

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-1.09981 Implementation of Florida's System of
School Improvement and Accountability

PURPOSE AND EFFECT: The purpose and effect of the rule development is, primarily, to revise the rule to conform to statutory changes by creating a new school grades calculation model for all schools and a new district grades model for all districts. It is anticipated that the proposal will include the components of the grading system, the process for calculating school grades and processes for school districts to review data and provide corrected data to the Department. It is anticipated that the rule will be substantially rewritten.

SUBJECT AREA TO BE ADDRESSED: School Grades.

RULEMAKING AUTHORITY: 1001.02, 1008.22, 1008.34(6), 1008.345 FS.

LAW IMPLEMENTED: 1008.34, 1008.345, 1008.36 FS.

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

DATES AND TIMES: October 27, 2015, 4:00 p.m. – 6:00 p.m.; October 28, 2015, 4:00 p.m. – 6:00 p.m.; October 29, 2015, 4:00 p.m. – 6:00 p.m.

PLACES: October 27 – McArthur High School (Staff Development Room), 6501 Hollywood Blvd., Hollywood, FL 33024; October 28 – Hyatt Regency Orlando Airport, 9300 Jeff Fuqua Boulevard, Regency Ballroom D/E, Orlando, Florida 32827 October 29 – Via webinar and conference call: Please register for the webinar at: <https://attendee.gotowebinar.com/register/8841690139177419777>. After registering, a confirmation email will be sent containing information about joining the webinar. To join the conference call: 1(877)299-4502, Passcode: 544 046 08#. Anyone wishing to attend in person: Florida Department of Education, Turlington Building, Room 1703, 325 W. Gaines St., Tallahassee, FL 32399. Workshops for this rule are being held in conjunction with workshops for Rules 6A-1.099822, School Improvement Rating for Alternative Schools and 6A-1.099812, Education Accountability for Department of Juvenile Justice Education Programs.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jane Fletcher, Assistant Deputy Commissioner, Office of Accountability and Policy Research, Division of Accountability, Research, and Measurement, Florida

Department of Education, 325 West Gaines Street, Suite 514, Tallahassee, Florida 32399-0400, (850)245-0437. Public comments concerning this rule development can be made at ARM@fldoe.org or <https://app1.fldoe.org/rules/default.aspx> or by contacting: Cathy Schroeder, Agency Clerk, Department of Education, (850)245-9661 or e-mail: cathy.schroeder@fldoe.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-1.099812 Education Accountability for Department of
Juvenile Justice Education Programs

PURPOSE AND EFFECT: The purpose and effect of this rule development is to fulfill requirements under Section 1003.52(16)(d), Florida Statutes, to adopt rules that establish a performance rating system based on student performance measures that identifies high-performing juvenile justice education programs and identifies low-performing programs.

SUBJECT AREA TO BE ADDRESSED: The rule articulates the measures, scoring criteria and associated performance ratings to be used in the Department of Juvenile Justice Education Program accountability system, and requires the district superintendent to identify an accountability contact person responsible for activities related to the accountability system.

RULEMAKING AUTHORITY: 1003.52(16) FS.

LAW IMPLEMENTED: 1003.52(16) FS.

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

DATES AND TIMES: October 27, 2015, 4:00 p.m. – 6:00 p.m.; October 28, 2015, 4:00 p.m. – 6:00 p.m.; October 29, 2015, 4:00 p.m. – 6:00 p.m.

PLACES: October 27, 2015 – McArthur High School (Staff Development Room), 6501 Hollywood Blvd., Hollywood, FL 33024; October 28, 2015 – Hyatt Regency Orlando Airport, 9300 Jeff Fuqua Boulevard, Regency Ballroom D/E, Orlando, Florida 32827; October 29, 2015 – Via webinar and conference call: Please register for the webinar at: <https://attendee.gotowebinar.com/register/8841690139177419777>. After registering, a confirmation email will be sent containing information about joining the webinar. To join the conference call: 1(877)299-4502, Passcode: 544 046 08#. Anyone wishing to attend in person: Florida Department of Education, Turlington Building, Room 1703, 325 W. Gaines St., Tallahassee, FL 32399. Workshops for this rule are being held in conjunction with workshops for Rules 6A-1.09981, Implementation of Florida's System of School Improvement

and Accountability and 6A-1.099822, School Improvement Rating for Alternative Schools.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jason Gaitanis, Policy Research and Accountability Coordinator, Florida Department of Education, Florida Department of Education, 325 West Gaines Street, Suite 544, Tallahassee, Florida, 32399-0400, (850)245-0437. Public comments concerning this rule development can be made at ARM@fldoe.org or <https://app1.fldoe.org/rules/default.aspx> or by contacting: Cathy Schroeder, Agency Clerk, Department of Education, (850)245-9661 or e-mail: cathy.schroeder@fldoe.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.099822 RULE TITLE: School Improvement Rating for Alternative Schools.

PURPOSE AND EFFECT: The purpose and effect of the rule development is to conform rule language to statutory changes and create a new school improvement rating calculation and categories for alternative schools and ESE centers. It is anticipated that the rule will be substantially rewritten.

SUBJECT AREA TO BE ADDRESSED: School Improvement Ratings.

RULEMAKING AUTHORITY: 1001.02, 1008.34, 1008.341(6) FS.

LAW IMPLEMENTED: 1008.34, 1008.341 FS.

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

DATES AND TIMES: October 27, 2015, 4:00 p.m. – 6:00 p.m.; October 28, 2015, 4:00 p.m. – 6:00 p.m.; October 29, 2015, 4:00 p.m. – 6:00 p.m.

PLACES: October 27, 2015 – McArthur High School (Staff Development Room), 6501 Hollywood Blvd., Hollywood, FL 33024; October 28, 2015 – Hyatt Regency Orlando Airport, 9300 Jeff Fuqua Boulevard, Regency Ballroom D/E, Orlando, Florida 32827; October 29, 2015 – Via webinar and conference call: Please register for the webinar at: <https://attendee.gotowebinar.com/register/8841690139177419777>. After registering, a confirmation email will be sent containing information about joining the webinar. To join the conference call: 1(877)299-4502, Passcode: 544 046 08#. Anyone wishing to attend in person: Florida Department of Education, Turlington Building, Room 1703, 325 W. Gaines St., Tallahassee, FL 32399. Workshops for this rule are being held in conjunction with workshops for Rules 6A-1.09981,

Implementation of Florida’s System of School Improvement and Accountability and 6A-1.099812, Education Accountability for Department of Juvenile Justice Education Programs.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jane Fletcher, Assistant Deputy Commissioner, Office of Accountability and Policy Research, Division of Accountability, Research, and Measurement, Florida Department of Education, 325 West Gaines Street, Suite 514, Tallahassee, Florida 32399-0400, (850)245-0437. Public comments concerning this rule development can be made at ARM@fldoe.org or <https://app1.fldoe.org/rules/default.aspx> or by contacting: Cathy Schroeder, Agency Clerk, Department of Education, (850)245-9661 or e-mail: cathy.schroeder@fldoe.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.015 RULE TITLE: Ambulance Transportation Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.015 is to incorporate by reference the Florida Medicaid Emergency Transportation Services Coverage Policy, _____. The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information. The amendment also revises the rule title to Emergency Transportation Services.

SUBJECT AREA TO BE ADDRESSED: Rules 59G-4.015, Ambulance Transportation Services and 59G-4.330, Transportation Services. An additional area to be addressed during the workshop will be the potential regulatory impact Rules 59G-4.015 and 59G-4.330, Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, F.S.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: October 28, 2015, 2:00 p.m. – 4:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, Florida 32308-5407

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: Derica Smith. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Derica Smith, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4239, e-mail: Derica.Smith@ahca.myflorida.com Please note that a preliminary draft of the reference material, if available, will be posted prior to the workshop at <http://ahca.myflorida.com/Medicaid/review/index.shtml>. Comments will be received until 5:00 p.m., on the date of the workshop.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.015 Emergency Ambulance Transportation Services.

(1) This rule applies to any person or entity prescribing or reviewing a request for emergency transportation services and to all providers of emergency ambulance transportation services providers who are enrolled in or registered with the Florida Medicaid program.

(2) All persons or entities described in subsection (1) ambulance transportation providers enrolled in the Florida Medicaid program must be in compliance with the provisions of the Florida Medicaid Emergency Ambulance Transportation Services Coverage Policy and Limitations Handbook, August 2013, _____, available at http://www.flrules.org/Gateway/reference.asp?No=Ref_03064, incorporated by reference. The policy handbook is available from the Florida Medicaid fiscal agent's Web site at <http://portal.flmmis.com/flpublic> www.mymedicaid-florida.com. Select Public Information for Providers, then Provider Support, and then Provider Handbooks. Paper copies of the handbook may be obtained by calling the Provider Services Contact Center at 1(800) 289 7799 and selecting Option 7.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS. History—New 7-23-06, Amended 8-22-13, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-4.207 Oral and Maxillofacial Surgery Services

PURPOSE AND EFFECT: The purpose of Rule 59G-4.207, F.A.C. is to incorporate by reference the Florida Medicaid Oral and Maxillofacial Services Coverage Policy, _____. The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

SUBJECT AREA TO BE ADDRESSED: Oral and Maxillofacial Services.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: October 29, 2015, 10:00 a.m. – 11:15 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida 32308-5407

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: Mary Cerasoli. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Cerasoli, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4228, e-mail: Mary.Cerasoli@ahca.myflorida.com

Please note that a preliminary draft of the reference material, if available, will be posted prior to the workshop at <http://ahca.myflorida.com/Medicaid/review/index.shtml>. Comments will be received until 5:00 p.m., on the day of the workshop.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.207 Oral and Maxillofacial Services.

(1) This rule applies to any person or entity prescribing or reviewing a request for oral and maxillofacial services and to all providers of oral and maxillofacial services who are enrolled in or registered with the Florida Medicaid program.

(2) All providers of oral and maxillofacial services must be in compliance with the provisions of the Florida Medicaid

Oral and Maxillofacial Coverage Policy, _____, incorporated by reference. The policy is available from the Florida Medicaid fiscal agent's Web site at <http://portal.flmmis.com/flpublic>.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS. History--New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-4.318 Occupational Therapy Services

PURPOSE AND EFFECT: The purpose of Rule 59G-4.318, F.A.C. is to incorporate by reference the Florida Medicaid Occupational Therapy Services Coverage Policy, _____. The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

SUBJECT AREA TO BE ADDRESSED: Rules 59G-4.318, Occupational Therapy Services; 59G-4.320, Therapy Services; 59G-4.322, Respiratory Therapy Services; and 59G-4.324, Speech-Language Pathology Services. An additional area to be addressed during the workshop will be the potential regulatory impact Rules 59G-4.318, 59G-4.320, 59G-4.322, and 59G-4.324, Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: October 28, 2015, 9:30 a.m. – 12:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida 32308-5407

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: LaKera Reddick. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: LaKera Reddick, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4206, e-mail: Lakera.Reddick@ahca.myflorida.com Please note that a preliminary draft of the reference material, if available, will be posted prior to the workshop at <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

Comments will be received until 5:00 p.m., on the day of the workshop.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.318 Occupational Therapy Services.

