Architecture and Construction.
8. Interested persons should contact Thomas Perigo, (941)917-1804 with any project-related questions.
9. The selection committee will meet in a meeting in Sarasota Memorial's first floor Waldemere Auditorium located at 1700 S. Tamiami Trail, Sarasota, FL 34239, on May 29, 2014 from 8:00 a.m. to 11:00 a.m. to discuss and announce the top three short list firms with whom the Hospital will subsequently invite to a second public meeting on June 19, 2014, in a venue and time to be determined, where all three short list firms will present project specific qualifications. Immediately after the public meeting the Hospital will rank and announce the ranking order. The Hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.

**SARASOTA MEMORIAL HOSPITAL
REQUEST FOR STATEMENTS OF QUALIFICATIONS for
ARCHITECTURAL AND ENGINEERING SERVICES**

The Sarasota County Public Hospital Board of Sarasota, Sarasota Memorial Hospital, Sarasota County, Florida ("the Hospital") is accepting statements of qualifications from Architectural/Engineering Consulting Firms under the provisions of the Consultants' Competitive Negotiation Act. The scope of work may include programming, schematic design, design development, construction documents, and construction administration for all architectural, interior design, civil, site work, mechanical, electrical, plumbing, fire protection, structural design work for the renovation of an

approximately 15,000-square-foot inpatient pediatrics nursing unit.

Services required by qualified firms include architectural design, mechanical, electrical, plumbing, fire protection and structural design and engineering; and construction administration. Firms interested in being considered as candidates are required to submit *five bound statements of qualifications* that include at least the following data, *to be organized in the following order*:

1. A copy of Florida construction licensure and corporate registration certificates.
 2. Proof of General and Professional Liability Insurability.
 3. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm's current, valid MBE, WMBE certificate is required as part of the submission package.
 4. Proposed design team with resumes.
 5. A current list of five client references consisting of name, title, address, telephone number and project name(s) for each project specified.
 6. Past design experience on inpatient pediatrics units, and associated support functions.
 7. Design and permitting experience within the City of Sarasota, FL and other applicable permitting agencies.
 8. Location of the design firm's main office, and location of the proposed team for this project.
 9. An explanation of how the firm intends to respond expeditiously on urgent project matters.
 10. Illustrate the project team including resumes for each.
- All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.
2. The basis for selecting candidates includes, but is not limited to the firm's experience with local regulatory agency having jurisdiction, AHCA experience, consideration of related project experience, qualifications of proposed team design criteria experience as stated above, ability to quickly respond, and the firm's proposed project approach.
3. The Hospital reserves the right to request additional information beyond the data set forth above.
4. Questions regarding submissions shall be directed only to Jim Bugyis, (941)917-1802.

Submissions shall be titled

Statement of Qualifications for
ARCHITECTURAL AND ENGINEERING SERVICES
 The Sarasota Memorial Hospital
 Pediatrics Unit

5. Submittals must be received by the Hospital no later than 1:30 p.m. on Tuesday, May 20, 2014. Mail statements to the attention of Jim Bugyis, Director of Operation of Plant, 1700 South Tamiami Trail, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.
6. Only Jim Bugyis shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Operation of Plant.
7. Interested persons should contact Jim Bugyis, at (941)917-1802, with any project-related questions.
8. The selection committee will meet in a public meeting in Sarasota Memorial's first floor Waldemere Auditorium located at 1700 S. Tamiami Trail, Sarasota, FL 34239, on Thursday, June 26, 2014 from 1:00 p.m. to 3:30 p.m. to discuss and announce the top three ranked firms with whom the Hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.

SARASOTA MEMORIAL HOSPITAL
REQUEST FOR STATEMENTS OF QUALIFICATIONS for
GENERAL CONTRACTING WORK

The Sarasota County Public Hospital Board of Sarasota, Sarasota Memorial Hospital, Sarasota County, Florida ("the Hospital") is accepting statements of qualifications from General Contracting Firms. The scope of work may include pre-construction phase services such as cost estimating, value engineering, critical path method scheduling, constructability reviews and cost control, in addition to phased construction management services for the renovation of an approximately 15,000-square-foot inpatient pediatrics nursing unit.

