

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: **RULE TITLE:**
6A-7.077 Access to State Funded Electronic Library
Resources by Accelerated Secondary
Students

PURPOSE AND EFFECT: The purpose of this development is to align the rule with Section 1007.27(1), Florida Statutes, following the establishment of the Florida Academic Library Services Cooperative in accordance with Section 1006.73, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Access to state funded electronic resources by accelerated secondary public school students.

RULEMAKING AUTHORITY: 1001.02(1), 1007.27(1) FS.

LAW IMPLEMENTED: 1007.27(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: Mary Jane Tappen, Executive Vice Chancellor, K-12 Public Schools, 325 West Gaines St., Tallahassee, FL 32399, Mary.tappen@fldoe.org. To request a rule development workshop, please contact: Cathy Schroeder, Agency Clerk, Department of Education, (850)245-9661 or e-mail: cathy.schroeder@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: **RULE TITLE:**
6A-7.0710 Instructional Materials Policies and
Procedures

PURPOSE AND EFFECT: The purpose and effect of this amendment is to prescribe the procedures governing the adoption of instructional materials for use by Florida school districts for the 2015-2016 adoption and beyond.

SUBJECT AREA TO BE ADDRESSED: Procedures relating to instructional materials adoption in Florida.

RULEMAKING AUTHORITY: 1001.02(1), 1006.34(1) FS.

LAW IMPLEMENTED: 1006.29, 1006.30, 1006.31, 1006.32, 1006.33, 1006.34, 1006.36, 1006.38 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: Mary Jane Tappen, Executive Vice Chancellor, K-12 Public Schools, 325 West Gaines St., Tallahassee, FL 32399, Mary.tappen@fldoe.org. To request a rule development workshop, please contact: Cathy Schroeder, Agency Clerk, Department of Education, (850)245-9661 or e-mail: cathy.schroeder@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: **RULE TITLE:**
61G1-21.001 Continuing Education for Interior Designers

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify continuing education requirements for interior designers.

SUBJECT AREA TO BE ADDRESSED: Continuing Education for Interior Designers.

RULEMAKING AUTHORITY: 481.2055 FS.

LAW IMPLEMENTED: 481.211 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: Thomas Campbell, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: RULE TITLE:
 61G1-21.003 Continuing Education - Approval of Subjects and Providers

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the updated handbook.

SUBJECT AREA TO BE ADDRESSED: Continuing Education – Approval of Subjects and Providers.

RULEMAKING AUTHORITY: 455.2177(4), 455.2179, 481.215(4) FS.

LAW IMPLEMENTED: 481.215(4) 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: Thomas Campbell, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: RULE TITLE:
 61G1-24.001 Continuing Education for Architects

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify continuing education requirements for architects.

SUBJECT AREA TO BE ADDRESSED: Continuing Education for Architects.

RULEMAKING AUTHORITY: 481.2055 FS.

LAW IMPLEMENTED: 481.215(3), (4), (5), (6) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas Campbell, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: RULE TITLE:
 61G1-24.002 Continuing Education Approval of Subjects and Providers

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the updated handbook.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Approval of Subjects and Providers.

RULEMAKING AUTHORITY: 455.2177(4), 455.2179, 481.215(4) FS.

LAW IMPLEMENTED: 481.215(4) 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: Thomas Campbell, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE NO.: RULE TITLE:
 64B6-4.009 Inactive and Delinquent Status Fees

PURPOSE AND EFFECT: The Board proposes the rule amendment to remove outdated language from the rule.

SUBJECT AREA TO BE ADDRESSED: Inactive and Delinquent Status Fees.

RULEMAKING AUTHORITY: 456.036(3), (4), (7), (8) FS.

LAW IMPLEMENTED: 456.036(3), (4), (7), (8) 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: Sue Foster, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: RULE TITLE:

64B18-11.002 Examination for Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the name of the accepted examination and to clarify that passage of all parts of the examination is required for licensure.

SUBJECT AREA TO BE ADDRESSED: Examination for Licensure.

RULEMAKING AUTHORITY: 456.017, 461.005 FS.

LAW IMPLEMENTED: 456.017(1)(c) 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: Anthony Spivey, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.: RULE TITLES:

64E-3.003 Qualifications for Examination

64E-3.0034 Specialty Technologists

64E-3.007 Bone Densitometry

PURPOSE AND EFFECT: To repeal provisions for magnetic resonance imaging technologist certification as unnecessary and to amend the radiologic technology application accordingly.

SUBJECT AREA TO BE ADDRESSED: Magnetic resonance imaging specialty technologist certification.

RULEMAKING AUTHORITY: 381.0034, 468.302, 468.303 FS.

LAW IMPLEMENTED: 381.0034, 468.304, 468.302(2)(h), (3)(d), (g), (i) 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: THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Brenda Andrews, Radiologic Technology Certification, 4052 Bald Cypress Way, Bin #C-85, Tallahassee, FL 32399-3285, (850)245-4910 or mqa.rad-tech@FLHealth.gov

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 EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-6.0253 Diabetes Management

PURPOSE AND EFFECT: The purpose of the proposed amendment is to update the new position statement by the National Association of School Nurses incorporated by reference.

SUMMARY: This rule implements diabetes management required by s. 1002.20(3)(j), F.S.

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: 1) no requirement for SERC was triggered under s. 120.541(1), F.S., and 2) based on past experiences with rules that affect individual students and their families in an educational setting and have no impact on small businesses, the adverse impact or regulatory cost, if any, do not exceed

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: 1) no requirement for SERC was triggered under s. 120.541(1), F.S., and 2) based on past experiences with rules that affect individual students and their families in an educational setting and have no impact on small businesses, the adverse impact or regulatory cost, if any, do not exceed

nor would be expected to exceed any one of the economic analysis criteria set forth in s. 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 1001.02, 1002.20(3)(j) FS.

LAW IMPLEMENTED: 1002.20(3)(j) FS.

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

DATE AND TIME: December 4, 2015, 9:30 a.m.

PLACE: Conference call (The call information will be posted on the Department's website no later than 14 days prior to the meeting at <http://www.fldoe.org/policy/state-board-of-edu/meetings/>).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Jane Tappen, Executive Vice Chancellor, K-12 Public Schools, 325 West Gaines St., Tallahassee, FL 32399, Mary.tappen@fldoe.org

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0253 Diabetes Management.

(1) through (e) No change.

(d) Individualized HealthCare Plan (IHP). An IHP is a written plan of care developed at the local level to outline the provision of student healthcare services intended to achieve specific student outcomes. The IHP is part of the nursing process that is detailed in the National Association of School Nurses Position Statement: Individualized Healthcare Plans, The Role of the School Nurse (2015) (~~2013~~) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-03693>), which is hereby incorporated by reference and available online at <http://www.nasn.org/PolicyAdvocacy/PositionPapersandReports/NASNPositionStatementsFullView/tabid/462/ArticleId/32/Individualized-Healthcare-Plans-The-Role-of-the-School-Nurse-Revised-January-2015.aspx> <http://www.nasn.org/portals/0/positions/2013psihp.pdf>. A hard copy may be obtained by contacting Student Support Services, Turlington Building, 325 West Gaines Street, Suite 644, Tallahassee, Florida 32399. The IHP is developed from the DMMP by a registered nurse (RN) in collaboration with the family, student, student's healthcare providers, and school personnel for the management of diabetes while in school, participating in school-sponsored activities, and in transit to or from school or school-sponsored activities. The IHP is child-specific and includes a written format for nursing assessment (health status, risks, concerns, and strengths), nursing diagnoses, interventions, delegation, training, expected outcomes, and goals to meet the healthcare needs of a student

with diabetes and to protect the safety of all students from the misuse or abuse of medication, supplies, and equipment.

(e) Self-Administration. Self-Administration means that a student with diabetes is able to self-manage medication, supplies, and equipment in the manner directed by a licensed healthcare provider without additional assistance or direction.

(2) through (4) No change.

Rulemaking Authority 1001.02, 1002.20(3)(j) FS. Law Implemented 1002.20(3)(j) FS. History—New 11-25-12, Amended 3-25-14,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Hershel Lyons, Chancellor, K-12 Public Schools

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 3, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 8, 2015

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-6.03018 Exceptional Education Eligibility for Students with Specific Learning Disabilities

PURPOSE AND EFFECT: The purpose of this rule revision is to update references and remove obsolete language.

SUMMARY: This rule establishes criteria for determining eligibility as a student with specific learning disabilities. The proposed changes remove obsolete language and align terms with other recently revised State Board of Education rules.

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: 1) no requirement for SERC was triggered under s. 120.541(1), F.S., and 2) based on past experiences with rules that affect individual students and their families in an educational setting and have no impact on small businesses, the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in s. 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1001.42(4)(l), 1003.01(3)(a), (b), 1003.57 FS.

LAW IMPLEMENTED: 1001.02(2)(n), 1003.01(3)(a), (b), 1003.57, 1011.62(1)(c) FS.

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

DATE AND TIME: December 4, 2015, 9:30 a.m.

PLACE: Conference call (The call in information will be posted on the Department’s website no later than 14 days prior to the meeting at <http://www.fldoe.org/policy/state-board-of-edu/meetings/>).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Jane Tappen, Executive Vice Chancellor, K-12 Public Schools, 325 West Gaines St., Tallahassee, FL 32399, Mary.tappen@fldoe.org

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.03018 Exceptional Education Eligibility for Students with Specific Learning Disabilities.

(1) Definition. A specific learning disability is defined as a disorder in one or more of the basic learning processes involved in understanding or in using language, spoken or written, that may manifest in significant difficulties affecting the ability to listen, speak, read, write, spell, or do mathematics. Associated conditions may include, ~~but are not limited to,~~ dyslexia, dyscalculia, dysgraphia, or developmental aphasia. A specific learning disability does not include learning problems that are primarily the result of a visual, hearing, motor, intellectual, or emotional/behavioral disability;~~;~~ limited English proficiency;~~;~~ or environmental, cultural, or economic factors.

(2) General education intervention procedures and activities. In order to ensure that lack of academic progress is not due to lack of appropriate instruction, a group of qualified personnel must consider:

(a) No change.

(b) Data-based documentation, which was provided to the student’s parent(s) or legal guardian(s), of repeated measures of achievement at reasonable intervals, graphically reflecting the student’s response to intervention during instruction.

(c) No change.

(3) Evaluation. The evaluation procedures shall include the following:

(a) The school district must promptly request parental or legal guardian consent to conduct an evaluation to determine if the student needs specially designed instruction in the following circumstances:

1. through 2. No change.