(1) This rule applies to any person or entity prescribing or reviewing a request for occupational therapy services and to all providers of occupational therapy services who are enrolled in or registered with the Florida Medicaid program.

(2) All persons or entities described in subsection (1) must be in compliance with the provisions of the Florida Medicaid Occupational Therapy Services Coverage Policy, _____, incorporated by reference. The policy is available on the Florida Medicaid fiscal agent's Web site at <http://portal.flmmis.com/flpublic>.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS. History--New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-4.320 Therapy Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.320, F.A.C. is to incorporate by reference the Florida Medicaid Physical Therapy Services Coverage Policy, _____. The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information. The amendment also revises the rule title to Physical Therapy Services.

SUBJECT AREA TO BE ADDRESSED: Rules 59G-4.320, Therapy Services; 59G-4.318, Occupational Therapy Services; 59G-4.322, Respiratory Therapy Services; and 59G-4.324, Speech-Language Pathology Services. An additional area to be addressed during the workshop will be the potential regulatory impact Rules 59G-4.320, 59G-4.322, 59G-4.324, and 59G-4.218, Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: October 28, 2015, 9:30 a.m. – 12:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida 32308-5407

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: LaKera Reddick. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: LaKera Reddick, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4206, e-mail: Lakera.Reddick@ahca.myflorida.com Please note that a preliminary draft of the reference material, if available, will be posted prior to the workshop at <http://ahca.myflorida.com/Medicaid/review/index.shtml>. Comments will be received until 5:00 p.m., on the day of the workshop.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.320 Physical Therapy Services.

(1) This rule applies to any person or entity prescribing or reviewing a request for physical therapy services and all providers of physical therapy services providers who are enrolled in or registered with the Florida Medicaid program.

(2) All persons or entities described in subsection (1) therapy providers enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Physical Therapy

Services Coverage Policy, _____ and Limitations Handbook, _____ August _____ 2013, _____ available _____ at http://www.flrules.org/Gateway/reference.asp?No=Ref_03069, incorporated by reference. The policy handbook is available from the Florida Medicaid fiscal agent's Web site at <http://portal.flmmis.com/flpublic> www.mymedicaid-florida.com. Select Public Information for Providers, then Provider Support, and then Handbook. Paper copies of the handbooks may be obtained by calling the Medicaid fiscal agent at (800) 289-7799 and selecting Option 4.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS. History—New 5-24-92, Amended 4-12-93, Formerly 10C-7.068, Amended 5-4-94, 12-26-95, 3-9-99, 12-2-03, 12-3-08, 8-22-13, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-4.322 Respiratory Therapy Services

PURPOSE AND EFFECT: The purpose of Rule 59G-4.322, F.A.C. is to incorporate by reference the Florida Medicaid

Respiratory Therapy Services Coverage Policy, _____. The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

SUBJECT AREA TO BE ADDRESSED: Rules 59G-4.322, Respiratory Therapy Services; 59G-4.320, Therapy Services; 59G-4.318, Occupational Therapy Services; and 59G-4.324, Speech-Language Pathology Services. An additional area to be addressed during the workshop will be the potential regulatory impact the amendment to Rules 59G-4.322, 59G-4.324, 59G-4.318, and 59G-4.320, Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: October 28, 2015, 9:30 a.m. – 12:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida 32308-5407

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: LaKera Reddick. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: LaKera Reddick, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4206, e-mail: Lakera.Reddick@ahca.myflorida.com Please note that a preliminary draft of the reference material, if available, will be posted prior to the workshop at <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

Comments will be received until 5:00 p.m., on the day of the workshop.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.322 Respiratory Therapy Services.

(1) This rule applies to any person or entity prescribing or reviewing a request for respiratory therapy services and to all providers of respiratory therapy services who are enrolled in or registered with the Florida Medicaid program.

(2) All persons or entities described in subsection (1) must be in compliance with the provisions of the Florida Medicaid Respiratory Therapy Coverage Policy, _____, incorporated by reference. The policy is available on the Florida Medicaid fiscal agent’s Web site at <http://portal.flmmis.com/flpublic>. Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS. History–New _____.

**AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid**

RULE NO.: RULE TITLE:
59G-4.324 Speech-Language Pathology Services
PURPOSE AND EFFECT: The purpose of Rule 59G-4.324, F.A.C. is to incorporate by reference the Florida Medicaid Speech-Language Pathology Services Coverage Policy, _____. The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.
SUBJECT AREA TO BE ADDRESSED: Rules 59G-4.324, Speech-Language Pathology Services; 59G-4.322, Respiratory Therapy Services; 59G-4.320, Therapy Services; and 59G-4.318, Occupational Therapy Services. An additional area to be addressed during the workshop will be the potential regulatory impact the amendment to Rules 59G-4.324, 59G-4.318, 59G-4.320, and 59G-4.322., Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, Florida Statutes.
RULEMAKING AUTHORITY: 409.919 FS.
LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS.
A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
DATE AND TIME: October 28, 2015, 9:30 a.m. – 12:30 p.m.
PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida 32308-5407
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: LaKera Reddick. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: LaKera Reddick, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4206, e-mail: Lakera.Reddick@ahca.myflorida.com.

Please note that a preliminary draft of the reference material, if available, will be posted prior to the workshop at <http://ahca.myflorida.com/Medicaid/review/index.shtml>. Comments will be received until 5:00 p.m., on the day of the workshop.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.324 Speech-Language Pathology Services.

(1) This rule applies to any person or entity prescribing or reviewing a request for speech-language pathology services and all providers of speech-language pathology services who are enrolled in or registered with the Florida Medicaid program.

(2) All persons or entities described in subsection (1) must be in compliance with the provisions of the Florida Medicaid Speech-Language Pathology Services Coverage Policy, _____, incorporated by reference. The policy is available on the Florida Medicaid fiscal agent’s Web site at <http://portal.flmmis.com/flpublic>. Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS. History–New _____.

**AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid**

RULE NO.: RULE TITLE:
59G-4.330 Transportation Services
PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.330, F.A.C. is to incorporate by reference the Florida Medicaid Non-Emergency Transportation Services Coverage Policy, _____. The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information. The amendment also revises the title of the rule to Non-Emergency Transportation Services.
SUBJECT AREA TO BE ADDRESSED: Rules 59G-4.330, Transportation Services and 59G-4.015, Ambulance Transportation Services. An additional area to be addressed during the workshop will be the potential regulatory impact Rules 59G-4.330 and 59G-4.015, Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, Florida Statutes.
RULEMAKING AUTHORITY: 409.919 FS.
LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.9081, 409.912, 409.913 FS.
A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
DATE AND TIME: October 28, 2015, 2:00 p.m. – 4:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, Florida 32308-5407

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: Derica Smith. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Derica Smith, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4239, e-mail: derica.smith@ahca.myflorida.com

Please note that a preliminary draft of the reference material, if available, will be posted prior to the workshop at <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

Comments will be received until 5:00 p.m., on the date of the workshop.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.330 Non-Emergency Transportation Services.

(1) This rule applies to any person or entity prescribing or reviewing a request for non-emergency transportation services and all providers of non-emergency entities which provide transportation services who are enrolled in or registered with the Florida Medicaid program recipients.

(2) All persons or entities described in subsection (1) non-emergency transportation services providers who provide transportation to Medicaid recipients must be in compliance comply with the provisions of the Florida Medicaid Non-Emergency Transportation Services Coverage, Policy Limitations and Reimbursement Handbook, July 1997, incorporated by reference. The policy handbook is available from the Florida Medicaid fiscal agent's Web site at http://portal.flmmis.com/flpublic website at http://floridamedicaid.aes-inc.com. Click on Provider Support, and then on Handbooks. A paper copy of the handbook may be obtained by calling Provider Inquiry at (800)377-8216.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.9081, 409.912, 409.910, 409.913 FS. History—New 1-1-77, Amended 10-1-77, 1-27-81, 8-28-84, Formerly 10C-7.45, Amended 4-13-93, Formerly 10C-7.045, Amended 1-7-98, 12-18-05, 7-23-06, _____.

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NOS.:	RULE TITLES:
69B-227.130	Definitions
69B-227.140	Providers
69B-227.160	Instructors
69B-227.170	Courses
69B-227.180	Course Offering and Attendance Records
69B-227.190	Certification of Students
69B-227.260	Study Aids
69B-227.310	Grounds for Disapproval, Suspension, or Revocation of Approval of a Provider, School Official, Supervising Instructor, or Instructor; Other Penalties
69B-227.350	Duration of Suspension or Revocation, and Effect of Suspension or Revocation upon Associated Authorizations

PURPOSE AND EFFECT: Rule Chapter 69B-227, F.A.C., establishes requirements for prelicensing courses and course providers for insurance agents and other licensees of the Department. The proposed amendment requires that the school official designated by the provider is subject to approval by the Department. The amendment also provides standards for approval of bail bond course instructors. The amendment shortens the Department's time to approve a course offering from 15 to 5 days. The amendment also requires the actual instructional time to match the number of hours indicated in the offering application submitted to the Department. The amendment prohibits instructors and school officials from soliciting or receiving login information relating to Department databases. The amendment also prohibits providers, instructors, and school officials from providing a study manual which is available from a vendor identified by the Department. The amendment further prohibits providers, instructors, and school officials from soliciting or receiving material contained in a licensing examination. A new rule is added to provide standards for the suspension or revocation of authorization of providers, instructors and school officials.

SUBJECT AREA TO BE ADDRESSED: The requirements for courses; and course providers, school officials and instructors offering prelicensing education for insurance agents, bail bondsmen, and other licensees.

RULEMAKING AUTHORITY: 624.308(1), 626.2817 FS.

LAW IMPLEMENTED: 624.307(1), 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.207, 627.7014, 627.7015, 627.7074, 627.745, 648.34, 648.286, 648.386 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Tuesday, October 27, 2015, 10:00 a.m.

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

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: Heather Cleary, telephone: (850)413-5355, email: Heather.Cleary@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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Heather Cleary, Senior Management Analyst Supervisor, Bureau of Licensing, Division of Agent & Agency Services, Florida Department of Financial Services, address: 200 E. Gaines Street, Tallahassee, Florida 32399-0320, telephone: (850)413-5355, email: Heather.Cleary@myfloridacfo.com

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

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NO.: 73B-11.030 RULE TITLE: Benefit Records Unit Records Request

PURPOSE AND EFFECT: Since the implementation of the rule in March, the Department has determined that changes to the rule would make the process for requests for Reemployment Benefit Records more efficient by making the rule clearer to prevent delay in the production of records. Therefore, the rule change will streamline the process for the submission of and the response to requests for confidential Reemployment Assistance Benefit Records. Additionally, the rule change will assist the public understanding of the process and statutory requirements involved in making a request for confidential Reemployment Assistance Benefit Records and permit the Department to improve the administration of the Reemployment Assistance program.

SUBJECT AREA TO BE ADDRESSED: The rule change will assist the public understanding of the process and the statutory requirements involved in making a request for Reemployment Benefit Records, and enhances the Department's efficiency in processing such requests.

RULEMAKING AUTHORITY: 443.1317(1)(b) FS.