Firms interested in being considered as candidates are required to submit *five bound statements of qualifications* that include at least the following data, *to be organized in the following order*:

1. A copy of Florida construction licensure and corporate registration certificates.
2. Completed AIA Document A305 Contractor's Qualification Statement, latest edition.
3. Proof of general, automobile and workers' compensation liability insurance coverage.
4. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm's current, valid MBE, WMBE certificate is required as part of your qualification statement submittal.

5. A CURRENT list of five client references consisting of name, title, address, telephone number and project name(s) for each project specified.
6. Resumes of key personnel that would be used on this project.
7. Past design experience on inpatient pediatrics projects and associated support functions.
8. Construction building experience with AHCA and within the City of Sarasota, FL.
9. Location of the firm's main office and location of the proposed project team members.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.
2. The basis for selecting candidates includes, but is not limited to the firm's experience with the local regulatory agency having jurisdiction, AHCA experience, consideration of related project experience, qualifications of proposed team, construction management experience as stated above, ability to respond, and project approach.
3. The Hospital reserves the right to request additional information beyond the data set forth above.
4. Questions regarding submissions shall be directed only to Jim Bugyis, Director of Operation of Plant (941)917-1802.

Submissions shall be titled
Statement of Qualifications for
GENERAL CONTRACTING WORK
The Sarasota Memorial Hospital
Pediatrics Unit

5. Submittals must be received by the Hospital no later than 1:30 PM on Tuesday, May 20, 2014. Mail statements to the attention of Jim Bugyis, Director of Operation of Plant, 1700 S. Tamiami Trail, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.
6. Only Jim Bugyis shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Operation of Plant.
7. Interested persons should contact Jim Bugyis at (941)917-1802 with any project-related questions.

8. The selection committee will meet in a public meeting in Sarasota Memorial's first floor Waldemere Auditorium located at 1700 S. Tamiami Trail, Sarasota, FL 34239, on Thursday, June 26, 2014 from 8:00 a.m. to 11:00 a.m. to discuss and announce the top three ranked firms with whom the hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.

Section XII Miscellaneous

DEPARTMENT OF EDUCATION

Adult Education and Family Literacy Request for Proposal Legal Announcement

Request for Applications for Available Funding

The Florida Department of Education, Division of Career and Adult Education, announces the availability of federal funds through a competitive grants process under the Adult Education and Family Literacy Act of 1998 (Workforce Investment Act.) Follow the guidelines on each individual Request for Proposal as due dates may vary. Through the competitive review process, eligible applicants are assured direct & equitable access to apply for funds.

For application instructions, forms, & funding opportunities conference information, please refer to <http://www.fldoe.org/workforce/dwdgrants/default.asp>; direct questions to Julie.Dillard@fldoe.org.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

East Coast Tri-Motors, LLC, for the relocation of ZHNG mc

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

Pursuant to Section 320.642, Florida Statutes, notice is given that BMS Motorsports, Inc., intends to allow the relocation of East Coast Tri-Motors, LLC, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co., Ltd. (line-make ZHNG) from its present location at 3132 Fortune Way Unit D-9 & D-21, Wellington, (Palm Beach County), Florida, 33414, to a proposed location at 2429 Northwest 16 Lane, Pompano Beach, (Broward County), Florida 33064, on or after May 16, 2014.

The name and address of the dealer operator(s) and principal investor(s) of East Coast Tri-Motors, LLC, are dealer operator(s): Daryl Pfaff, 2429 Northwest 16 Lane, Pompano Beach, Florida 33064, principal investor(s): Daryl Pfaff, 2429 Northwest 16 Lane, Pompano Beach, Florida 33064.

The notice indicates intent to relocate the franchise 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, as amended by Chapter 88-395, Laws of Florida, 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: Patrick Y. Kim, BMS Motorsports, Inc., 18689 Arenth Avenue, City of Industry, California 91745.

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.

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.