(b) In addition to the procedures identified in subsection 6A-6.0331(5), F.A.C., the evaluation must also include the procedures identified in the district’s Policies and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students as required by Rule 6A-6.03411, F.A.C. The evaluation must adhere to the timeframe required by paragraph 6A-6.0331(3)(~~g~~)(~~d~~), F.A.C., unless extended by mutual written agreement of the student’s parent(s) or legal guardian(s) and a group of qualified professionals.

(4) No change.

(a) Evidence of specific learning disability. The student’s parent(s) or legal guardian(s) and group of qualified personnel may determine that a student has a specific learning disability if there is evidence of each of the following:

1. No change.

2. The student does not make adequate progress to meet chronological age or grade-level standards adopted in Rule 6A-1.09401, F.A.C., in one or more of the areas identified in subparagraph (4)(a)1. of this rule when using ~~one of the following processes:~~

~~a. a~~ A process based on the student’s response to scientific, research-based intervention, consistent with the comprehensive evaluation procedures in ~~subsection (5) of~~ Rule 6A-6.0331(5), F.A.C.; ~~or~~

~~b. A process based on the student’s response to scientific, research-based intervention, and the student exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, grade level standards pursuant to Rule 6A-1.09401, F.A.C., or intellectual development, that is determined by the group to be relevant to the identification of a specific learning disability, using appropriate assessments, consistent with the comprehensive evaluation procedures in subsection (5) of Rule 6A-6.0331, F.A.C.~~

3. No change.

(b) Members of the group determining eligibility. The determination of whether a student suspected of having a specific learning disability is a student who demonstrates a need for specially designed instruction and related services and meets the eligibility criteria must be made by the student’s parent(s) or legal guardian(s) and a group of qualified professionals, which must include, ~~but are not limited to,~~ all of the following:

1. No change.

2. At least one person qualified to conduct and interpret individual diagnostic examinations of students, including, ~~but not limited to~~, a school psychologist, speech-language pathologist, or reading specialist; and,

3. through (c)1. No change.

2. Have at least one member of the group conduct an observation of the student’s performance in the student’s typical learning environment, or in an environment appropriate for a student of that chronological age, after referral for an evaluation and parental or legal guardian consent has been obtained.

(5) Documentation of determination of eligibility. For a student suspected of having a specific learning disability, the documentation of the determination of eligibility must include a written summary of the group’s analysis of the data that incorporates the following information:

(a) The basis for making the determination, including an assurance that the determination has been made in accordance with ~~subsection (6) of Rule 6A-6.0331(6)~~, F.A.C.;

(b) through (e) No change.

(f) Documentation based on data derived from a process that assesses the student’s response to well-delivered scientific, research-based instruction and interventions including:

1. No change.

2. Documentation that the student’s parent(s) or legal guardian(s) were notified about the state’s policies regarding the amount and nature of student performance data that would be collected and the general education services that would be provided; interventions for increasing the student’s rate of progress; and the parental or legal guardian’s right to request an evaluation.

(g) No change.

~~(6) Implementation.~~

~~(a) The district’s Policies and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students, as required by Rule 6A-6.03411, F.A.C., must identify the applicable process described in sub-subparagraphs (4)(a)2.a. and (4)(a)2.b. of this rule on a school-by-school basis.~~

~~(b) Effective July 1, 2010, the process specified in sub-subparagraph (4)(a)2.a. becomes the required process and sub-subparagraph (4)(a)2.b. becomes obsolete.~~

~~(c) For schools using eligibility process described in sub-subparagraph (4)(a)2.b. until July 1, 2010, a description of the pattern of strengths and weaknesses that is determined by the group to be relevant to the identification of a specific learning disability must be documented in the written summary required by subsection (5) of this rule.~~

Rulemaking Authority 1001.02(1), (2)(n), 1001.42(4)(1), 1003.01(3)(a), (b), 1003.57 FS. Law Implemented 1001.02(2)(n), 1003.01(3)(a), (b), 1003.57, 1011.62(1)(c) FS. History—New 7-1-77, Amended 7-2-79, 7-14-82, Formerly 6A-6.3018, Amended 1-11-94, 3-23-09,____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Hershel Lyons, Chancellor, K-12 Public Schools

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2015

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-6.03028	Provision of Free Appropriate Public Education (FAPE) and Development of Individual Educational Plans for Students with Disabilities

PURPOSE AND EFFECT: The purpose of this amendment is to clarify responsibilities of the individual educational plan (IEP) team for students with disabilities.

SUMMARY: The proposed rule updates language regarding revised IEP content and IEP team membership (when a student is a student with a disability and is also identified as gifted), deletes the phrase “to the extent appropriate” with regard to district’s obligation to invite an agency representative who may be responsible for providing or paying for transition services, and adds factors that an IEP team must consider when addressing a student’s need for extended school year services.

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: 1) no requirement for SERC was triggered under s. 120.541(1), F.S., and 2) based on past experiences with rules that affect individual students and their families in an educational setting and have no impact on small businesses, the adverse impact or regulatory cost, if any, do not exceed

nor would be expected to exceed any one of the economic analysis criteria set forth in s. 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1003.01(3)(a), (b), 1003.4282, 1003.55, 1003.57, 1003.571, 1003.5715, 1008.22 F.S.

LAW IMPLEMENTED: 1002.33, 1003.01(3)(a), (b), 1003.4203, 1003.4282, 1003.55, 1003.57, 1003.571, 1003.5715, 1003.5716, 1008.22 F.S.

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

DATE AND TIME: December 4, 2015, 9:30 a.m.

PLACE: Conference call (The call information will be posted on the Department’s website no later than 14 days prior to the meeting at <http://www.fldoe.org/policy/state-board-of-edu/meetings/>).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Jane Tappen, Executive Vice Chancellor, K-12 Public Schools, 325 West Gaines St., Tallahassee, FL 32399, Mary.tappen@fldoe.org

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.03028 Provision of Free Appropriate Public Education (FAPE) and Development of Individual Educational Plans for Students with Disabilities.

(1) Entitlement to FAPE. All students with disabilities aged three (3) through twenty-one (21) residing in the state have the right to FAPE consistent with the requirements of Section 1003.571, F.S. and Rules 6A-6.03011 through 6A-6.0361 ~~.0361~~, F.A.C. FAPE shall be made available to students with disabilities, including students who have been suspended or expelled, and any individual student with a disability who needs special education and related services, even though the student has not failed or been retained in a course or grade, and is advancing from grade to grade. The obligation to make FAPE available to all students with disabilities does not apply with respect to the following:

(a) through (b) No change.

1. Were not actually identified as being a child with a disability pursuant to Rules 6A-6.03011 through 6A-6.0361 ~~.0361~~, F.A.C.; and,

2. Did not have an individual educational plan (IEP) in accordance with this rule.

(c) The exception in paragraph (b) of this section does not apply to students with disabilities, aged eighteen (18) through twenty-one (21), who:

1. Had been identified as a student with a disability under Rules 6A-6.03011 through 6A-6.0361 ~~.0361~~, F.A.C., and had received services in accordance with an IEP, but who left school prior to their incarceration; or

2. Did not have an IEP in their last educational setting, but who had actually been identified as a student with a disability under Rules 6A-6.03011 through 6A-6.0361 ~~.0361~~, F.A.C.

(2) Treatment of charter school students. Students with disabilities who attend public charter schools and their parents retain all rights under Rules 6A-6.03011 through 6A-6.0361 ~~.0361~~, F.A.C. In carrying out Part B of the Individuals with Disabilities Education Act (IDEA) and Rules 6A-6.03011 through 6A-6.0361 ~~.0361~~, F.A.C., with respect to charter schools that are public schools of the school district, the school district must serve students with disabilities attending those charter schools in the same manner as the district serves students with disabilities in its other schools, including providing supplementary and related services on site at the charter school to the same extent to which the school district has a policy or practice of providing such services on the site to its other public schools and provide funds under Part B of the IDEA to those charter schools on the same basis as the school district provides funds to the school district’s other public schools, including proportional distribution based on relative enrollment of students with disabilities and at the same time as the school district distributes other Federal funds to its other public schools.

(3) IEP Requirements. An IEP must be developed, reviewed, and revised for each eligible student or child with a disability served by a school district, or other state agency that provides special education and related services either directly, by contract, or through other arrangements, in accordance with this rule. For a student identified as gifted in accordance with Rule 6A-6.03019, F.A.C., and who is also identified as a student with a disability, as defined in paragraph 6A-6.03411(1)(f), F.A.C., the strengths, needs and services associated with a student’s giftedness must be addressed in the student’s IEP. Parents are partners with schools and school district personnel in developing, reviewing, and revising the IEP for their student. For the purposes of this rule, the term parents also includes legal guardians.

(a) Role of parents. The role of parents in developing IEPs includes, ~~but is not limited to:~~

1. through 6. No change.

(b) Parent participation in meetings. Each school district shall establish procedures that provide the opportunity for one or both of the student's parents to participate in meetings and decisions concerning the IEP for the student. Parents of each student with a disability must be members of any group that makes decisions on the educational placement of their student. Procedures to ensure participation in meetings shall include the following:

1. Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend. Any time an IEP meeting is convened for the purpose of reviewing or changing a student's IEP as it relates to administration of the Florida Standards Alternate Assessment and the provision of instruction in the state standards access points curriculum, or placement of the student in an exceptional student education center, the school shall provide the notice to the parent at least ten (10) days prior to the meeting. The meeting may be convened prior to the tenth day if the parent consents upon receipt of the written notice; and,

2. through (c)3. No change.

4. At least one (1) teacher of the gifted, if the team is developing an IEP for a student who is also identified as gifted in accordance with Rule 6A-6.03019, F.A.C.

5.4. A representative of the school district who is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities, is knowledgeable about the general curriculum, and is knowledgeable about the availability of resources of the school district. At the discretion of the school district, the student's special education teacher may be designated to also serve as the representative of the school district if the teacher meets the requirements described in this paragraph;

6.5. An individual who can interpret the instructional implications of evaluation results who may be a member of the IEP Team as described in subparagraphs (3)(c)3., 4. or 5. ~~or (3)(e)4.~~ of this rule;

7.6. At the discretion of the parent or the school district, other individuals who have knowledge or special expertise regarding the student, including related services personnel as appropriate. The determination of the knowledge or special expertise of any such individual shall be made by the party who invited the individual to be a member of the IEP Team; and,

8.7. The student, if appropriate, and in all cases where a purpose of the meeting will be the identification of the student's transition services needs or consideration of postsecondary goals for the student and the transition services needed to assist the student in reaching those goals. If the student does not attend the IEP meeting to identify transition services needs or consider postsecondary and career goals and transition services, the school district shall take other steps to ensure that the student's preferences and interests are considered.