LAW IMPLEMENTED: 443.1715(1), (2)(b)1 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN

THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michael Golen, Office of General Counsel, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399, (850)245-7150

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

**Section II
Proposed Rules**

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE NO.: 61G10-14.002 RULE TITLE: Criteria for Selection of Investigators.
PURPOSE AND EFFECT: To repeal obsolete rule.

SUMMARY: Rule repeal.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION: The agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency. The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Repealing this rule will have no effect, because the rule is obsolete.

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: 455.203(8), 481.306 FS.

LAW IMPLEMENTED: 455.203(8) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Board of Landscape Architecture, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395

THE TEXT OF THE PROPOSED RULE IS:

61G10-14.002 Criteria for Selection of Investigators.
 Specific Authority 455.203(8), 481.306 FS. Law Implemented 455.203(8) FS. History—New 5-23-82, Formerly 21K-14.02, 21K-14.002, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Board of Landscape Architecture
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Landscape Architecture
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 30,

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:
 61H1-23.002 Records Disposition Responsibility
 PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify language.

SUMMARY: An amendment to the rule will clarify language.
 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. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 473.304 FS.
 LAW IMPLEMENTED: 473.318 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: Veloria A. Kelly, Division Director,

Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-23.002 Records Disposition Responsibility.
 (1) through (2) No change.
 (3) Provisions of this rule apply to Licensed ~~Audit~~ Firms and to all certified public accountants practicing public accounting.
 Rulemaking Authority 473.304 FS. Law Implemented 473.318 FS. History—New 12-4-79, Amended 12-11-83, Formerly 21A-23.02, Amended 9-1-87, Formerly 21A-23.002, Amended 10-28-98, 10-26-09, 12-2-14, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Board of Accountancy
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 31, 2015
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 21, 2015

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:
 61J1-9.001 Standards of Appraisal Practice.
 PURPOSE AND EFFECT: To update publication and effective dates of the Uniform Standards of Professional Appraisal Practice.

SUMMARY: Update publication and effective dates of the Uniform Standards of Professional Appraisal Practice.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION: The agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency. The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a SERC was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.613(2), 475.628 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juana Watkins, Executive Director, Florida Real Estate Appraisal Board, 400 W. Robinson Street, #N801, Orlando, FL 32801, (407)481-4662

THE TEXT OF THE PROPOSED RULE IS:

61J1-9.001 Standards of Appraisal Practice.

All registered, licensed, or certified appraisers shall comply with the 2016-2017 ~~2014-2015~~ Uniform Standards of Professional Appraisal Practice (USPAP), effective January 1, 2016 ~~2014~~, which is incorporated by reference. The copyrighted material may be viewed at the Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801. The incorporated material will be available for public inspection and examination at the Department of State, Administrative Code and Register Section, Room 701, The Capitol, Tallahassee, Florida 32399-0250.

Rulemaking Authority 475.614 FS. Law Implemented 475.613(2), 475.628 FS. History—New 8-29-06, Amended 3-24-09, 1-30-12, 4-10-14,_____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 10, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 23, 2015

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:

64B16-26.1001 Examination and Application Fees

PURPOSE AND EFFECT: The Board proposes the rule amendment to provide notice to pharmacy interns that no fee is required to accompany the Immunization Administration Certification Application and Information form DH-MQA 1125.

SUMMARY: Notice will be provided to pharmacy interns that no fee is required to accompany the Immunization

Administration Certification Application and Information form DH-MQA 1125.

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. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 465.005, 465.009 FS.

LAW IMPLEMENTED: 456.025(7), 465.007, 465.0075, 465.009, 465.014 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allison Dudley, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-26.1001 Examination and Application Fees.

(1) through (3) No change.

(4) The non-refundable application fee for the ~~Influenza~~ Immunization Administration Certification shall be \$55 for pharmacists and no fee for pharmacy interns, payable to the Board.

(5) No change.

Rulemaking Authority 465.005, 465.009, 456.025 FS. Law Implemented 456.025(7), 465.007, 465.0075, 465.009, 465.014, 465.189 FS. History—New 1-11-05, Amended 10-30-07, 11-15-09, 7-7-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Board of Pharmacy
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 12, 2015
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: September 25, 2015

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-27.831 RULE TITLE: Standards of Practice for the Dispensing of Controlled Substances for Treatment of Pain
PURPOSE AND EFFECT: The Board proposes the rule amendment to update standards of practice for the dispensing of controlled substances.

SUMMARY: The standards of practice for the dispensing of controlled substances will be updated.

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. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 465.005, 465.0155 FS.

LAW IMPLEMENTED: 456.072(1)(i), 465.0155, 465.016(1)(i), (o) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allison Dudley, Executive Director,

Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 64B16-27.831, F.A.C. follows. See Florida Administrative Code for present text.)

64B16-27.831 Standards of Practice for the Dispensing of Controlled Substances.

The Board of Pharmacy recognizes that it is important for the patients of the State of Florida to be able to fill valid prescriptions for controlled substances. In filling these prescriptions, the Board does not expect pharmacists to take any specific action beyond exercising sound professional judgment. Pharmacists should not fear disciplinary action from the Board or other state regulatory or enforcement agencies for dispensing controlled substances for a legitimate medical purpose in the usual course of professional practice. The Board recognizes that every patient's situation is unique and prescriptions for controlled substances shall be reviewed with each patient's unique situation in mind. The Board encourages pharmacists to work with the patient and the prescriber to assist in determining the validity of the prescription.

(1) Valid Prescription - A prescription is valid when it is based on a practitioner-patient relationship and when it has been issued for a legitimate medical purpose. A prescription shall be deemed invalid if the pharmacist knows or has reason to know that the prescription was not issued for a legitimate medical purpose.

(2) Prescription Validation - Validating a prescription means the process and steps implemented by the pharmacist to determine that the prescription was issued for a legitimate medical purpose. During the validation process, when the pharmacist is communicating with the patient or the prescriber, the pharmacist shall ensure that the communication cannot be overheard by others in the prescription dispensing area of the pharmacy. Neither a person nor a licensee shall interfere with the independent professional judgment of the pharmacist who is responsible for determining that the prescription is valid.

(3) Filling and Dispensing - When a pharmacist is presented with a prescription for a controlled substance, the pharmacist shall attempt to determine the validity of the prescription and shall attempt to resolve any concerns about the validity of the prescription by exercising his or her independent professional judgment through a prescription validation process deemed appropriate under the specific circumstances. If at any time during the validation process a pharmacist determines that in his or her independent

professional judgment that the doubts or concerns about the validity of the prescription cannot be resolved, the pharmacist shall refuse to fill or dispense the prescription.

(a) There are certain circumstances that may cause a pharmacist to question the validity of a prescription for a controlled substance. In the pharmacy community, these concerns are often referred to as “red flags.” A concern with the validity of a prescription does not mean the prescription shall not or cannot be filled. Rather, when a pharmacist has a concern with the validity of a prescription, a pharmacist shall attempt to resolve any concerns.

(b) Neither pharmacists nor pharmacies may refuse to fill a prescription for a controlled substance based ONLY on a concern or doubt about whether the prescription was issued for a legitimate medical purpose without first attempting to resolve the concerns and doubts through the following minimum validation process steps:

1. The pharmacist shall first verify or attempt to verify the identity of the person who presented the prescription to the pharmacy through proper identification issued by a state or the Federal Government that contains a photograph and a printed name with a signature or through a document as recognized in s. 893.055(14), Fla. Stat. (2015).

2. If the pharmacist has doubts or concerns about the validity of the prescription, the pharmacist may attempt to resolve concerns with the validity of the prescription by accessing the Prescription Drug Monitoring Database (PDMP).

3. If accessing the PDMP does not resolve the doubts or concerns with the validity of the prescription, the pharmacist must then attempt to validate the prescription with the prescriber or his or her agent prior to refusing to fill the prescription.

(4) Mandatory Continuing Education – All pharmacists shall complete a Board-approved 2-hour continuing education course on the Validation of Prescriptions for Controlled Substances. The course content shall include the following:

(a) Ensuring access to controlled substances for all patients with a valid prescription;

(b) Use of the Prescription Drug Monitoring Database (PDMP);

(c) Assessment of prescriptions for appropriate therapeutic value;

(d) Detection of prescriptions not based on a legitimate medical purpose; and

(e) The laws and rules related to the prescribing and dispensing of controlled substances.

All licensed pharmacists shall complete the required course during the biennium ending on September 30, 2017. A 2-hour course shall be taken every biennium thereafter. The course shall count towards the mandatory 30 hours of CE

required for licensure renewal. All newly licensed pharmacists must complete the required course before the end of the first biennial renewal period.

(5) Electronic Prescriptions – All controlled substances listed in Schedule II through V may be electronically prescribed pursuant to the provisions of s.456.42(2), Fla. Stat. (2015), and pursuant to applicable federal law.

(6) Every pharmacy permit holder shall maintain a computerized record of controlled substance prescriptions dispensed. A hard copy printout summary of such record, covering the previous 60 day period, shall be made available within 72 hours following a request for it by any law enforcement personnel entitled to request such summary under authority of Section 465.017, F.S. Such summary shall include information from which it is possible to determine the volume and identity of controlled substance medications being dispensed under the prescription of a specific prescriber, and the volume and identity of controlled substance medications being dispensed to a specific patient.

(7) Any pharmacist who has reason to believe that a prescriber of controlled substances is involved in the diversion of controlled substances shall report such prescriber to the Department of Health.

Rulemaking Specific Authority 456.013, 465.005, 465.0155, 465.009, 465.022(12) FS. Law Implemented 456.013, 456.42, 456.43, 456.072(1)(i), 465.0155, 465.003, 465.009, 465.016(1)(i), (s)(~~o~~), 465.017(2), 465.022(12), 893.04 FS. History–New 8-29-02, Amended 2-24-03, 11-18-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy and Controlled Substance Standards Committee

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 7, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 3, 2015

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NOS.:	RULE TITLES:
64B17-6.001	Minimum Standards of Physical Therapy Practice.
64B17-6.002	General Supervision of Physical Therapist Assistants; Eligibility; Requirements.
64B17-6.0042	Medical Records of Deceased Physical Therapists or Physical Therapist Assistants.
PURPOSE AND EFFECT: To streamline, clarify, reorganize and restructure existing rule requirements in a manner more easily understood.	

SUMMARY: Streamline, clarify, reorganize and restructure existing rule requirements in a manner more easily understood.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION: When considering the proposed language, the Board determined that there would be no adverse impact on small businesses, nor are the proposed amendments likely to increase regulatory costs in excess of \$200,000 within one year, or \$1 million within five years. Also, the Board determined that no SERC nor legislative ratification was necessary because the rule amendments streamline, clarify, reorganize and restructure existing rule requirements in a manner more easily understood, and do not add any new requirements. Accordingly, the Board expects the rule amendments to result in lower overall regulatory compliance costs.

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

RULEMAKING AUTHORITY: 456.058, 486.025 FS.

LAW IMPLEMENTED: 456.057(12), 456.058, 486.021(5), (6), (9), (10), (11), 486.025, 486.123, 486.125(1)(b), (d), (e), (f), (i), (j), 486.161(3), 486.171 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373

THE TEXT OF THE PROPOSED RULE IS:

64B17-6.001 Minimum Standards of Physical Therapy Practice.