9.8. ~~To the extent appropriate and~~ Wwith the consent of the parents or a student who has reached the age of majority, the school district shall invite a representative of any participating agency that may be responsible for providing or paying for transition services. Parental consent or the consent of the student who has reached the age of majority must also be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services.

10.9. ~~In the case of a child who was previously served and received early intervention services under Part C of the IDEA,~~ an invitation to the initial IEP Team meeting must, at the request of the parent, be sent to the Part C service coordinator or other representatives of the Part C system to assist with the smooth transition of services.

(d) IEP Team member excusal. A member of the IEP Team described in subparagraphs (3)(c)2. through (3)(c)6. of this rule ~~or (3)(e)3. or (3)(e)4. or (3)(e)5. above,~~ is not required to attend an IEP Team meeting, in whole or in part, if the parent of a student with a disability and the school district agree, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting. Any such member of the IEP Team may also be excused from attending an IEP Team meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services, if the parent, in writing, and the school district consent to the excusal and the member submits, in writing to the parent and the IEP Team, input into the development of the IEP prior to the meeting.

(e) Transition of children with disabilities from the infants and toddlers early intervention program.

1. By the third (3rd) birthday of a child who has been participating in the early intervention program for infants and toddlers with disabilities, an IEP consistent with this rule or an individual family support plan (IFSP) consistent with Rule 6A-6.03029, F.A.C., must be developed and implemented.

2. No change.

3. If the child's third (3rd) birthday occurs during the summer, the child's IEP Team shall determine the date when services under the IEP or ~~IFSP individual family support plan~~ will begin.

(f) No change.

(g) Considerations in IEP development, review, and revision for students with disabilities. The IEP ~~T~~eam shall consider the following in IEP development, review, and revision:

1. through 2. No change.

3. As appropriate, the results of the student's performance on any general statewide or ~~districtwide~~ district-wide assessment;

4. The academic, developmental, and functional needs of the student;

~~5. In the case of a student who has also been identified as a student who is gifted in accordance with Rule 6A-6.03019, F.A.C., the IEP shall address the gifted and disability related needs of the student.~~

~~6.5.~~ In the case of a student whose behavior impedes the student's learning or the learning of others, strategies, including the use of positive behavioral interventions, supports, and other strategies to address that behavior;

~~7.6.~~ In the case of a student with limited English proficiency, the language needs of the student as those needs relate to the student's IEP;

~~8.7.~~ In the case of a student who is blind or visually impaired, provision of instruction in ~~b~~Braille and the use of ~~b~~Braille unless the IEP Team determines, after an evaluation of the student's reading and writing skills, needs, including future needs, and appropriate reading and writing media (including an evaluation of the student's future need for instruction in ~~b~~Braille or the use of ~~b~~Braille), that instruction in ~~b~~Braille or the use of ~~b~~Braille is not appropriate for the student;

~~9.8.~~ The communication needs of the student;

~~10.9.~~ In the case of a student who is deaf or hard-of-hearing or dual-sensory impaired, the Communication Plan form 313189, effective December 2014, is available at (<http://www.flrules.org/Gateway/reference.asp?No=Ref-04776>) or may be obtained from the Florida Department of Education, Bureau of Exceptional Education and Student Services, 325 West Gaines Street, Room 614, Tallahassee, FL 32399. The Communication Plan form is incorporated by reference and shall be used to address; the student's language

and communication needs; opportunities for direct communications with peers and professional personnel in the student's language and communication mode; academic level; and full range of needs, including opportunities for direct instruction in the student's language and communication mode;

~~11.10.~~ Whether the student requires assistive technology devices and services. On a case-by-case basis, the use of school-purchased assistive technology devices in a student's home or in other settings is required if the IEP Team determines that the student needs access to those devices in order to receive a FAPE free appropriate public education; and,

~~12.11.~~ At least annually, whether extended school year (ESY) services are necessary for the provision of a FAPE free appropriate public education to the student consistent with the following:

a. ~~ESY Extended school year~~ services (ESY) must be provided if a student's IEP ~~T~~eam determines, on an individual basis, that the services are necessary for the provision of FAPE to the student.

b. When determining whether ESY services are necessary, the IEP Team must consider all of the following factors:

(I) Whether there is a likelihood that significant regression will occur in critical life skills related to the following areas:

(A) Academics or for prekindergarten children with disabilities, developmentally appropriate pre-academic skills;

(B) Communication;

(C) Independent functioning and self-sufficiency; and,

(D) Social or emotional development or behavior.

(II) Whether the student is at a crucial stage in the development of a critical life skill or an emerging skill and a lapse in services would substantially jeopardize the student's chances of learning that skill;

(III) Whether the nature or severity of the student's disability is such that the student would be unlikely to benefit from their education without the provision of ESY services; and

(IV) Extenuating circumstances pertinent to the student's current situation that indicate the likelihood that FAPE would not be provided without ESY services. Examples include the following: a student who had recently obtained paid supported employment and requires the services of a job coach in order to be successful; a student who requires ESY services in order to remain in his or her existing least restrictive environment (LRE) and prevent movement to a more restrictive setting; and a student whose frequent health-related absences have significantly impeded progress on goals related to critical life skills.

c.b. School districts may not limit ESY to particular categories of disability or unilaterally limit the type, amount, or duration of those services.

~~13.12.~~ If, after consideration of the factors in paragraph (3)(g) of this rule, the IEP Team determines that a student needs a particular device or service, including an intervention, accommodation or other program modification, in order for the student to receive a FAPE ~~free appropriate public education~~, the IEP must include a statement to that effect.

(h) Contents of the IEP. The IEP for each student with a disability must include:

1. A statement of the student’s present levels of academic achievement and functional performance, including how the student’s disability affects the student’s involvement and progress in the general curriculum, or for prekindergarten children, as appropriate, how the disability affects the student’s participation in appropriate activities;
For a student identified as gifted and who is also identified as a student with a disability, the statement of the student’s present levels of academic achievement must include the student’s strengths, interests and needs beyond the general curriculum that result from the student’s giftedness;

2. A statement of measurable annual goals, including academic and functional goals designed to meet the student’s needs that result from the student’s disability to enable the student to be involved in and make progress in the general curriculum or for preschool children, as appropriate, to participate in appropriate activities and meeting each of the student’s other educational needs that result from the student’s disability;
For students also identified as gifted, the IEP must include a statement of measurable annual goals that result from the student’s giftedness;

3. A description of benchmarks or short-term objectives for:

a. Students with disabilities who take alternate assessments aligned to alternate achievement standards; or

b. Any other student with a disability, at the discretion of the IEP Team.

4. A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the classroom accommodations, modifications or supports for school personnel that will be provided for the student to advance appropriately toward attaining the annual goals; to be involved and progress in the general curriculum; to participate in extracurricular and other nonacademic activities; and to be educated and participate with other students with disabilities and nondisabled students in the activities described in this section. A parent must provide signed consent for a student to receive instructional accommodations that would not be

permitted on the statewide assessments and must acknowledge in writing that he or she understands the implications of such accommodations. An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in the activities described in subparagraph (3)(h)4.; of this rule;

5. A statement of any individual appropriate accommodations in the administration of statewide standardized assessments as described in Section 1008.22(3), F.S., or district assessments of student achievement that are necessary in order to measure the academic achievement and functional performance of the student on the assessments. Accommodations that negate the validity of a statewide assessment are not allowable in accordance with Section 1008.22(3)(c)3., F.S. If the IEP Team determines that the student will take the Florida Standards Alternate Assessment instead of other statewide standardized assessments or an alternate district assessment of student achievement, the IEP must include a statement of why the student cannot ~~can not~~ participate in other statewide standardized assessments or district assessments and, if applicable, why the particular district alternate assessment selected is appropriate for the student. If a student does not participate in the statewide assessment program as a result of being granted an extraordinary exemption in accordance with the provisions of Section 1008.212, F.S., or a medically complex exemption in accordance with Section 1008.22(9), F.S., the district must notify the student’s parent and provide the parent with information regarding the implications of such nonparticipation in accordance with Section 1008.22(3), F.S.

6. The projected date for the beginning of the special education, services, accommodations and modifications described in subparagraph (3)(h)4.; of this rule and the anticipated frequency, location; and duration of those services;

7. No change.

8. Before attaining the age of fourteen (14), in order to ensure quality transition planning and services, IEP ~~T~~teams shall begin the process of identifying transition services needs of students with disabilities, to include the following:

a. A statement of intent to pursue a standard high school diploma pursuant to Sections 1003.4282(1)-(9), (11), F.S., or 1003.4282(11), F.S. and a Scholar or Merit designation in accordance with Section 1003.4285, F.S., as determined by the parent;

b. through 11. No change.

(i) ~~Least restrictive environment (LRE)~~ and placement determinations. Placement determinations shall be made in accordance with the LRE ~~least restrictive environment~~ provisions of the IDEA, as follows:

1. through (k) No changes.

(l) Students with disabilities in adult prisons. The requirements of this rule relating to participation in general assessments do not apply to students with disabilities who are convicted as adults under State law and incarcerated in adult prisons. In addition, the requirements relating to transition planning and services do not apply with respect to those students whose eligibility for services under Part B of the IDEA and Rules 6A-6.03011 through 6A-6.0361 ~~-0364~~, F.A.C., will end, because of their age, before they will be eligible to be released from prison based on consideration of their sentence and eligibility for early release. The IEP Team of a student with a disability who is convicted as an adult under State law and incarcerated in an adult prison may modify the student's IEP or placement if the State has demonstrated a bona fide security or compelling penological interest that cannot otherwise be accommodated, and the requirements relating to IEP content and LRE do not apply with respect to such modifications made.

(m) No change.

(n) IEPs and meetings for students with disabilities placed in private schools or community facilities by the school district.

1. If a student with a disability is placed in a private school by the school district, in consultation with the student's parents, the school district shall:

a. Ensure that the student has all of the rights of a student with a disability who is served by a school district.

b. Before the school district places the student, initiate and conduct a meeting to develop an IEP for the student, in accordance with this rule or for children ages three (3) through five (5), an IEP or an IFSP in accordance with Rules 6A-6.03011 through 6A-6.0361 ~~-0364~~, FAC.; and,

c. through (o) No change.

(p) Procedures for routine checking of hearing aids and external components of surgically implanted medical devices. Each school district must ensure that hearing aids worn in school by students with hearing impairments, including deafness, are functioning properly and must ensure that the external components of surgically implanted medical devices are functioning properly. For a student with a surgically implanted medical device who is receiving special education and related services under Rules 6A-6.03011 through 6A-6.0361 ~~-0364~~, F.A.C., a school district is not responsible for the post-surgical maintenance, programming, or replacement of the medical device that has been surgically implanted (or of an external component of the surgically implanted medical device).

(q) Procedures for students with disabilities who are covered by public benefits or insurance. A school district may use the Medicaid or other public benefits or insurance programs in which a student participates to provide or pay for services required under Rules 6A-6.03011 through 6A-6.0361 ~~-0364~~, F.A.C., as permitted under the public benefits or insurance program, except as provided herein.

1. through (IV) No change.

d. Prior to accessing the student's or parent's public benefits or insurance for the first time, and after providing notification to the student's parent as described in sub-paragraph ~~e. of paragraph (3)(q)~~ 1.e. of this rule, the school district must obtain written, parental consent that specifies:

(I) through (III) No change.

(IV) That the parent understands and agrees that the school district may access the parent's or student's public benefits or insurance to pay for services required under Rules 6A-6.03011 through 6A-6.0361 ~~-0364~~, F.A.C.

e. Prior to accessing a student's or parent's public benefits or insurance for the first time, and annually thereafter, the school district must provide written notification consistent with the requirements found in paragraphs 6A-6.03311(1)(a) and (b), F.A.C., to the student's parents that includes:

(I) A statement of the parental consent provision in sub-paragraph ~~(3)(q)1.d. of this rule~~ d. of this paragraph;

(II) A statement of the no cost provisions of subparagraph ~~(3)(q)1. of this rule~~;

(III) through 3. No change.

(r) Access to ~~i~~nstructional ~~m~~aterials. Each school district must take all reasonable steps to provide instructional materials in accessible formats to children with disabilities who need those instructional materials at the same time as other children receive instructional materials.

(s) through (t) No change.

Rulemaking Authority 1001.02(1), (2)(n), 1003.01(3)(a), (b), 1003.4282, 1003.55, 1003.57, 1003.571, 1003.5715, 1008.22 FS. Law Implemented 1002.33, 1003.01(3)(a), (b), 1003.4203, 1003.4282, 1003.55, 1003.57, 1003.571, 1003.5715, 1003.5716, 1008.22 FS. History—New 7-13-93, Amended 10-17-04, 12-22-08, 12-15-09, 3-25-14, 12-23-14, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Hershel Lyons, Chancellor, K-12 Public Schools

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education

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

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

DEPARTMENT OF EDUCATION**State Board of Education**

RULE NO.: RULE TITLE:
6A-6.03313 Procedural Safeguards for Exceptional
Students Who Are Gifted

PURPOSE AND EFFECT: The purpose is to include a statement that the procedural safeguards of Rule 6A-6.03311, F.A.C., apply for students who are identified as gifted and as having a disability.

SUMMARY: The proposed changes remove obsolete language and align terms with other recently revised State Board of Education rules.

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: 1) no requirement for SERC was triggered under s. 120.541(1), F.S., and 2) based on past experiences with rules that affect individual students and their families in an educational setting and have no impact on small businesses, the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in s. 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1001.02(1), (2)(n), 1003.01(3)(a), (b), 1003.57(5) FS.

LAW IMPLEMENTED: 1001.03(8), 1001.42(4)(l), 1003.01(3)(a), (b), 1003.57(1) FS.

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

DATE AND TIME: December 4, 2015, 9:30 a.m.

PLACE: Conference call (The call information will be posted on the Department's website no later than 14 days prior to the meeting at <http://www.fldoe.org/policy/state-board-of-edu/meetings/>).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Jane Tappen, Executive Vice Chancellor, K-12 Public Schools, 325 West Gaines St., Tallahassee, FL 32399, Mary.tappen@fldoe.org

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.03313 Procedural Safeguards for Exceptional Students Who Are Gifted.

Providing parents with information regarding their rights under this rule is critical to ensuring that they have the opportunity to be partners in the decisions regarding their children. It is also critical that local school boards provide information about these rights to appropriate district and school personnel so that the needs of the student can be identified and appropriately met. For gifted students with disabilities, the procedural safeguards and due process procedures found in Rule 6A-6.03311, F.A.C., apply. For the purposes of this rule, the term parent(s) also includes legal guardian(s). The school board's policy and procedures for procedural safeguards described in this rule shall be set forth in accordance with Rule 6A-6.03411, F.A.C., and shall include adequate provisions for the following:

(1) Prior notice. The school district shall provide parents with prior written notice a reasonable time before any proposal or refusal to initiate or change the identification, evaluation, educational placement of the student or the provision of a free appropriate public education to the student.

(a) through (b) No change.

(c) The notice to the parents shall include:

1. No change.

2. A description of each evaluation procedure, test, record, or report the district used as a basis for the proposed or refused action;

3. through 4. No change.

(2) Content and ~~p~~Provision of the ~~p~~Procedural ~~s~~Safeguards to ~~p~~Parents.

(a) through (b) No change.

(3) Informed parental consent.

(a) through (d) No change.

(e) Except for formal, individual evaluation and the initial provision of services to the student, consent may not be required as a condition of any other benefit to the parent or child. Any proposal or refusal to initiate or change the identification, evaluation, or educational placement or the provision of a ~~FAPE free appropriate public education~~ to the student after the initial placement is not subject to parental consent but is subject to prior notice as defined by subsection (1) of this rule.

(f) No change.

(4) Parents' opportunity to examine records and participate in meetings.

(a) No change.

(b) The right to inspect and review education records under this rule includes the right to have a representative of the parent inspect and review the records including all records related to the identification, evaluation, and educational placement of the child and the provision of a FAPE free appropriate public education to the child.

(c) No change.

(5) Evaluations obtained at private expense. If the parent obtains an independent evaluation at private expense which meets the requirements of subsection 6A-6.0331(3)(e)(4), F.A.C., the results of the evaluation must be considered by the school district in any decision made with the respect to the determination of eligibility for exceptional student education services.

(a) No change.

(b) If an administrative law judge (ALJ) requests an independent educational evaluation as part of a hearing, the cost of the evaluation must be at public expense, as defined in paragraph 6A-6.03411(7)(e), F.A.C.

(6) State Complaint Procedures. The Department of Education shall provide parents and other interested persons the opportunity to resolve allegations that a school district has violated state requirements regarding the education of students who are gifted through the establishment of state complaint procedures.

(a) through (b) No change.

(c) Relationship to due process hearings.

1. No change.

2. If an issue is raised in a complaint filed under this subsection that has previously been decided in a due process hearing involving the same parties, the ALJ's administrative law judge's decision is binding and the Department of Education shall inform the complainant to that effect.

3. No change.

(7) Due process hearings. Due process hearings shall be available to parents of students who are gifted and to school districts to resolve matters related to the identification, evaluation, or educational placement of the student or the provision of a FAPE free appropriate public education.

(a) No change.

(b) A hearing shall be conducted by an ALJ administrative law judge from the Division of Administrative Hearings, Department of Management Services, on behalf of the Department of Education.

(c) An administrative law judge (ALJ) shall use subsection (7) of this rule for any such hearings and shall conduct such hearings in accordance with the Uniform Rules for Administrative Proceedings, Chapter 28-106, F.A.C., as deemed appropriate by the ALJ including, but not limited to: the authority of a party to request a pre-hearing conference, the authority of the ALJ to issue subpoenas to compel the

attendance of witnesses and the production of records, and the authority of the ALJ to issue summary rulings in absence of a disputed issue of material fact.

(d) No change.

2. If the ALJ administrative law judge agrees with the parent and finds that a change of placement is appropriate, that placement becomes the agreed-upon placement during the pendency of the appeal.

(e) Hearing rights for all parties.

1. Any party to a hearing conducted pursuant to subsection (7) of this rule has the right to:

a. ~~To Be~~ represented by counsel or to be represented by a qualified representative under the qualifications and standards set forth in Rules 28-106.106 and 28-106.107, F.A.C., or to be accompanied and advised by individuals with special knowledge or training with respect to the problems of students who are gifted, or any combination of the above;

b. ~~To Present~~ evidence, and to confront, cross-examine, and compel the attendance of witnesses;

c. ~~To Prohibit~~ the introduction of any evidence at the hearing that has not been disclosed to that party at least five (5) business days before the hearing;

d. ~~To Obtain~~ written, or at the option of the parents, electronic, verbatim record of the hearing at no cost to the parents; and,

e. ~~To Obtain~~ written, or at the option of the parents, electronic findings of fact and decisions at no cost to the parents.

2. Additional disclosure of information.

a. No change.

b. An ALJ administrative law judge may bar any party that fails to comply with subparagraph (7)(e)2. of this rule from introducing the relevant evaluation or recommendation at the hearing without the consent of the other party.

(f) No change.

(g) Duties and responsibilities of the superintendent or designee shall include:

1. No change.

2. Immediately forwarding to the Division of Administrative Hearings in accordance with the Division's procedures, by facsimile transmission of the parent's request for a hearing upon its receipt;

3. through 4. No change.

5. Complying with the ALJ's administrative law judge's rulings regarding requests for and exchanges of evidence,; discovery,; the filing of motions and, scheduling, so as to meet the requirements of this rule,; and the deadlines established herein.

6. through 7. No change.

(h) Duties and responsibilities of the Department of Education shall include:

1. Maintaining a list of persons who serve as ALJ's administrative law judge's including a statement of the qualifications of each of these persons; and,

2. through (i) No change.

(j) Civil action. A decision made in a hearing conducted under subsection (7) of this rule shall be final, unless, within thirty (30) days, a party aggrieved by the decision brings a civil action in state circuit court without regard to the amount in controversy, as provided in Section 1003.57(5), F.S. The state circuit court shall: receive the records of the administrative proceedings; hear, as appropriate, additional evidence at the request of a party; and, basing its decision on the preponderance of the evidence, shall grant the relief it determines appropriate. In the alternative, any party aggrieved by the ALJ's administrative law judge's decision shall have the right to request an impartial review by the appropriate district court of appeal as provided by Sections 120.68 and 1003.57(5), F.S.

Rulemaking Authority 1001.02(1), (2)(n), 1003.01(3)(a), (b), 1003.57(1)(~~5~~) FS. Law Implemented 1001.03(8), 1001.42(4)(l), 1003.01(3)(a), (b), 1003.57(1)(~~5~~) FS. History--New 9-20-04, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Hershel Lyons, Chancellor, K-12 Public Schools
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2015
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 4, 2015

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.030121
RULE TITLE: Exceptional Student Education Eligibility for Students with Language Impairments and Qualifications and Responsibilities for the Speech-Language Pathologists Providing Language Services.