(1) through (1)(b) No change.

(c) Direction Delegation – The physical therapist's authorization and empowerment ~~by a physical therapist of a~~ the physical therapist assistant or unlicensed personnel, as authorized by outlined in Rule 64B17-6.007, F.A.C., to carry out actions requiring ~~subject to~~ licensure under Chapter 486, Florida Statutes.

(d) No change.

(e) Direct Supervision – Supervision of subordinate personnel performing directed actions ~~subject to licensure pursuant to Chapter 486, Florida Statutes~~, while the licensed supervisor is immediately physically available. On-site Supervision means direct supervision.

(f) General supervision – Supervision of a physical therapist ~~assistant, other than by direct supervision, whereby the shall not require on-site supervision by the physical therapist.~~ The physical therapist is shall be accessible at all times by two-way communication, available, ~~which enables the physical therapist~~ to respond to an inquiry when made and ~~to be~~ readily available for consultation during the delivery of care, and is shall be within the same geographic location as the physical therapist assistant.

(g) through (i) No change.

(2) Physical Therapy Personnel Responsibilities In General to Patients' Rights and Dignity. Physical therapy is a profession involving skilled practice of patient care. The primary concern of the physical therapist and physical therapist assistant is always the safety, well being, and best interest of the patient who must therefore recognize and carry out services consistent with legal rights and personal dignity of the patient. Accordingly, it is the responsibility of all physical therapists and physical therapist assistants to:

~~(a) Physical therapy is a profession involving skilled practice of patient care. The delegation of tasks and direction of actions to subordinates is a serious responsibility for the physical therapist. The primary concern of the physical therapist is always the safety, well being, and best interest of the patient.~~

~~(a)(b) Physical therapists and physical therapist assistants shall recognize and carry out services consistent with legal rights and personal dignity of the patient. It is the responsibility of the licensee to~~ Communicate effectively to the patient the treatment evaluation process and techniques to be used in any procedures before beginning treatment and anytime during the course of the treatment process.

~~(b)(c) Physical therapists and physical therapist assistants shall~~ Safeguard the confidentiality of information and require written consent from the patient or legally authorized representative prior to releasing information to a third party not involved in the actual care.

~~(c)(d) Physical therapists and physical therapist assistants shall~~ Avoid acts which blatantly disregard a patient's modesty and ~~shall~~ neither suggest nor engage in sexual activities with patients under their care.

~~(d)(e) Physical therapists and physical therapist assistants shall not~~ Neither use nor ~~or~~ participate in the use of any form of communication containing false, fraudulent, misleading, deceptive, unfair or sensational statement or claim, nor use bribery in any form, nor use false advertising, nor misrepresentation of services or self, nor engage in other unprofessional conduct, including, but not limited to,

1. through 5. No change.

~~(e)(f) Physical therapists and physical therapist assistants shall Not exploit the patient or client for the financial gain of the licensee or a third party.~~

~~(f)(g) Physical therapists and physical therapist assistants must Practice physical therapy with that level of care, skill, and treatment which is recognized by a reasonably prudent similar physical therapy practitioner as being acceptable under similar conditions and circumstances.~~

(3) Physical Therapist Responsibilities. All physical therapists shall:

(a) ~~The physical therapist shall Be~~ professionally responsible for providing a referring practitioner, or a practitioner of record, with any information which will assist in the determination of an accurate medical diagnosis.

(b) ~~The physical therapist shall Not~~ implement any plan of care; that, in the physical therapist's ~~judgment~~ judgement, is contraindicated. If the plan of care was requested by a referring practitioner, the physical therapist shall immediately notify the referring practitioner that he is not going to follow the request and the reasons for such refusal.

(c) ~~The physical therapist shall Not~~ direct ~~delegate~~ any function or task which requires the skill, knowledge, and judgment of the physical therapist.

(d) ~~The physical therapist shall Assume~~ the responsibility for assessing the patient, identifying the level of acuity of illness, planning the patient's treatment program, and implementing and directing the program.

(e) ~~The physical therapist shall Hold~~ primary responsibility for physical therapy care rendered under the therapist's ~~his~~ direction and shall be available for consultation at all times.

(f) ~~The P~~physical therapist's professional responsibilities include, but are not limited to:

1. through 2. No change.
3. Initial identification of and documentation of precautions, special problems, contraindications.
4. through 5. No change.
6. Direction ~~Delegation~~ of appropriate tasks.
7. ~~Direction and supervision of supportive staff in a manner appropriate for the patient's individual needs.~~
- 7.8. No change.
9. ~~Collaboration with members of the health care team when appropriate.~~

(g) ~~Physical therapists, W~~hen participating in student and/or trainee programs, shall assure that the programs are approved or pending approval by the appropriate accrediting agency recognized by the Council on Postsecondary Accreditation (formerly the National Commission on Accreditation and the Federation of Regional Accrediting Commissions of Higher Education) or the United States

Department of Education and provide on-site supervision when students are performing patient care activities.

~~(h) Physical therapists shall K~~keep written medical records justifying the course of treatment of the patient, including, but not limited to, initial physical therapy assessment, plan of treatment, treatment notes, progress notes, examination results, test results, and discharge summary.

(4) ~~The~~ Physical Therapist Assistant Responsibilities. All physical therapist assistants shall:

(a) ~~The physical therapist assistant shall Not~~ initiate or change treatment without the prior assessment and approval of the physical therapist.

(b) During the delivery of physical therapy care to a patient who is an inpatient in a hospital; or who is in the acute phase of injury or illness, ~~the physical therapist assistant shall~~ not provide services to patient, unless the physical therapist is readily and physically available to provide consultation.

(c) ~~The physical therapist assistant shall Not~~ carry out treatment procedures detrimental to the patient or for which the assistant is not qualified.

(d) ~~The physical therapist assistant shall R~~eport all untoward patient responses or change in medical status to the physical therapist.

(e) ~~The physical therapist assistant shall R~~efers inquiries regarding patient prognosis to the physical therapist.

(f) ~~The physical therapist assistant shall D~~iscontinue immediately any treatment procedures which in the assistant's judgment appear to be harmful to the patient and shall report them to the physical therapist.

(g) When participating in student and/or trainee programs assure that the programs are approved or pending approval by the appropriate accrediting agency recognized by the Council on Postsecondary Adccreditation or the United States Department of education and provide on-site supervision when students are performing patient care activities.

(5) through (5)(c)1. No change.

2. The physical therapist ~~shall should~~ be readily available to the physical therapist assistant with emphasis placed on directing the assistant through frequent reporting, both verbal and written, and frequent observations of the care rendered to the patient.

(d) The physical therapist shall not delegate portions of the skilled physical therapy functions or tasks to any lesser trained health personnel than the physical therapist assistant.

(6) No change.

~~(7) Pre 1973 Physical Therapy "Aide." No person licensed pursuant to Chapter 486, Florida Statutes, shall delegate any acts that are the subject of licensure pursuant to Chapter 486, Florida Statutes, except to a unless the person who is licensed pursuant to that chapter, or unless the person was performing, prior to the 1973 amendments to that chapter,~~

~~“duties” which are now acts subject to licensure. Furthermore, any unlicensed person currently being delegated and performing acts which are subject to licensure, by reason of having performed them prior to 1973, shall comply with Rule 64B17-6.001, F.A.C., except that, in all practice settings, such person shall perform such acts only under the direct supervision of the physical therapist.~~

~~(7)(8) No change.~~

Rulemaking Authority 486.025 FS. Law Implemented ~~483.021~~ 486.021(5), (6), (9), (10), (11), 486.123, 486.125(1)(b), (d), (e), (f), (i), (j), ~~486.135, 486.151(1)(d)~~, 486.161(3), 486.171 FS. History—New 8-6-84, Formerly 21M-9.30, Amended 9-22-87, Formerly 21M-9.030, Amended 9-5-90, 3-5-92, 3-24-93, Formerly 21MM-6.001, 61F11-6.001, Amended 8-16-95, Formerly 59Y-6.001, Amended 1-8-98, 1-11-99, 4-18-04, 6-1-09.

64B17-6.002 ~~General Supervision of Physical Therapist Assistants by Physicians; Eligibility; Requirements.~~

(1) A physical therapist assistant employed by a board-certified orthopedic physician or psychiatrist, or a chiropractic physician ~~certified in physiotherapy~~, shall be under the general supervision of a physical therapist. A physical therapist assistant employed by any physician other than as identified above a board-certified orthopedic physician or psychiatrist or a chiropractic physician certified in physiotherapy shall be under the onsite supervision of a physical therapist.

~~(2) In order to insure adequate supervision of the physical therapist assistant by the supervising physical therapist w~~Where general supervision is permitted, there shall be a written agreement between the board-certified orthopedic physician, or psychiatrist or chiropractic physician and the supervising physical therapist, specifying the duties and responsibilities of both parties. The Agreement must contain, at a minimum, which includes at least the minimum standards of physical therapy practice specified by contained in Rule 64B17-6.001, F.A.C.

(3) The physical therapist assistant shall report all untoward patient responses, inquiries regarding patient prognosis, or the discontinuation of any treatment procedure, to the physical therapist and to the employing board-certified orthopedic physician or psychiatrist or chiropractic physician certified in physiotherapy.

Rulemaking Specific Authority 486.025 FS. Law Implemented 486.021(6), (9), 486.025 FS. History—New 9-22-87, Formerly 21M-9.035, 21MM-6.002, 61F11-6.002, 59Y-6.002, _____.

64B17-6.0042 Medical Records of Deceased, Relocating, or Terminating Practice Physical Therapists or Physical Therapist Assistants.

(1) Licensees shall retain medical records as long as needed not only to serve and protect clients/patients, but also to protect themselves against adverse actions. This rule sets forth standards which, if not met, will constitute a violation of

Sections 456.058 and 486.125, Florida Statutes, and will subject licensees to disciplinary proceedings.

(2) Licensees relocating or terminating practice. Each licensee engaged in practice, who maintains the responsibility for client/patient medical records, shall, when terminating or relocating the practice, notify each client/patient of such termination or relocation. Such notification shall consist of at a minimum, causing to be published, in the newspaper of greatest general circulation in each county in which the licensee practices or practiced, a notice which shall contain the date of termination or relocation and an address at which medical records may be obtained. Such notice shall be published no less than 4 times over a period of at least 4 weeks. In addition, the licensee shall place in a conspicuous location in or on the facade of the licensee’s office, a sign, announcing the termination or relocation of the practice. The sign shall be placed at least thirty (30) days prior to the termination or relocation and shall remain until the date of termination or relocation. Both the notice and the sign shall advise the clients/patients of their opportunity to transfer or receive their medical records. Each such licensee shall ensure that client/patient records are maintained and may be obtained by the client/patient for a minimum of two (2) years after the termination or relocation of practice.

(3) Deceased Physical Therapists or Physical Therapist Assistants.

~~(a)(1) Each licensee physical therapist or physical therapist assistant engaged in practice, who maintains the responsibility for client/patient medical records, shall ensure that the executor, administrator, personal representative or survivor of such licensee physical therapist or physical therapist assistant shall arrange to maintain those medical records in existence upon the death of the licensee physical therapist or physical therapist assistant for a period of at least two (2) years from the date of the death of the licensee physical therapist or physical therapist assistant.~~

~~(b)(2) Within one (1) month from the date of death of the licensee physical therapist or physical therapist assistant, the executor, administrator, personal representative or survivor shall cause to be published in the newspaper of greatest general circulation in the county where the licensee physical therapist or physical therapist assistant practiced, a notice indicating to the clients/patients of the deceased licensee physical therapist or physical therapist assistant that the licensee’s medical records are available to the clients/patients or their duly constituted representative from a specific person at a certain location.~~

~~(c)(3) At the conclusion of a 22-month period of time from the date of death of the licensee physical therapist or physical therapist assistant or thereafter, the executor, administrator, personal representative or survivor shall cause~~

to be published once during each week for four (4) consecutive weeks, in the newspaper of greatest general circulation in the county where the ~~licensee physical therapist or physical therapist assistant~~ practiced, a notice indicating to the clients/patients of the deceased licensee that client/patient records will be disposed of or destroyed one (1) month or later from the last day of the fourth week of publication of notice.

(4) All client/patient ~~Any~~ records shall be disposed of in a manner that will ~~would~~ secure the permanent confidentiality of records.

Rulemaking Specific Authority 456.058, 486.025 FS. Law Implemented 456.057(12), 456.058, 486.021(6), (11) FS. History—New 5-13-99, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Physical Therapy Practice
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 6, 2015
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 24, 2015

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:
64B19-11.001 Examination.
64B19-11.012 Application Forms.
PURPOSE AND EFFECT: To update and revise Forms DH-MQA 1187 and DH-MQA 1221.
SUMMARY: Update and revise Forms DH-MQA 1187 and DH-MQA 1221.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION: The agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency. The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

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

RULEMAKING AUTHORITY: 456.013, (1), 456.017(1)(b), (c), 490.004(4), 490.005 FS.

LAW IMPLEMENTED: 456.013, 456.017(1)(b), (c), (6), 456.0635, (2), 490.005, 490.006, 490.007(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: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373

THE TEXT OF THE PROPOSED RULE IS:

64B19-11.001 Examination.

(1) through (3) No change.

(4)(a) A candidate for licensure by examination who fails to pass one part of the examination shall only be required to retake and pass that part of the examination which was failed. The application for re-examination of the Florida laws and rules examination shall be made on the Re-Examination Application/Laws and Rules Exam form DH-MQA 1221 (revised 5/15 ~~1/14~~), available from <http://www.flrules.org/Gateway/reference.asp?No=Ref-04166> or at the Board office or at <http://floridaspsychology.gov/applications/re-examination-app-laws-and-rules.pdf> ~~http://www.doh.state.fl.us/mqa/psychology~~, and hereby adopted and incorporated by reference. The application for re-examination of the EPPP shall be made on the Re-Examination Application/National Exam form DH-MQA 1222 (revised 1/14), available from <http://www.flrules.org/Gateway/reference.asp?No=Ref-04167> or at the Board office or at <http://floridaspsychology.gov/applications/re-examination-app-eppp.pdf> ~~http://www.doh.state.fl.us/mqa/psychology~~, and hereby adopted and incorporated by reference. Upon notice from the Department’s Testing Services Unit of an applicant’s unsuccessful scores(s), the Board Office will send the appropriate re-examination form(s) to the affected applicant.

(b) No change.

Rulemaking Authority 456.013(1), 456.017(1)(b), (c), 490.004(4) FS. Law Implemented 456.017(1)(b), (c), (6), 456.0635(2), 490.005 FS. History—New 4-4-82, Amended 7-11-84, Formerly 21U-11.03, Amended 2-19-86, 12-30-86, 3-10-87, 11-21-88, 3-5-90, 1-16-92, Formerly 21U-11.003, Amended 6-14-94, Formerly 61F13-11.003, Amended 1-7-96, 6-26-97, Formerly 59AA-11.001, Amended 2-21-99, 5-1-00, 1-10-01, 8-5-01, 4-26-04, 5-10-05, 2-24-10, 6-7-12, 12-25-12, 10-28-13, 11-4-13, 6-10-14, _____.

64B19-11.012 Application Forms.

(1) All applicants for licensure pursuant to Chapter 490, F.S., shall complete and submit form DH-MQA 1187, (~~Revised 05/15 11/14~~), "Application for Psychologist Licensure," which is incorporated herein by reference and which may be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-05176>, the Board office, or at <http://floridaspsychology.gov/applications/psychology-licensure-app.pdf>.

(2) through (4) No change.

Rulemaking Authority 456.013, 490.004(4), 490.005 FS. Law Implemented 456.013, 456.0635, 490.005, 490.006, 490.007(1) FS. History—New 6-25-02, Amended 5-24-09, 3-1-10, 5-23-10, 11-10-11, 6-18-12, 12-25-12, 10-28-13, 5-1-14, 11-2-14, 4-6-15,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Psychology

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 29, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 4, 2015

DEPARTMENT OF HEALTH

Board of Psychology

RULE NOS.: RULE TITLES:

64B19-12.002 Application and Examination Fee for Licensure by Examination; Review Fee.

64B19-12.003 Reexamination Fee.

PURPOSE AND EFFECT: To update and clarify requirements for application and examination fee for licensure by examination, and for re-examination fee; update rule title; repeal this unnecessary Rule 64B19-12.003, F.A.C.

SUMMARY: Update and clarify requirements for application and examination fee for licensure by examination, and for re-examination fee; update rule title; repeal unnecessary rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION: The agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency. The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of Rule 64B19-12.002, F.A.C., at its meeting and based upon the expertise and experience of its members, the Board

determined that a SERC was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. Additionally, because Rule 64B19-12.003, F.A.C., is unnecessary repealing it will have no effect.

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

RULEMAKING AUTHORITY: 456.013(2), 456.017(2), 490.004(4), 490.005(1)(a) FS.

LAW IMPLEMENTED: 456.013(2), 456.017(1)(c), (2), 490.005(1)(a) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373

THE TEXT OF THE PROPOSED RULE IS:

64B19-12.002 Application and Examination Fee for Licensure by Examination;~~Review Fee.~~

(1) No change.

(2) When the board certifies the applicant to sit for the examination, it is the applicant's responsibility to complete the examination process with the national vendors.

~~(3) Examination fees are established by and payable directly to the exam vendors. In addition to the application fee specified above, each applicant for certification for examination shall submit a laws and rules examination fee of \$85.00.~~

~~(4) An applicant who fails to take the laws and rules examination for which the applicant is initially scheduled shall remit the examination fee required by Rule 64B19-12.003, F.A.C., again before being allowed to sit for the next subsequent examination.~~

~~(5) An applicant who wishes to review the applicant's own Florida laws and rules examination shall remit a fee of \$85.00.~~

Rulemaking Authority 456.013(2), 490.004(4), 490.005(1)(a) FS. Law Implemented 456.013(2), 456.017, 490.005(1)(a) FS. History—New 2-22-82, Amended 7-2-84, Formerly 21U-12.02, Amended 11-21-88, 8-12-90, 1-16-92, Formerly 21U-12.002, Amended 10-12-93, 6-14-94, Formerly 61F13-12.002, Amended 1-7-96, 6-26-97, Formerly 59AA-12.002, Amended 12-3-98, 6-28-00, 8-8-01, 2-12-04, 10-31-05, 1-28-07, 2-18-10, 5-23-10, 4-17-12, 7-15-13, 11-5-14,_____.

64B19-12.003 Reexamination Fee.

~~The reexamination fee for only the Florida laws and rules examination is \$85.00. Additional fees will be required by the examination vendor.~~

Rulemaking Authority 456.017(2), 490.004(4) FS. Law Implemented 456.017(1)(c), (2) FS. History—New 2-22-82, Amended 7-11-84, Formerly 21U-12.03, Amended 7-18-88, 8-12-90, 1-16-92, Formerly 21U-12.003, Amended 10-12-93, Formerly 61F13-12.003, Amended 1-7-96, Formerly 59AA-12.003, Amended 12-3-98, 1-10-01, 8-8-01, 2-12-04, 10-31-05, 4-8-07, 2-18-10, 4-17-12, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Psychology

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 29, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 4, 2015

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE NOS.: RULE TITLES:
64B33-5.001 Disciplinary Guidelines.
64B33-5.003 Citations.
64B33-5.005 Mediation.

PURPOSE AND EFFECT: To delete obsolete language due to elimination from statute.

SUMMARY: Delete obsolete language due to elimination from statute.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION: The agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency. The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.077, 456.078, 456.079, 468.705, 468.719 FS.

LAW IMPLEMENTED: 456.072, 456.717, 456.077, 456.078, 456.079, 468.705, 468.719 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: Sue Foster, Executive Director, Board of Athletic Training, 4052 Bald Cypress Way, Bin C-08, Tallahassee, Florida 32399-3258, (850)245-4474

THE TEXT OF THE PROPOSED RULE IS:

64B33-5.001 Disciplinary Guidelines.

(1) through (3) No change.

VIOLATIONS	RECOMMENDED	PENALTIES	
	First Offense	Second Offense	Third Offense
(a) Failing to include the athletic trainer's name and license number in any advertising, including, but not limited to, business cards and letterhead, related to the practice of athletic training.	From a letter of concern to probation of the license, and an administrative fine ranging from \$250.00 to \$500.00, or refusal to certify an application for licensure.	From probation of the license, and an administrative fine ranging from \$500.00 to \$750.00, or refusal to certify an application for licensure.	From suspension to revocation of the license, and an administrative fine ranging from \$750.00 to \$1,000.00, or refusal to certify an application for licensure.

Advertising shall not include clothing or other novelty items.

(a)(b) No change.
(b)(e) No change.
(c)(d) No change.
(d)(e) No change.

(4) through (5)(a) No change.

VIOLATIONS	RECOMMENDED	PENALTIES	
	First Offense	Second Offense	Third Offense
(b) Failing to comply	From letter of concern	From reprimand to	From suspension to

with the educational course requirements for human immunodeficiency virus and acquired immune deficiency syndrome. (Section 456.072(1)(e); F.S.)

to reprimand of the license, and an administrative fine ranging from \$250.00 to \$500.00, or refusal to certify an application for licensure.

probation of the license, and an administrative fine ranging from \$500.00 to \$750.00, or refusal to certify an application for licensure.

revocation of license, and an administrative fine ranging from \$750.00 to \$1,000.00, or refusal to certify an application for licensure.

- (b)(e) No change.
- (c)(d) No change.
- (d)(e) No change.
- (e)(f) No change.
- (f)(g) No change.
- (g)(h) No change.
- (h)(i) No change.
- (i)(j) No change.
- (j)(k) No change.
- (k)(l) No change.
- (l)(m) No change.
- (m)(n) No change.
- (n)(o) No change.

Rulemaking Authority 456.079, 468.705, 468.719 FS. Law Implemented 456.072, 456.717, 456.079, 468.719 FS. History—New 10-22-02, Amended 1-16-07, 6-30-10, 12-19-12.