PURPOSE AND EFFECT: The purpose of this amendment is to update references and remove redundant language found in Rule 6A-6.0331, F.A.C.

SUMMARY: This rule establishes criteria for determining eligibility as a student with a language impairment. The rule is applicable to students from prekindergarten through Grade 12. The proposed changes align the requirements for evaluation of, and eligibility for, language impairment with other recently revised State Board of Education rules.

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: 1) no requirement for SERC was triggered under s. 120.541(1), F.S., and 2) based on past experiences with rules that affect individual students and their families in an educational setting and have no impact on small businesses, the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in s. 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 1003.01(3), 1003.57, 1003.571, 1012.44 FS.

LAW IMPLEMENTED: 1003.01(3), 1003.57, 1003.571, 1012.44 FS.

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

DATE AND TIME: December 4, 2015, 9:30 a.m.

PLACE: Conference call (The call in information will be posted on the Department's website no later than 14 days prior to the meeting at <http://www.fldoe.org/policy/state-board-of-edu/meetings/>).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Jane Tappen, Executive Vice Chancellor, K-12 Public Schools, 325 West Gaines St., Tallahassee, FL 32399, Mary.tappen@fldoe.org

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.030121 Exceptional Student Education Eligibility for Students with Language Impairments and Qualifications and Responsibilities for the Speech-Language Pathologists Providing Language Services.

(1) Language impairments are disorders of language that interfere with communication, adversely affect performance and/or functioning in the student's typical learning environment, and result in the need for exceptional student education.

(a) A language impairment is defined as a disorder in one or more of the basic learning processes involved in understanding or in using spoken or written language. These include:

1. Phonology. Phonology is defined as the sound systems of a language and the linguistic conventions of a language that guide the sound selection and sound combinations used to convey meaning;

2. through 5. No change.

(b) ~~A~~ The language impairment may manifest in significant difficulties affecting listening comprehension, oral expression, social interaction, reading, writing, or spelling. A language impairment is not primarily the result of factors related to chronological age, gender, culture, ethnicity, or limited English proficiency.

(2) No change.

(3) Evaluation procedures for children in prekindergarten. In addition to the procedures identified in subsection 6A-6.0331(5), F.A.C., the minimum evaluation for a prekindergarten child shall include all of the following:

(a) Information gathered from the child's parent(s) or legal guardian(s) and others as appropriate, such as teacher(s), service providers, and caregivers regarding the concerns and description of language skills. This may be completed through a variety of methods including interviews, checklists, or questionnaires;

(b) through (c) No change.

(4) Criteria for eligibility for prekindergarten children. A prekindergarten child is eligible as a student with a language impairment in need of exceptional student education if all of the following criteria are met:

(a) through (c) No change.

(d) Information gathered from the child's parent(s) or legal guardian(s), teacher(s), service providers, or caregivers must support the results of the standardized instruments and observations conducted;

(e) No change.

(f) The language impairment is not primarily the result of factors related to chronological age, gender, culture, ethnicity, or limited English proficiency.

(5) General education intervention procedures and activities for students in kindergarten through Grade 12 ~~twelve~~. Prior to obtaining consent for initial evaluation, the requirements of subsection 6A-6.0331(1), F.A.C., related to general education procedures for kindergarten through Grade 12 ~~twelve~~ students, must be met.

(6) Evaluation procedures for students in kindergarten through Grade 12 ~~twelve~~. In addition to the provisions in subsection 6A-6.0331(5), F.A.C., the evaluation for determining eligibility shall include:

~~(a) The school district must promptly request parental or guardian consent to conduct an evaluation to determine if the student needs exceptional student education in the following circumstances:~~

~~1. Prior to obtaining consent for evaluation, the student has not made adequate progress after an appropriate period of time when provided appropriate instruction and intense, individualized interventions; or~~

~~2. Prior to obtaining consent for evaluation, intensive interventions are demonstrated to be effective but require sustained and substantial effort that may include the provision of exceptional student education; or~~

~~3. Whenever a referral is made to conduct an evaluation to determine the student's need for exceptional student education and the existence of a disability.~~

~~(a)(b)~~ To ensure that the decreased performance and/or functioning of a student suspected of having a language impairment is not due to lack of appropriate instruction, the minimum evaluation procedures must include all of the following:

1. No change.

2. Data-based documentation, which was provided to the student's parent(s) or legal guardian(s), of repeated measures of performance and/or functioning at reasonable intervals, communicated in an understandable format, reflecting the student's response to intervention during instruction;

3. Information gathered from the student's parent(s) or legal guardian(s) and teacher(s), and when appropriate, the student, regarding the concerns and a description of language skills. This may be completed through a variety of methods including interviews, checklists, or questionnaires;

4. through 5. No change.

~~(b)(e)~~ With the exception of the observation required by subparagraph (7)(c)4. of this rule, general education activities and interventions conducted prior to initial evaluation in accordance with subsection 6A-6.0331(1), F.A.C., may be used to satisfy the requirements of paragraph (6)~~(a)(b)~~ of this rule.

(7) Criteria for eligibility for students in kindergarten through Grade 12 ~~twelve~~. A student meets the eligibility criteria as a student with a language impairment in need of exceptional student education if all of the following criteria are met:

(a) No change.

(b) Due to deficits in the student's language skills, the student does not make sufficient progress to meet chronological age or ~~s~~State-approved grade-level standards pursuant to Rule 6A-1.09401, F.A.C., in one or more of the areas identified in paragraph (7)(a) of this rule when using a process based on the student's response to scientific, research-based intervention;

(c) Evidence of a language impairment is documented based on a comprehensive language evaluation, including all evaluation components as specified in paragraph (6)(b) of this rule. There must be documentation of all of the following:

1. No change.

2. Results of standardized norm-referenced instrument(s) indicate a significant language deficit in one or more of the areas listed in paragraph (1)(a) of this rule, as evidenced by a standard score(s) significantly below the mean. If the evaluator is unable to administer a norm-referenced instrument and an alternative scientific, research-based instrument is administered, the instrument must reveal a significant language deficit in one or more areas listed in paragraph (1)(a) of this rule. Significance of the deficit(s) must be determined and based on specifications in the manual of the instrument(s) utilized for evaluation purposes;

3. No change.

4. At least one additional observation conducted by the speech-language pathologist when the language impairment is due to a deficit in pragmatic language and cannot be verified by the use of standardized instrument(s). The language impairment may be established through the results of subparagraphs (6)(a) ~~(b)~~ 3. and 4. of this rule and the additional observation(s) conducted subsequent to obtaining consent for evaluation as part of a comprehensive language evaluation. The evaluation report must document the evaluation procedures used, including the group's rationale for overriding results from standardized instruments, the results obtained, and the basis for recommendations. The information gathered from the student's parent(s) or legal guardian(s), teacher(s), and when appropriate, the student, must support the results of the observation(s) conducted; and,

(d) The group determines that its findings under paragraph (7)(a) of this rule are not primarily the result of factors related to chronological age, gender, culture, ethnicity, or limited English proficiency.

(8) Documentation of determination of eligibility. For a student suspected of having a language impairment, the documentation of the determination of eligibility must include a written summary of the group's analysis of the data that incorporates all of the following information:

(a) through (c) No change.

(d) Whether the student has a language impairment as evidenced by response to intervention data confirming the following:

1. Performance and/or functioning discrepancies. The student displays significant discrepancies, for the chronological age or grade level in which the student is enrolled, based on multiple sources of data when compared to multiple groups, including to the extent practicable the peer subgroup, classroom, school, district, and state level comparison groups; and,

2. through 3. No change.

(e) The determination of the student's parent(s) or legal guardian(s) and group of qualified professionals concerning the effects of chronological age, culture, gender, ethnicity, patterns of irregular attendance, or limited English proficiency on the student's performance and/or functioning; and,

(f) Documentation based on data derived from a process that assesses the student's response to well-delivered scientific, research-based instruction and interventions including:

1. No change.

2. Documentation that the student's parent(s) or legal guardian(s) were notified about the state's policies regarding the amount and nature of student performance and/or functioning data that would be collected and the educational resources and services that would be provided; interventions for increasing the student's rate of progress; and the parental or legal guardian right to request an evaluation.

(9) Language services.

(a) A group of qualified professionals determining eligibility under the requirements of this rule and subsection 6A-6.0331(6), F.A.C., must include a speech-language pathologist.

(b) No change.

(c) Language therapy services shall be provided by a certified speech-language pathologist pursuant to Rule 6A-4.0176, F.A.C., or a licensed speech-language pathologist pursuant to Chapter 468, Part I Section 468.1185, F.S., or a speech-language associate pursuant to Rule 6A-4.01761, F.A.C.

(d) through 1. No change.

2. Districts shall submit a plan to the Department of Education for approval before implementation of Rule 6A-4.01761, F.A.C. The components of the plan must include a description of:

a. The model, specifying the type and amount of direction including, ~~but not limited to,~~ direct observation, support, training, and instruction;

b. through f. No change.

Rulemaking Authority 1003.01(3), 1003.57, 1003.571, 1012.44 FS. Law Implemented 1003.01(3), 1003.57, 1003.571, 1012.44 FS. History--New 7-1-10, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Hershel Lyons, Chancellor, K-12 Public Schools
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Pam Stewart, Commissioner, Department
of Education
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: October 29, 2015
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: September 4, 2015

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.030191
RULE TITLE: Development of Educational Plans for
Exceptional Students Who Are Gifted

PURPOSE AND EFFECT: The purpose is to clarify that educational plans are for those students who are identified as gifted. For a student who is identified as gifted and also identified as a student with a disability, the strengths, needs and services associated with a students' giftedness must be addressed in the student's individual educational plan.

SUMMARY: This rule provides guidelines for developing educational plans for exceptional students who are gifted.

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: 1) no requirement for SERC was triggered under s. 120.541(1), F.S., and 2) based on past experiences with rules that affect individual students and their families in an educational setting and have no impact on small businesses, the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in s. 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 1001.42(4)(1), 1003.57 FS.

LAW IMPLEMENTED: 1000.01, 1001.42(4)(1), 1003.57(5) FS.

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

DATE AND TIME: December 4, 2015, 9:30 a.m.

PLACE: Conference call (The call in information will be posted on the Department's website no later than 14 days prior to the meeting at <http://www.fldoe.org/policy/state-board-of-edu/meetings/>).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Jane Tappen, Executive Vice Chancellor, K-12 Public Schools, 325 West Gaines St., Tallahassee, FL 32399, Mary.tappen@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.030191 Development of Educational Plans for Exceptional Students Who Are Gifted.