64B33-5.003 Citations.

(1) through (3)(a) No change.

~~(b) Failing to include the athletic trainer’s name and license number in any advertising, including, but not limited to, business cards and letterhead, related to the practice of athletic training pursuant to Section 468.719(1)(b), F.S.: \$50.00 fine, plus proof of compliance within 30 days, and costs;~~

- (b)(e) No change.
- (c)(d) No change.
- (d)(e) No change.
- (e)(f) No change.

~~(g) First time failure to respond to a continuing education audit within 30 days: \$50.00 fine, plus proof of compliance, and costs;~~

- (f)(h) No change.
- (g)(i) No change.
- (h)(j) No change.
- (i)(k) No change.
- (j)(l) No change.

(4) No change.

Rulemaking Specific Authority 456.077, 468.705, 468.719 FS. Law Implemented 456.077, 468.705, 468.719 FS. History—New 5-9-02, Amended 8-15-05.

64B33-5.005 Mediation.

(1) No change.

~~(2) For the purpose of Section 456.078, F.S., the Board designates as being appropriate for mediation first time violations of the following provision of Section 468.719(1), F.S.: failing to include the athletic trainer’s name and license number in any advertising, including, but not limited to, business cards and letterhead, related to the business of athletic training.~~

(2)(3) through (2)(c) No change.

Rulemaking Specific Authority 456.078 FS. Law Implemented 456.078 FS. History—New 8-15-05.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Athletic Training

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Board of Athletic Training

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: July 17, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: September 18, 2015

DEPARTMENT OF CHILDREN AND FAMILIES

Economic Self-Sufficiency Program

RULE NO.: RULE TITLE:

65A-1.603 Food Assistance Program Income and Expenses

PURPOSE AND EFFECT: Department is amending the rule text to change the standard amount of the Standard Utility Allowance (SUA), Basic Utility Allowance (BUA) and Telephone Standard.

SUMMARY: The Department is increasing the Standard Utility Allowance (SUA), Basic Utility Allowance (BUA) and the Telephone Standard used in the calculation of benefits for the Food Assistance Program. This rule is essential to statewide agency operations as it contains standards used in the determination of food assistance benefits for individuals and families in Florida. These standards are determined by the Department through a federally required annual review submitted to the United States Department of Agriculture Food and Nutrition Service for their approval of any adjustments. Approval was received July 08, 2015, therefore rulemaking becomes necessary to implement these changes to Department policy.

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: A checklist was prepared by the Agency to determine the need for a SERC.

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: 414.45 FS.

LAW IMPLEMENTED: 414.31, 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: November 4, 2015, 10:00 a.m.

PLACE: 1317 Winewood Blvd., Building 3, Rm. 455, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Victor Walker. 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: Victor Walker, Economic Self-Sufficiency Program, (850)717-4141, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, victor.walker@myflfamilies.com

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-1.603 Food Assistance Program Income and Expenses.

(1) Rounding Income and Expenses. With the exception of the benefit reduction, cents resulting from budget calculations are retained at each level in determining the assistance group's (AG's) food assistance benefits. The benefit reduction is rounded up to the next whole dollar.

(2) Standard Utility Allowance. A standard utility allowance (SUA) of ~~\$345~~ ~~\$337~~ must be used by AGs who incur, or within the eligibility period expect to incur, heating or cooling expenses separate and apart from their rent or mortgage and by AGs who receive direct or indirect assistance authorized under the Low Income Home Energy Assistance Act of 1981. Actual utility expenses are not allowed. Any additional utility expenses, including the telephone standard, are not used.

(3) Basic Utility Allowance. A basic utility allowance (BUA) of ~~\$274~~ ~~\$270~~ must be used by AGs who do not incur heating or cooling expenses, but do incur utility expenses such as electricity, fuel, water, sewerage, or garbage pickup, separate and apart from their rent or mortgage. Actual utility expenses are not allowed. Any additional utility expenses, including the telephone standard, are not used.

(4) Telephone Standard. A telephone standard of ~~\$37~~ ~~\$36~~ must be used by AGs who incur only a telephone expense. Actual telephone expenses are not allowed. Any additional utility expenses, including the SUA or BUA, are not used.

(5) Homeless Shelter Deduction. A homeless shelter deduction of \$143 must be used by homeless AGs who do not receive free shelter throughout the month and incur or expect to incur shelter expenses unless higher expenses are claimed.

(6) Child Support Paid Out. Legally obligated child support payments are a deduction for the Food Assistance Program.

Rulemaking Authority 414.45 FS. Law Implemented 414.31 FS. History--New 1-31-94, Formerly 10C-1.603, Amended 1-12-99, 5-25-03, 8-22-05, 2-17-09, 12-13-09, 11-1-10, 12-25-11, 10-16-12, 8-11-13, 11-30-14, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dianna Laffey

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Carroll

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 1, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 13, 2015

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE NOS.: RULE TITLES:

2A-9.002 Grant Eligibility

2A-9.003 Grant Application

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the Notice of Change in Vol. 41 No. 195, October 7, 2015 issue of the Florida Administrative Register. The effective date of form CSA-1 was corrected from May 2015 to August 2015.

DEPARTMENT OF TRANSPORTATION

RULE NOS.:	RULE TITLES:
14-10.0022	Outdoor Advertising Sign Inventory
14-10.003	Licenses
14-10.004	Permit
14-10.00401	Administration of Outdoor Advertising Permits
14-10.0041	Annual Renewal Billing - Licenses and Permits
14-10.006	Permitting Criteria
14-10.007	Maintenance of Nonconforming Signs

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 41 No. 126, June 30, 2015 issue of the Florida Administrative Register has been withdrawn.

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE NO.:	RULE TITLE:
19B-4.001	Application

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 41 No. 131, July 8, 2015 issue of the Florida Administrative Register has been withdrawn.

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE NO.:	RULE TITLE:
19B-16.003	Participation Agreement

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 41 No. 131, July 8, 2015 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Drugs, Devices and Cosmetics

RULE NO.:	RULE TITLE:
61N-1.001	General Regulations; Definitions

NOTICE OF CORRECTION

Notice is hereby given that the previously filed Notice of Change published in the Vol. 41. No. 193, October 5, 2015, issue of the Florida Administrative Register, is being changed to correct the date of publication of proposed rule, a typographical error in the rule language, and the rulemaking authority. The correction is as follows:

The Vol. and No. and Date of the proposed rule should have been Vol. 41 No. 147, July 30, 2015, issue of the Florida Administrative Register. 499.01(3), F.S. should be listed as Rulemaking Authority. In 61N-1.001(2)(n), the word drgu should be spelled drug.

**Section IV
Emergency Rules**

NONE

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: **RULE TITLE:**

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on October 9, 2015, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Oceanway Condominiums. Petitioner seeks a variance of the requirements of an unspecified Section of A17, as adopted by subsection 61C-5.001(1), F.A.C., that requires upgrading the elevators operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2015-248).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Michelle Comingore, 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 October 9, 2015, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Sun & Sea Condominiums. Petitioner seeks a variance of the requirements of an unspecified Section of A17.1, as adopted by subsection 61C-5.001(1), F.A.C., that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2015-249).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.: RULE TITLE:

61G14-11.001 Determination of Openings for Deputy Pilots

NOTICE IS HEREBY GIVEN that on October 7, 2015, the Board of Pilot Commissioners received a petition for waiver or variance filed by Captain Andrew Edelstein, on behalf of Port Everglades Pilots' Association, seeking a variance or waiver of subsection 61G14-11.001(2), which requires that a port's initial request to create one or more openings for certified deputy pilots must be received at the Board office in Tallahassee, Florida, no later than the first business day after September 1, prior to the next regularly scheduled examination date. If a port's request for the declaration of openings for a specific number "or more" deputy pilots has been approved, that port may make a supplemental request for the declaration of a final specific number of openings which number may be more than the specific number appearing before the words "or more" in the initial request. Such supplemental request must contain the supply and demand justification required in subsection (1) and must be received at the Board office in Tallahassee, Florida not later than ten business days prior to the then scheduled examination for that port. Such supplemental request shall be considered and acted upon by the Board at a regular or special meeting of the Board held at any time prior to the administration of the examination. A copy of the Petition for Variance or Waiver may be obtained by contacting: Thomas Campbell, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0783. Comments on this petition should be filed with the Board of Pilot Commissioners within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Massage Therapy

NOTICE IS HEREBY GIVEN that on October 7, 2015, the Board of Massage Therapy received a petition for Taylor Gidget Dangerman, seeking a variance or waiver regarding the requirements for proof of graduation. Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Interim Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4588, Allen.Hall@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-19.004 Requirements for Premises

NOTICE IS HEREBY GIVEN that on September 24, 2015, the Department of Health received a petition for an Emergency Variance from subsection 64E-19.004(14), F.A.C., from Ubermedia LLC dba Howl, 4160 Cleveland Ave., Fort Myers, FL 33901. This rule states, "There shall not be a direct opening between a body piercing salon and any building or portion of a building used as living or sleeping quarters or as a food establishment. This shall be accomplished, at a minimum, by a solid floor to ceiling wall of separation." The Department has determined that the petition is not an emergency. Comments on this petition should be filed with Shannon Revels, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703, within 14 days of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting Israel Juarbe, Jr, Bureau of Environmental Health, 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1710 or by calling (850)245-4444, ext. 2336.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Florida Forest Service

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

DATE AND TIME: October 20, 2015, 1:00 p.m.

PLACE: Call 1(888)670-3525, when prompted dial: 482-619-2895#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting items of the Off-Highway Vehicle Recreation Advisory Committee.

A copy of the agenda may be obtained by contacting: Stefis Demetropoulos, 3535 NE 39th Avenue, Gainesville, Florida 32609, (352)955-2083, Stefis.Demetropoulos@freshfromflorida.com.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Licensing

The Private Investigation, Recovery and Security Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 10, 2015, 9:00a.m.

PLACE: Embassy Suites Jacksonville Baymeadows, 9300 Baymeadows Road, Jacksonville, FL 32256, (904)731-3555

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Council pursuant to the requirement of Section 493.6104(4), Florida Statutes. The Council will conduct a general business meeting.

A copy of the agenda may be obtained by contacting: Stefannie Carter, Post Office Box 5647, Tallahassee, Florida 32314, (850)245-5500.

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: Stefannie Carter at (850)245-5500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Stefannie Carter at (850)245-5500.

DEPARTMENT OF EDUCATION

Division of Florida Colleges

The Florida State College at Jacksonville District Board of Trustees announces the following meetings for Tuesday, October 20, 2015, which are open to the public. All meetings of the Board will be held at the College's Administrative Offices, 501 West State Street, Jacksonville, FL 32202

DATE AND TIME: Tuesday, October 20, 2015, 11:45 a.m. – 1:15 p.m., Board Workshop

PLACE: College's Administrative Offices, 501 West State Street, Board Room 405, Jacksonville, FL 32202

GENERAL SUBJECT MATTERS TO BE CONSIDERED: Joint meeting with Duval County Public Schools' Superintendent and members of the School Board.

DATE AND TIME: Tuesday, October 20, 2015, 1:30 p.m. – 2:30 p.m., regular monthly board meeting

PLACE: College's Administrative Offices, 501 West State Street, Board Room 405, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting.

Copies of the agenda for the regular monthly Board meeting will be available for inspection beginning Tuesday, October 13, 2015, and copies will be provided upon written request and the payment of approved duplicating charges. Any person

requesting to address agenda items at the Board of Trustees meeting will be provided an opportunity to do so by appearing before the Board at the meeting. Any person requesting to appeal a decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such an appeal and may, therefore, need to ensure that a verbatim record is made.

If special accommodations are required, please advise the Office of the College President twenty-four (24) hours in advance of the meetings and tour by contacting District Board of Trustees Project Coordinator Kimberli Sodek at (904)632-3205 or Kim.Sodek@fscj.edu.

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

Florida State College at Jacksonville, Dr. Cynthia A. Bioteau, College President

STATE BOARD OF ADMINISTRATION

The State Board of Administration of Florida (SBA) announces a public meeting to which all persons are invited.

DATE AND TIME: October 27, 2015, 9:00 a.m., ET until conclusion of the meeting

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Trustees of the SBA to obtain approval to file Rule 19-8.010, F.A.C., Reimbursement Contract, for Notice of Proposed Rule and to file this rule for adoption if no member of the public timely requests a hearing or, if a hearing is requested, no changes need to be made. In addition, other general business may be addressed.

A copy of the agenda may be obtained by contacting: not available.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Leonard E. Schulte, Director of Legal Analysis & Risk Evaluation, Florida Hurricane Catastrophe Fund, at (850)413-1335 or leonard.schulte@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). more information, you may contact: Leonard Schulte at the number or email listed above.

EXECUTIVE OFFICE OF THE GOVERNOR

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

State Board of Administration
 Division of Bond Finance
 Financial Services Commission
 Office of Insurance Regulation
 Office of Financial Regulation
 Department of Veterans' Affairs
 Department of Highway Safety and Motor Vehicles
 Department of Law Enforcement
 Department of Revenue
 Administration Commission
 Florida Land and Water Adjudicatory Commission
 Board of Trustees of the Internal Improvement Trust Fund
 Department of Environmental Protection

DATE AND TIME: October 27, 2015, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Regular scheduled meeting of the Governor and Cabinet to act on all executive branch matters provided by law and to act on any agendas submitted for their consideration. The Governor and Cabinet will proceed through each agenda, item by item.

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; reports on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968.

The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to; matters relating to rulemaking for all activities of the Office of Insurance Regulation concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and matters related to rulemaking for all activities of

the Office of Financial Regulation relating to the regulation of banks, credit unions, other financial institutions, finance companies, retail installment sales providers, title loan lenders, collection agencies, mortgage brokers, mortgage lenders, certified capital companies, money services businesses, and the securities industry.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, administrative procedure matters, and consideration of other matters within its authority.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to various statutes including Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters for which it is responsible pursuant to law (including duties pursuant to Title 18 of the Florida

Statutes and Title 18 of the Florida Administrative Code) and that are duly presented on its agenda, which may include such matters as aquacultural issues as presented by the Division of Aquaculture in the Department of Agriculture and Consumer Services; mineral leases or sales; state or sovereign land leases, sales, exchanges, dedications, and easements; conservation and preservation lands and other land purchases; land planning matters and other matters within its authority.

The Department of Environmental Protection will present for consideration those matters required by law to be reviewed by the Governor and Cabinet, sitting as the Siting Board, which may include, but are not limited to siting of power plants and electric and natural gas transmission lines.

A copy of any of the above agendas submitted to the Governor and Cabinet for this meeting may be obtained by viewing the website of the Governor and Cabinet at <http://www.myflorida.com/myflorida/cabinet/> or by contacting each individual agency.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to provide at least 48 hours' notification before the meeting by contacting the Governor's Cabinet Affairs Office, (850)488-5152.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee.

REGIONAL PLANNING COUNCILS

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

DATE AND TIME: October 22, 2015, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, Olustee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. 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.

REGIONAL PLANNING COUNCILS

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

DATE AND TIME: October 22, 2015, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by calling (352)955-2200. 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.

REGIONAL PLANNING COUNCILS

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

DATE AND TIME: October 22, 2015, 7:30 p.m.

PLACE: Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by calling (352)955-2200. 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.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

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

DATE AND TIME: Monday, November 2, 2015, 2:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED:

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

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

The Medicaid Pharmaceutical & Therapeutics Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 3, 2015, 5:00 p.m. – 6:00 p.m.

PLACE: AHCA, 2727 Mahan Dr., Bldg. 3, Conf. Room B, Tallahassee, FL 32308 or by phone: 1(888)670-3525, passcode: 4201652735, then #

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This meeting is to welcome new and reappointed P&T Committee members. An overview of the P&T Committee meetings will be presented.

A copy of the agenda may be obtained by contacting: Vern.Hamilton@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

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

DATE AND TIME: October 20, 2015, 1:00 p.m. – 3:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Conference Room A, Tallahassee, FL 32308; a telephone conference number will also be available: 1(888)670-3525, conference code: 906-716-2866

GENERAL SUBJECT MATTER TO BE CONSIDERED:
The Agency is hosting a public meeting regarding Hospital Outpatient Prospective Payment Reimbursement Methodology for use in determining payment for hospital outpatient services.

During the 2015 Legislative Session (Special Session A), the Agency was directed to contract with a vendor to develop a plan to convert to a prospective payment system for outpatient hospital reimbursement. The Agency has entered into a contract with Navigant Healthcare to support the completion of this initiative. Navigant will work with the Agency to develop a hospital outpatient prospective payment policy design resulting in a final policy design document for submission to the Governor's Office and the State Legislature on November 30, 2015.

You can access information and details about the hospital outpatient prospective payment reimbursement public meetings, including schedules for upcoming meetings, and meeting agendas materials and recordings, through our website,

<http://ahca.myflorida.com/medicaid/Finance/finance/institutional/hoppss.shtml>.

Those unable to attend the meeting in person may register to participate in a live webinar at <https://attendee.gotowebinar.com/register/2223515246672441346>.

A copy of the agenda may be obtained by contacting Lauren Pigott at Lauren.Pigott@ahca.myflorida.com or by calling 1(850)412-4671.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting Lauren Pigott at Lauren.Pigott@ahca.myflorida.com or (850)412-4671. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lauren Pigott at Lauren.Pigott@ahca.myflorida.com or (850)412-4671.

DEPARTMENT OF HEALTH

Division of Family Health Services

The Florida Department of Health, Bureau of Chronic Disease Prevention announces a public meeting to which all persons are invited.

DATE AND TIME: October 23, 2015, 10:30 a.m. – 2:00 p.m.

PLACE: 2585 Merchants Row, Room 340N (Prather Building), Tallahassee, FL 32311

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Data discussion pertinent to the development of Florida's diabetes report as required by Section 385.203, Florida Statutes.

A copy of the agenda may be obtained by contacting: Jamie Forrest, (850)245-4444, Extension 2998.

For more information, you may contact: Jamie Forrest, (850)245-4444, Extension 2998, Florida Department of Health.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

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

DATE AND TIME: Friday, October 23, 2015, 10:00 a.m. – 4:00 p.m.

PLACE: In person: Family Place, 9391 North Florida Avenue, Tampa, FL 33612; by conference call: conference call number: 1(888)670-3525, participant code: 671 5356 658#

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The purpose of the meeting is for the Independent Living Services Advisory Council to conduct general Council business and continue their efforts of reviewing the implementation and operation of the Road-to-Independence Program.

A copy of the agenda may be obtained by contacting: Becky Pengelley, Department of Children and Families, (850)717-4218 or becky.pengelley@myflfamilies.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 1 day before the workshop/meeting by contacting: Becky Pengelley, Department of Children and Families, (850)717-4218, becky.pengelley@myflfamilies.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).

FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: December 1, 2015, 2:00 p.m., Eastern Time

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, 6th Floor Seltzer Conference Room, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
The Review Committee Meeting will be to give the scores for the Applications submitted in response to Florida Housing Finance Corporation's Request for Applications No. 2015-112 for SAIL Financing of Affordable Multifamily Housing Developments to be used in conjunction with Tax-Exempt Bond Financing and Non-Competitive Housing Credits, and to submit a recommendation to Florida Housing's Board of Directors.

A copy of the agenda may be obtained by contacting: Ken Reecy, Director of Multifamily Programs at Ken.Reecy@floridahousing.org or (850)488-4197.

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: Jean Salmonsens, (850)488-4197 or Jean.Salmonsens@floridahousing.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).

CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.

The Center for Independent Living in Central Florida, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: October 20, 2015, 9:00 a.m.

PLACE: 720 North Denning Drive, Winter Park, FL 32789

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Development of agenda for October Board 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).

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

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

DATE AND TIME: October 20, 2015, 10:00 a.m., Eastern Time

PLACE: For information on how to participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Agenda topics may include minutes approval; legal, legislative & regulatory matters; board appointments; and server collocation hosting service provider selection.

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

QCAUSA

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

DATE AND TIME: Tuesday, October 27, 2015, 5:30 p.m. – 7:30 p.m.

PLACE: Bithlo Community Center, 18501 Washington Avenue, Orlando, Florida 32820

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No. 239203-8-52-01

Project Description: Public Meeting for East Colonial Drive (State Road (SR) 50), from Chuluota Road (County Road (CR) 419)/ Columbia School Road to State Road (SR) 520, Design Project.

On behalf of the Florida Department of Transportation (FDOT), the public is invited to a meeting regarding improvements for SR 50 from Chuluota Road (CR 419)/ Columbia School Road to SR 520 to increase roadway capacity to address future traffic demand, serve the community's needs, and improve the quality of life for residents. The project will widen the roadway from a four-lane to a six-lane roadway and provide accommodations for both bicycles and pedestrians.

A copy of the agenda may be obtained by contacting: Megan Olivera, Public Involvement Coordinator at (407)709-9840 or megan.olivera@qcausa.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 7 days before the workshop/meeting by contacting: Jennifer Smith, FDOT District Five Title VI Coordinator at (386)943-5367 Jennifer.Smith2@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: FDOT Project Manager, Todd Alexander, E.I., at (386)943-5420 or todd.alexander@dot.state.fl.us. You may also contact Roman Blanco, P.E., Consultant Project Manager at (904)861-2884 or roman.blanco@arcadis-us.com.

ATKINS - TAMPA

The Florida Department of Transportation (FDOT), District Seven, announces a Virtual Public Hearing (VPH) to which all persons are invited.

DATE AND TIME: Thursday, October 22, 2015, 2:00 p.m. – 3:00 p.m.