Educational pPlans (EPs) are developed for students whose only identified exceptionality is solely as gifted. For a student identified as gifted in accordance with Rule 6A-6.03019, F.A.C., and who is also identified as a student with a disability, as defined in paragraph 6A-6.03411(1)(f), F.A.C., the strengths, needs and services associated with a student's giftedness must be addressed in the student's individual educational plan (IEP) consistent with the requirements in Rule 6A-6.03028, F.A.C. Parents are partners with schools and school district personnel in developing, reviewing, and revising the ~~educational plan (EP)~~ for their child. Procedures for the development of the EPs for exceptional students who are gifted, including procedures for parental involvement, shall be set forth in each district's Policies and Procedures for the Provision of Specially Designed Instruction and Related Services to Exceptional Students document and shall be consistent with the following requirements.

(1) No change.

(2) Parent participation. Each school board shall establish procedures ~~that which~~ shall provide for parents to participate in decisions concerning the EP. Such procedures shall include the following:

(a) Each district shall take the following steps to ensure that one ~~(+)~~ or both of the parents or legal guardians of a student who is gifted is present or is afforded the opportunity to participate at each EP meeting:

1. Notifying parents or legal guardians of the meeting early enough to ensure that they will have an opportunity to attend; and,

2. Scheduling the meeting at a mutually agreed on time and place.

(b) A written notice of the meeting must be provided to the parents or legal guardians and must indicate the purpose, time, location of the meeting, and who, by title and or position, will be attending. The notice must also include a statement informing the parents that they have the right to invite an individual with special knowledge or expertise about their child.

(c) If neither parents or legal guardians can attend, the school district shall use other methods to ensure parent participation, including individual or conference telephone calls or video conferencing.

(d) through (f) No change.

(3) ~~Educational plan (EP)~~ team participants. The EP team shall include the following participants:

(a) The parents of the student in accordance with subsection (2) of this rule;

(b) One regular education teacher of the student who, to the extent appropriate, is involved in the development and review of the a student's EP. Involvement may be the provision of written documentation of the a student's strengths and needs;

(c) through (g) No change.

(4) Contents of ~~Educational Plans (EPs)~~. EPs for students who are gifted must include:

(a) A statement of the student's present levels of performance which may include, ~~but is not limited to,~~ the student's strengths and interests; the student's needs beyond the general curriculum; results of the student's performance on state and district assessments; and evaluation results;

(b) A statement of goals, including benchmarks or short-term objectives;

(c) through (5) No change.

(6) Timelines. Timelines for EP meetings for students who are gifted shall include the following:

(a) through (b) No change.

(c) Meetings shall be held to develop and revise the EP at least every three (3) years for students in Kindergarten - grades ~~K-8~~ and at least every four (4) years for students in grades 9-12. EPs may be reviewed more frequently as needed, such as when the student transitions from elementary to middle school and middle to high school or if the student's parent or teacher requests a review.

(7) EP implementation. An EP must be in effect before specially designed instruction is provided to an eligible student and is implemented as soon as possible following the EP meeting.

(a) through (b) No change.

Rulemaking Authority 1001.02(1), (2)(n), 1003.01(3)(a), (b), 1003.57(1)(~~5~~) FS. Law Implemented 1001.03(8), 1001.42(4)(l), 1003.01(3)(a), (b), ~~1011.62(1)(e)~~ FS. History—New 9-20-04, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Hershel Lyons, Chancellor, K-12 Public Schools

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 31, 2015

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-10.042 Test Administration and Security

PURPOSE AND EFFECT: The purpose of this rule amendment is to address training requirements for those administering statewide assessments, per Section 1008.24, Florida Statutes.

SUMMARY: This amendment specifies training requirements for K-12 statewide assessment administrators and proctors, as indicated in s. 1008.24, F.S., which permits use of employees such as paraprofessionals to act as test administrators and proctors after they have completed training requirements as adopted in this rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rule revisions relate only to establishing training requirements for statewide assessment administrators and proctors in K-12 public schools and private schools eligible to administer statewide assessments under s. 1002.385, F.S.; therefore, there is no impact on economic growth, private sector job creation, employment, private sector investment, or business competitiveness. If there is any impact on such economic growth and private sector job creation, the impact would be positive because the establishment of training requirements in rule may allow for additional employee participation in test administration. For the same reasons, though no impact on business competitiveness is anticipated, any impact would be positive. Because the proposed rule relates only to the establishment of training requirements for K-12 statewide assessment administrators and proctors, it is

not likely to increase regulatory costs. Use of non-certified personnel is anticipated to result in cost savings for school districts.

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: 1001.02, 1003.49, 1008.24 FS.

LAW IMPLEMENTED: 1001.02, 1003.49, 1008.24 FS.

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

DATE AND TIME: December 4, 2015, 9:30 a.m.

PLACE: Conference call (The call information will be posted on the Department's website no later than 14 days prior to the meeting at <http://www.fldoe.org/policy/state-board-of-edu/meetings/>).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Vince Verges, Office of Assessment, Division of Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 414, Tallahassee, Florida 32399-0400, (850)245-0513

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.042 Test Administration and Security.

(1) through (h) No change.

(i) In accordance with Section 1008.24, F.S., a school district may use district employees, such as education paraprofessionals as described in Section 1012.37, F.S., to administer and proctor statewide, standardized assessments required under Section 1008.22, F.S. All test administrators and proctors for the statewide assessments administered pursuant to Rule 6A-1.09422, F.A.C., must complete training requirements outlined in *Training Requirements for Administering and Proctoring the Statewide Assessments, 2015*, (DOS link) incorporated herein by reference. A copy may be obtained by contacting the Division of Accountability, Research and Measurement, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

(2) through (5) No change.

Rulemaking Authority 1001.02, 1003.49, 1008.23, 1008.24 FS. Law Implemented 1003.49, 1008.23, 1008.24 FS. History—New 7-5-87, Amended 10-26-94, 11-3-13, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Juan Copa, Deputy Commissioner, Division of Accountability, Research and Measurement

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 3, 2015

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.: RULE TITLES:

59A-5.0065 Patient Rights

59A-5.007 Organized Medical Staff

59A-5.011 Surveillance, Prevention, and Control of Infection

59A-5.019 Quality Assessment and Improvement

PURPOSE AND EFFECT: The Agency proposes to revise rules related to ambulatory surgical center licensure.

SUMMARY: These revisions will: update terms defined and used within the rule chapter; remove non-specific language; update rule references; and update references in rulemaking authority and law implemented.

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 SERC has not been prepared by the agency. For rules listed where no SERC was prepared, the Agency prepared a checklist for each rule to determine the necessity 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: 395.1055 FS.

LAW IMPLEMENTED: 381.026, 395.001, 395.0191, 395.0193, 395.1055, 395.301, 395.3025 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: Monday, November 30, 2015, 2:00 p.m. – 3:00 p.m.

PLACE: Agency for Health Care Administration, Conference Room C, 2727 Mahan Drive, Building #3, Tallahassee, FL 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Jessica Munn, Hospital & Outpatient Services Unit, 2727 Mahan Drive, Tallahassee, Florida, (850)412-4359. 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: Jessica Munn, Hospital & Outpatient Services Unit, Bureau of Health Facility Regulation at (850)412-4359 or email: Jessica.Munn@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-5.0065 Patient Rights.

Each ~~ambulatory surgical~~ center shall develop and adopt policies and procedures to ensure the protection of patient rights; which ~~at a minimum~~ shall include those patient rights specified in Sections 381.026, 395.301, and 395.3025, F.S. Rulemaking Authority 395.1055 FS. Law Implemented 381.026, ~~395.001~~, 395.301, 395.1055, 395.3025 FS. History—New 11-13-9, Amended _____.

59A-5.007 Organized Medical Staff.

(1) Each ~~ambulatory surgical~~ center shall have an organized medical staff organized under written by-laws approved by the governing board body and responsible to the governing board body of the ~~ambulatory surgical~~ center for the quality of all medical care provided to patients in the center and for the ethical and professional practices of its members.

(2) through (2)(f) No change.

(g) Review of ~~ambulatory surgical~~ center admissions with respect to need for admission, discharge practices and evaluation of the services ordered and provided.

(h) Surveillance of the ~~ambulatory surgical~~ center's infection potentials and cases and the promotion of a preventive and corrective program, designed to minimize these hazards.

(i) Surveillance of pharmacy policies and procedures, and including review of at least monthly on-site consultant pharmacist visits, shall ensure standards of practice are maintained, including review of at least monthly on-site consultant pharmacist visits, and proper disposal of outdated prescription and controlled drugs in accordance with Rules ~~64B16-28.702, 64B16-28.110, 64B16-28.303~~ ~~59X-28.702~~, F.A.C. and Chapters 465 and 893, F.S.

Rulemaking Authority 395.1055, FS. Law Implemented ~~395.001~~, 395.0191, 395.0193, 395.1055 FS. History—New 6-14-78, Formerly 10D-30.07, Amended 2-3-88, Formerly 10D-30.007, Amended 11-13-95, _____.

59A-5.011 Surveillance, Prevention, and Control of Infection.

(1) Each ~~ambulatory surgical~~ center shall establish an Infection Control Program involving members of the medical staff, nursing staff, other professional and administrative staff as appropriate. The program shall provide for:

(1)(a) through (2) No change.

(3) The policies and procedures devised by the infection control program shall be approved by the governing board body, and shall contain at least the following:

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

(c) Specific policies related to the handling and disposal of biomedical waste in accordance with Chapter ~~64E-16, 10D-404, F.A.C. and, June 1995~~, OSHA 29 CFR Part 1910.1030, Bloodborne Pathogens, Occupational Exposure to Blood Borne Pathogens Final Rule, and the Department of Environmental Protection Code Chapter 62-712, F.A.C., on Biomedical Waste, June 1995.

(3)(d) through (3)(g) No change.

(h) A requirement that all cases of communicable diseases as set forth in Chapter ~~64D-3 10D-3, F.A.C., June 1995~~, be promptly and properly reported in accordance with the provisions of that rule;

(4) The individuals involved in the infection control program shall meet at least quarterly, shall maintain written minutes of all meetings, and shall make a report at least annually to the quality assurance committee and the governing board body.

(5) Each ~~ambulatory surgical~~ center shall establish an employee health policy to minimize the likelihood of transmission of communicable disease by both employees and patients. Such policies shall include, but not be limited to, work restrictions for an employee whenever it is likely that communicable disease may be transmitted, until such time as a medical practitioner certifies that the employee may return to work.