PLACE: Online at <https://attendee.gotowebinar.com/register/7343499992648317442>; or one of the following viewing locations: Delta Woods Park Activity Center, 3400 Deltona Boulevard, Spring Hill,

FL 34606 or FDOT, District Seven, Pelican Conference Room, 11201 N. McKinley Drive, Tampa, FL 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: A VPH for the US 19 (SR 55/Commercial Way) proposed median at Williams Street/Pacific Avenue, FPN: 432720-1, Hernando County, Florida. You may participate in the VPH in the following ways: 1) From any computer with an internet connection by registering at: <https://attendee.gotowebinar.com/register/7343499992648317442>, or 2) Attending in person at one of the locations listed above. If you plan to participate over the internet, advance registration is required. Once registered, you will receive a confirmation email containing information about joining the VPH. The VPH will open at 2:00 p.m., and the project presentation will start promptly at 2:15 p.m. Please allow adequate time for log-in. After the PowerPoint presentation has concluded, there will be an opportunity for participants at both viewing locations, and those online, to provide verbal comments to be included in the official VPH record. After the verbal portion of the VPH has concluded, the project PowerPoint presentation will be shown continuously for the duration of the VPH.

This public hearing is being conducted to afford affected property and business owners, interested persons and organizations, and local governments, the opportunity to provide comments to FDOT regarding the proposed median modification to US 19 (SR 55/Commercial Way) at Williams Street/Pacific Avenue. The existing median will be modified and a concrete traffic separator constructed. The separator will prevent motorists from Williams Street/Pacific Avenue from making a left turn onto US 19. Motorists traveling northbound on US 19 will be provided a left turn lane at this median and, therefore, will still be able to make this turning movement to Pacific Avenue. US 19 motorists traveling southbound will be provided a left turn lane at this median and, therefore, will still be able to make this turning movement to Williams Street.

Other proposed improvements include milling and resurfacing the existing roadway within the stated project limits; the addition of a 5-foot sidewalk on both sides of the roadway from Toucan Trail to Cortez Blvd (SR 50); and upgrading signage and pavement markings. A new traffic signal will be added at the intersection of US 19 and Toucan Trail, making this a new signalized intersection.

This VPH is held pursuant to Chapters 120, 335.18, and 335.199, Florida Statutes. FDOT, District Seven, will receive verbal and written comments online and at each VPH location. Written comments not received at the hearing can be emailed to roadwork@dot.state.fl.us, attention VPH # 432720-1, or mailed to Charlie Xie, P.E., Project Manager, FDOT, District Seven, 11201 N. McKinley Drive, MS 7-600, Tampa, FL 33612. All comments must be emailed or postmarked by

November 2, 2015 to become part of the official VPH record. Participation via webinar is also considered part of the official VPH record.

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

A copy of the agenda may be obtained by contacting: Charlie Xie, P.E., Project Manager at 1(800)226-7220, (813)975-6287 or Charlie.xie@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Charlie Xie, P.E., Project Manager at 1(800)226-7220, (813)975-6287 or Charlie.xie@dot.state.fl.us If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Charlie Xie, P.E., Project Manager at 1(800)226-7220, (813)975-6287 or Charlie.xie@dot.state.fl.us.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an order disposing of the petition for declaratory statement filed by Vincent L. Castellucci Jr., Petitioner/Unit Owner, In Re: Celebration Point Master Association, Inc., Docket No. 2015037270, on August 24, 2015. The following is a summary of the agency’s disposition of the petition:

The Association cannot impose a residency requirement as a condition of board eligibility pursuant to Section 718.112(2)(d)(2), Florida Statutes.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Rikki Anderson, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217, (850)717-1415, Rikki.Anderson@myfloridalicense.com.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that on October 9, 2015 the Office of Financial Regulation issued an order disposing of the petition for declaratory statement filed by Check Mart of Florida, Inc. dba The Check Cashing Store on July 13, 2015. The following is a summary of the agency’s disposition of the petition:

The petition seeks a declaratory statement as to whether Petitioner’s proposed business model of offering its deferred presentment services to Florida residents (on-line lending through a Central Authorization location accessed via its internet website) requires additional licensing under Chapter 560, Florida Statutes. Final Order: Petitioner is not required to obtain an additional license pursuant to Chapter 560, Florida Statutes.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9643.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9643.

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

FLORIDA HOUSING FINANCE CORPORATION

Request for Applications 2015-112 for SAIL Financing of Affordable Multifamily Housing Developments to be used in conjunction with Tax-Exempt Bond Financing and Non-Competitive Housing Credits

This Request for Applications (RFA) is open to Applicants proposing the development of affordable, multifamily housing for Families and the Elderly utilizing State Apartment Incentive Loan (SAIL) funding in conjunction with (i) Tax-Exempt Bond financing (i.e., Corporation-issued Multifamily Mortgage Revenue Bonds (MMRB) or Non-Corporation-issued Tax-Exempt Bonds obtained through a Public Housing Authority (established under Chapter 421, F.S.), a County Housing Finance Authority (established pursuant to Section 159.604, F.S.), or a Local Government) and (ii) Non-Competitive Housing Credits (HC). Under this RFA, Florida Housing Finance Corporation expects to have up to an estimated \$49,000,000 of SAIL funding, with \$16,200,000 for award to Elderly Developments and \$32,800,000 for award to Family Developments).

Applications shall be accepted until 11:00 a.m., Eastern Time, on Tuesday, November 10, 2015, to the attention of Ken Reecy, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. For questions or additional information, please contact Ken Reecy at Ken.Reecy@floridahousing.org or as otherwise directed in the RFA. This Request for Applications, which outlines selection criteria and Applicant’s responsibilities, can be downloaded from the Florida Housing Finance Corporation website at <http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2015-112/>.

Any modifications that occur to the Request for Applications will be posted at the web site and may result in an extension of the deadline. It is the responsibility of the Applicant to check the website for any modifications prior to the deadline date.

CITY OF ORMOND BEACH

CITY OF ORMOND BEACH
NOTICE OF RECEIPT OF UNSOLICITED PROPOSAL
AND INVITATION TO SUBMIT PROPOSAL

Pursuant to Florida Statute 287.05712, the City of Ormond Beach hereby gives notice that it has received an unsolicited proposal for a private entity to enter into a comprehensive agreement with the City for the public-private partnership development and management of a new public dog park and related appurtenances and amenities on privately owned land within the City. This proposal can be viewed on the City’s website at www.ormondbeach.org/dogparkproposal, or in the office of the City Clerk at 22 South Beach Street, Ormond Beach, Florida 32174.

The City of Ormond Beach hereby invites additional proposals from any and all qualified entities that are willing to enter into a public-private partnership to provide a public dog park and related appurtenances and amenities on privately owned land within the City and to manage the public dog park once it is completed.

Proposals will be accepted until 2:00 p.m. Friday, November 20, 2015. Submissions from those interested should, as a minimum, include the following information:

- Description of the proposed project including conceptual design or plan
- Schedule for implementation
- Location and ownership of project site
- Financing plan
- Qualifications
- References
- Ability to comply with State and City requirements
- Names and addresses of key personnel and contact person
- References

Proposals received after 2:00 p.m. on the 20th day of November 2015 will not be considered.

For more information, please contact Theodore S. MacLeod, P.E., at (386)676-3203.

Section XII
Miscellaneous

LAND AND WATER ADJUDICATORY COMMISSION

Notice of Receipt of Amended Petition

Petition, as Amended, to Correct the Legal Description of the Fiddler’s Creek Community Development District I by Amendment Without Changing the Boundaries of the District On July 13, 2015, the Florida Land and Water Adjudicatory Commission (“FLWAC” or “Commission”) received a petition to correct the legal description of the Fiddler’s Creek Community Development District I by amendment without

changing the boundaries of the District. The petition was amended on August 13, 2015. The Commission will follow the requirements of Chapter 42-1, F.A.C., and Chapter 190, F.S., as amended, in considering the amended petition.

SUMMARY OF CONTENTS OF PETITION: The amended petition requests the correction of certain wording in the metes and bounds legal description found in Rule 42X-1.002, FAC, without changing the boundaries of the District. The proposed changes to the legal description of the boundaries are to correct scrivener’s errors only. The District currently consists of 1389.77 acres and is located in Collier County.

SUMMARY OF ESTIMATED REGULATORY COSTS: A statement of estimated regulatory costs (SERC) was prepared at the request of the District. The complete text of the SERC is contained as Exhibit 4 to the amended petition. Generally, the SERC indicates that because the amendment to the legal description solely involves changes to correct scrivener’s errors in the current legal description, the amendment will not and cannot change the boundaries or the acreage within the boundaries of the District. As such, the SERC finds that the amended rule:

- Will have no direct or indirect impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule;
- Will have no adverse impact on business competitiveness;
- Is not likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after implementation of the rule;
- Will not directly or indirectly affect any individuals;
- Will not directly or indirectly result in any additional costs to the agency or any other state and local government entities and will have no anticipated effect on state or local revenues;
- Will not directly or indirectly result in increased transactional costs to any individual or entity; and,
- Will have no adverse impact on small businesses, counties or cities.

A LOCAL HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

DATE AND TIME: October 28, 2015, 8:00 AM
 PLACE: Fiddler’s Creek Club & Spa
 3470 Club Center Boulevard
 Naples, Florida 34114

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Mr. Anthony Pires, Woodward Pires & Lombardo, P.A., 3200

Tamiami Trail N, Suite 200, Naples, Florida 34103, (239)649-6555, at least two business days in advance in order to provide sufficient opportunity to make appropriate arrangements.

Copies of the petition may be obtained by contacting: Mr. Anthony Pires, Woodward Pires & Lombardo, P.A., 3200 Tamiami Trail N, Suite 200, Naples, Florida 34103, (239)649-6555, or Barbara Leighty, Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)717-9513.

REGIONAL UTILITY AUTHORITIES

Peace River/Manasota Regional Water Supply Authority

Notice of Publication of 2015-2016 Regulatory Plan
 NOTICE IS HEREBY GIVEN that on October 8, 2015, the Peace River Manasota Regional Water Supply Authority published its 2015-2016 Regulatory Plan on the Authority’s website,
http://host.aws60.com/~reg5y8e2/mydocs/AgencyDocuments/PRMRWSA_AnnualRegulatoryPlan.pdf.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

State Revolving Fund Program

NOTICE OF AVAILABILITY

**FLORIDA CATEGORICAL EXCLUSION NOTICE
 CITY OF VENICE**

The Florida Department of Environmental Protection (DEP) has determined that the City of Venice project involving the construction of two wells and 8.5 miles of water distribution piping, as well as the addition of a second stage membrane to the water treatment plant is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$24,000,000. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal and state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Paul Brandl, SRF Program, Department of Environmental Protection, 3900 Commonwealth Blvd., MS 3505, Tallahassee, Florida 32399, (850)245-2986, paul.brandl@dep.state.fl.us.

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.

**INDEX TO RULES FILED BETWEEN
OCTOBER 5, 2015 AND OCTOBER 9, 2015**

Rule No.	File Date Date	Effective Vol./No.	Proposed Vol./No.	Amended
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Division of Victim Services and Criminal Justice Programs

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DEPARTMENT OF EDUCATION

State Board of Education

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DEPARTMENT OF CITRUS

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DEPARTMENT OF ELDER AFFAIRS

Division of Statewide Community Based Services

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Certificate of Need

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

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DEPARTMENT OF HEALTH

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**FISH AND WILDLIFE CONSERVATION
COMMISSION**

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DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

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Division of Insurance Agents and Agency Services

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Division of Workers' Compensation

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DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

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**LIST OF RULES AWAITING LEGISLATIVE
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DEPARTMENT OF FINANCIAL SERVICES

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