~~(6) Each center shall ensure that biomedical waste is disposed of according to the Department of Environmental Protection rule Chapter 62-712, F.A.C., 1995.~~

Rulemaking Authority 395.1055, FS. Law Implemented ~~381.0035~~, 395.001, 395.1055 FS. History—New 6-14-78, Formerly 10D-30.11, Amended 2-3-88, Formerly 10D-30.011, Amended 11-13-95, _____.

59A-5.019 Quality Assessment and Improvement.

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

(b) Each system for quality assessment and improvement, which shall include utilization review, must be defined in writing, approved by the governing board body, and enforced, and shall include:

(1)(b) 1. Through (2)(f) No change.

(g) Quality assessment and improvement activities including ~~at least~~ clinical laboratory services and radiology services;

(2)(h) through (4) No change.

Rulemaking Authority 395.1055 FS. Law Implemented ~~395.004~~, 395.1055 FS. History–New 11-13-95, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jessica Munn

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 10/26/2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 03/02/2015

Section III

Notice of Changes, Corrections and Withdrawals

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-35.060 Licensure Application Process.

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 41 No. 191, October 1, 2015 issue of the Florida Administrative Register.

The following sections of the proposed rule will be changed to read:

59A-35.060 Licensure Application Process.

(1) The applicant must apply for licensure using the program specific forms listed below ~~which may be submitted online for renewals~~ and the Health Care Licensing Application Addendum, AHCA Form 3110-1024, September 2015, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>

~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-05363>.~~

All forms are incorporated by reference and available online at: <http://ahca.myflorida.com/HQALicensureforms> or, for online renewal submissions, at: <http://apps.ahca.myflorida.com/SingleSignOnPortal> ~~for online submissions.~~ For online renewal submissions, the information required on the Health Care Licensing Application Addendum, AHCA Form 3110-1024, September 2015, is incorporated into the program specific online forms listed below.

(a) Crisis Stabilization Units, as provided under Parts I and IV of Chapter 394, F.S.; Health Care Licensing Application Crisis Stabilization Unit and Short-Term Residential Treatment Facility, AHCA Form 3180-5003, September 2015, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> or for online renewals, Health Care Licensing Online Application Crisis Stabilization Unit and Short-Term Residential Treatment Facility, AHCA Form 3180-5003OL, September 2015, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(b) Short Term Residential Treatment Units, as provided under Parts I and IV of Chapter 394, F.S.; Health Care Licensing Application Crisis Stabilization Unit and Short-Term Residential Treatment Facility; AHCA Form 3180-5003, September 2015, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> or for online renewals, Health Care Licensing Online Application Crisis Stabilization Unit and Short-Term Residential Treatment Facility; AHCA Form 3180-5003OL, September 2015, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(c) Residential Treatment Facilities, as provided under Chapter 394, Part IV, F.S.; Health Care Licensing Application Residential Treatment Facility; AHCA Form 3180-5005, September 2015, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> or for online renewals, Health Care Licensing Online Application Residential Treatment Facility; AHCA Form 3180-5005OL, September 2015, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(d) Residential Treatment Centers for Children and Adolescents, as provided under Chapter 394, Part IV, F.S.; Health Care Licensing Application Residential Treatment Centers for Children and Adolescents; AHCA Form 3180-5004, September 2015, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> or for online renewals, Health Care Licensing Online Application Residential Treatment Centers for Children and Adolescents; AHCA Form 3180-5004OL, September 2015, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(e) Hospices, as provided under Chapter 400, Part IV, F.S.; Health Care Licensing Application Hospice, AHCA Form 3110-4001, September 2015, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX> or for online renewals, Health Care Licensing Online Application Hospice, AHCA Form 3110-4001OL, September 2015, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>.

(f) No change.

(g) Assisted Living Facilities, as provided under Chapter 429, Part I, F.S.; Health Care Licensing Application Assisted Living Facilities; AHCA Form 3110-1008, September 2015, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX> or for online renewals, Health Care Licensing Online Application Assisted Living Facilities; AHCA Form 3110-1008OL, September 2015, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>.

(h) Adult Family-Care Homes, as provided under Chapter 429, Part II, F.S.; Health Care Licensing Application Adult Family-Care Home; AHCA Form 3180-1022, September 2015, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX> or for online renewals, Health Care Licensing Online Application Adult Family-Care Home; AHCA Form 3180-1022OL, September 2015, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>.

(i) Adult Day Care Centers, as provided under Chapter 429, Part III, F.S.; Health Care Licensing Application Adult Day Care Center; AHCA Form 3180-1004, September 2015, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX> or for online renewals, Health Care Licensing Online Application Adult Day Care Center; AHCA Form 3180-1004OL, September 2015, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>.

(2) No change.

Rulemaking Authority 408.819 FS. Law Implemented 400.801, 408.802, 408.805, 408.806, 408.809, 408.810, 408.811 FS. History—New 7-14-10, Amended 5-4-15, _____.

The following changes have been made to the Health Care Licensing Application Crisis Stabilization Unit and Short-Term Residential Treatment Facility, AHCA Form 3180-5003, September 2015:

On pgs. 4 and 5

Section 4. Personnel will be renumbered as Section 5., and Section 5. Management Company Controlling Interests will be renumbered as Section 4.

On Pg. 7:

In Section 9. Supporting Documents, the words “Chapter 429, F.S.” will be changed to “Chapter 394, F.S.” and the “Documents to be Provided” text and the “Required for” text in the table will be changed to read:

Documents to be Provided:.....Required For:

Proof of current professional and general liability insurance coverage..... Initial, Renewal, Change of Ownership and Capacity Increase application types

Fire Safety Inspection Report.....Initial, Renewal and Change of Ownership applications types

Department of Health Sanitation reportInitial, Renewal and Change of Ownership applications types

Proof of compliance with local zoning requirements.....Initial, Change of Ownership, Change of Address applications types

Proof of Property Occupancy; examples Lease, Mortgage, and Transfer Agreement..... Initial, Renewal, Change of Ownership, Request to Change Name or Address of Provider application types

Accreditation Report, if applicable..... Initial, Renewal and Change of Ownership application types

Health Care Licensing Application Addendum, AHCA Form 3110-1024.....Initial, Renewal and Change of Ownership application types

Attestation of Compliance with Background Screening Requirements, AHCA Form 3100 for the administrator and financial officers.....Initial, Renewal and Change of Ownership applications type, if background screening was conducted by a state agency other than the Agency for Health Care Administration

Exemption from disqualification for documented offense, if applicable.All application types

Required disclosures related to actions taken by Medicare, Medicaid or CLIA, if applicableAll application types, if documentation is required due to responses provided in application

Approved repayment plans, if applicable.....All application types

Department of Health Septic System or Water Supply Evaluation Report.....Initial and Capacity Increases application types

The following changes have been made to the Health Care Licensing Online Application Crisis Stabilization Unit and Short-Term Residential Treatment Facility, AHCA Form 3180-5003OL, September 2015:

Documentation signed by the appropriate local government official, which states that the applicant has met local zoning requirements.....Initial, Change of Ownership and Capacity Increase application types

The words “Health Care Licensing Online Application Crisis Stabilization Unit and Short-Term Residential Treatment Facility, AHCA Form 3180-5003OL, September 2015” and 59A-35.060(1), Florida Administrative have been added to the application.

Proof of Property Occupancy; examples Lease, Mortgage, and Transfer Agreement, if applicable..... Initial, Renewal, Change of Ownership, Request to Change Name or Address of Provider application types

Supporting Documents page – The words “Chapter 59A-4” will be changed to “Chapter 65E-9”. The words “HIV/AIDS Affidavit” will be changed to “Proof of HIV/AIDS training.

Accreditation Report, if applicableInitial, Renewal and Change of Ownership application types

Payment Summary page – The following language will be added:

Health Care Licensing Application Addendum, AHCA Form 3110-1024..... Initial, Renewal and Change of Ownership application types

Biennial Licensure Fee and Other Amounts Due Upon Submission of Application

Attestation of Compliance with Background Screening Requirements, AHCA Form 3100-0008 for the administrator and financial officer.....Initial, Renewal and Change of Ownership application types, if background screening was conducted by a state agency other than the Agency for Health Care Administration

- The biennial licensure fee is \$197.92 per bed
- Other amounts due (fines, assessment, fees, etc.) will be detailed in the application

Proof of exemption from disqualification for documented offense, if applicable..... All application types

The following changes have been made to the Health Care Licensing Application Residential Treatment Facility; AHCA Form 3180-5005, September 2015:

Required disclosures related to action taken by Medicare, Medicaid or CLIA, if applicableAll application types, if documentation is required due to responses provided in the application

On pg. 4

Section 4. Personnel will be renumbered as Section 5., and Section 5. Management Company Controlling Interests will be renumbered as Section 4.

Approved repayment plans, if applicable.....All application types

On pg. 6

In Section 9. Supporting Documents, the words “Chapter 429, F.S.” will be changed to “Chapter 394, F.S.” and the “Documents to be Provided” text and the “Required for” text in the table will be changed to read:

The following changes have been made to the Health Care Licensing Online Application Residential Treatment Facility, AHCA Form 3180-5005OL, September 2015:

Documents to be Provided:.....Required For:

The words “Health Care Licensing Online Crisis Stabilization Unit and Short-Term Residential Treatment Facility, AHCA Form 3180-5005OL, September 2015” and “Section 59A-35.060(1), Florida Administrative Code” will be added to the application form.

Proof of current general liability insurance coverage.....Initial, Renewal, Change of Ownership and Capacity Increase application types

Supporting Documents page – The words “Chapter 59A-4” will be changed to “Chapter 65E-9”. The words “HIV/AIDS Affidavit” will be changed to “Proof of HIV/AIDS training.

Fire Safety Inspection Report.....Initial, Renewal, Change of Ownership and Capacity Increase application types

Payment Summary page – The following language will be added:

Biennial Licensure Fee and Other Amounts Due Upon Submission of Application

- The license fee is \$191.83 per bed.
- Other amounts due (fines, assessment, fees, etc.) will be detailed in the application

The following changes have been made to the Health Care Licensing Application Residential Treatment Centers for Children and Adolescents; AHCA Form 3180-5004, September 2015:

On pgs. 4 and 5

Section 4. Personnel will be renumbered as Section 5., and Section 5. Management Company Controlling Interests will be renumbered as Section 4.

On Pg. 7:

In Section 10. Supporting Documents, the words “Chapter 429, F.S.” will be changed to “Chapter 394, F.S.” and the “Documents to be Provided” text and the “Required for” text in the table will be changed to read:

Documents to be Provided:.....Required For:

Proof of current professional and general liability insurance coverage..... Initial, Renewal, Change of Ownership and Capacity Increase application types

Fire Safety Inspection Report.....Initial, Renewal, Change of Ownership and Capacity Increase application types

Department of Health Septic system or Water Supply evaluation Report.....Initial and Capacity Increases application types

Proof of compliance with local zoning requirements..... Initial, Change of Ownership, and Change of Address application types

Proof of Property Occupancy; examples Lease, Mortgage, and/or Transfer Agreement, if applicable.....Initials, Change of Ownership, and Change of Address application types

Accreditation Report, if applicableInitial, Renewal and Change of Ownership application types

Health Care Licensing Application Addendum, AHCA Form 3110-1024..... Initial, Renewal and Change of Ownership application types

Attestation of Compliance with Background Screening Requirements, AHCA Form 3100-0008 for the administrator and financial officers..... Initial, Renewal and

Change of Ownership application types, If background screening was conducted by a state agency other than the Agency for Health Care Administration

Exemption from disqualification for documented offense, if applicable..... All application types

Required disclosures related to actions taken by Medicare, Medicaid or CLIA, if applicableAll application types, if documentation is required due to responses provided in application

Approved repayment plans, if applicable.....All application types

The following changes have been made to the Health Care Licensing Online Application Residential Treatment Centers for Children and Adolescents; AHCA Form 3180-5004OL, September 2015:

The words “Health Care Licensing Online Application Residential Treatment Centers for Children and Adolescents; AHCA Form 3180-5004OL, September 2015” and “Section 59A-35.060(1), Florida Administrative Code” will be added to the application form.

Supporting Documents page – The words “Chapter 59A-4” will be changed to “Chapter 65E-9”. The words “HIV/AIDS Affidavit” will be changed to “Proof of HIV/AIDS training.

Payment Summary page – The following language will be added:

Biennial Licensure Fee and Other Amounts Due Upon Submission of Application

- The biennial licensure fee is \$240.00 per bed
- Other amounts due (fines, assessment, fees, etc.) will be detailed in the application

The following changes have been made to the Health Care Licensing Application Hospice, AHCA Form 3110-4001, September 2015:

On pgs. 3 and 4

Section 4. Personnel will be renumbered as Section 5., and Section 5. Management Company Controlling Interests will be renumbered as Section 4.

On Pg. 8:

In Section 15. Supporting Documents, the words “Chapter 429, F.S.” will be changed to “Chapter 394, F.S.” and the

“Documents to be Provided” text and the “Required for” text in the table will be changed to read:

Documents to be Provided:.....Required for:

Accreditation with deemed status – documentation and report..... Initial, Renewal and Change of Ownership applications types, if hospice is accredited with deemed status

Proof of Financial Ability to Operate, AHCA Form 3100-0009..... Initial and Change of Ownership application types

Certificate of Need.....Initial and Addition of New Inpatient Facility application types

Proof of legal right to occupy the property for principal office and each satellite office, inpatient facility and residential unit.....Initial, Change of Ownership involving change of licensee and change of address application types

Certificate of occupancy signed by local authorized zoning, building and electrical officials..... Initial, Change of Ownership and change of address – principal office only; addition & renovation of inpatient facility application types

Plan for delivery of services per section 400.606(1), F.S.Initial and Change of Ownership application types

Proof of federal employer identification number (EIN) from the Internal Revenue Service (IRS)..... Initial and Change of Ownership application types

Documentation of change of ownership transaction stating effective date and executed by all partiesChange of Ownership application and any change of controlling interest affecting % ownership of licensee application types

Signed agreement to correct any existing licensure deficiencies.....Change of Ownership application type

Statement that administrative records will be retained and available for inspection by the Agency..... Change of Ownership application type

Medical director’s proof of hospital admitting privileges per 58A-2.014(1), F.A.C. (if not previously reported)Any application type, if medical director has changed

Health Care Licensing Application Addendum, AHCA Form 3110-1024..... Initial, Renewal and Change of Ownership application types

Attestation of Compliance with Background Screening Requirements, AHCA Form 3100-0008 for administrator and financial officer.....Initial, Renewal and Change of Ownership application types, if background screening was conducted by a state agency other than the Agency for Health Care Administration

Proof of exemption from disqualification for documented offense..... Any application types, if required for administrator, financial officer or any controlling interest due to responses provided in application

Required Disclosures – if documentation is required due to responses provided in section 6 aboveAny application types, if required for applicant, licensee or any controlling interest due to responses provided in application

Approved repayment plan – if documentation is required due to responses provided in section 7 aboveAny application types, if required for applicant, licensee or any controlling interest due to responses provided in application

The following changes have been made to the Health Care Licensing Online Application Hospice, AHCA Form 3110-4001OL, September 2015:

The words “Health Care Licensing Online Application Hospice, AHCA Form 3110-4001OL, September 2015” and “Section 59A-35.060(1), Florida Administrative Code” will be added to the application form.

Supporting Documents page – The words “Chapter 59A-25” will be changed to “Chapter 58A-2”.

Payment Summary page – The following language will be added:

Biennial Licensure Fee and Other Amounts Due Upon Submission of Application

- The biennial licensure fee is \$ 1,218.00
- The biennial health care assessment fee is \$ 300.00
- Other amounts due (fines, assessment, fees, etc.) will be detailed in the application

The following changes have been made to the Health Care Licensing Application Assisted Living Facilities; AHCA Form 3110-1008, September 2015:

On pg. 3

In Section 2.B. Type of License, the following language will be added in the **Note box: "If the assisted living facility has been licensed for less than two years, the initial ECC license will be issued as a Provisional License and may not exceed six months. The licensee shall notify the Agency, in writing, when it has admitted at least one ECC resident, after which an unannounced inspection shall be made to determine compliance with the requirements an ECC license. A licensee with a Provisional ECC License that demonstrates compliance with all requirements of an ECC license during the inspection shall be issued an ECC license."

On pgs. 5 and 6

Section 4. Personnel will be renumbered as Section 5., and Section 5. Management Company Controlling Interests will be renumbered as Section 4.

On pg. 6

In Section 5. Personnel, the duplicate Date of Birth field will be deleted.

On pg. 9

In Section 9. Consumer Information, the religious affiliations will be revised to delete "Christian" and add "Christian Non Denomination", "Christian Science", "Adventist", "Baptist", "Catholic", "Lutheran", "Methodist", and "Presbyterian".

On pg. 10

In Section 10. Supporting Documents, the "Documents to be Provided" text and the "Required for" text in the table will be changed to read:

Documents to be Provided:.....Required For:

Certificate of Liability Insurance.....Initial, Renewal, Change of Ownership and Capacity Increase application types

Fire Safety Inspection Report.....Initial, Renewal, Change of Ownership and Capacity Increase application types

Department of Health Septic System or Water Supply Evaluation Report..... Initial and Capacity Increases application types

Department of Health Food Permit..... All application types, for providers with 11 beds or more

Department of Health Residential Group Care Inspection Report..... Initial, Renewal, Change of Ownership and Capacity Increase application types

Documentation signed by the appropriate local government official, which states that the applicant has met local zoning requirements..... Initial, Change of Ownership and Capacity Increase application types

Documentation proving compliance with the Community Residential Homes site selection requirements specified pursuant to Chapter 419, Florida Statutes.....Initial, Change of Ownership and Capacity Increase application types, for providers that are community residential homes Surety or Continuation Bond.....All application types that check YES on Section 8A

Proof of Financial Ability to Operate (AHCA Form 3100-0009)..... Initial and Change of Ownership application types

Copy of Administration's high school diploma or GED certificate..... Initial, Change of Ownership or New Administrators application types

Proof of Property Occupancy, Examples: Lease, Mortgage, and Transfer Agreement..... Initial, Renewal, Change of Ownership, Request to Change Name or Address of Provider application types

Health Care Licensing Application Addendum, AHCA Form 3110-1024.....Initial, Renewal and Change of Ownership application types

Attestation of Compliance with Background Screening Requirements, AHCA Form 3100-0008 for the administrator and financial officers..... Initial, Renewal and Change of Ownership application types, If background screening was conducted by a state agency other than the Agency for Health Care Administration

Exemption from disqualification for documented offense, if applicable..... All application types

Required disclosures related to actions taken by Medicare, Medicaid or CLIA, if applicableAll application types, if documentation is required due to responses provided in application

Approved repayment plan, if applicable..... All application types

The following changes have been made to the Health Care Licensing Online Application Assisted Living Facilities; AHCA Form 3110-1008OL, September 2015:

The words “Health Care Licensing Online Application Assisted Living Facilities; AHCA Form 3110-1008OL, September 2015” and “Section 59A-35.060(1), Florida Administrative Code” will be added to the application form.

Consumer Information page – The religious affiliations will be revised to delete “Christian” and add “Christian Non Denomination”, “Christian Science”, “Adventist”, “Baptist”, “Catholic”, “Lutheran”, “Methodist”, and “Presbyterian”.

Payment Summary page – The following language will be added:

Biennial Licensure Fee and Other Amounts Due Upon Submission of Application

- The biennial licensure fee is \$387.73 plus \$64.96 per private pay bed fee (not to exceed \$14,253.64)
- The extended congregate care fee is \$546.07 plus \$10.15 per bed fee times total bed capacity
- The limited nursing service fee is \$322.77 plus \$10.15 per bed fee times total bed capacity
- The biennial assessment fee is \$2 per bed (annual fee of \$1 per bed x 2 years) not to exceed \$300 per facility (annual cap of \$150 x 2 years)
- Other amounts due (fines, assessment, fees, etc.) will be detailed in the application

The following changes have been made to the Health Care Licensing Application Adult Family-Care Home; AHCA Form 3180-1022, September 2015:

On pgs. 5 and 6

In Section 7. Supporting Documents, the “Documents to be Provided” text and the “Required for” text in the table will be changed to read:

Documents to be Provided:.....Required For:

Fire Safety Inspection Report..... Initial, Renewal, Change of Ownership and Capacity Increase application types

Department of Health Residential Group Care Inspection Report..... Initial, Renewal and Capacity Increase application types

Proof of Property Occupancy, Examples: Lease, Mortgage, and Transfer Agreement..... Initial, Renewal, Change of Ownership, Request to Change Name or Address of Provider application types

Income and Expenses Report (AHCA Form 3180-1017)..... Initial application types

Documentation signed by the appropriate local government official, which states that the applicant has met local zoning requirements.....Initial application types

Documentation proving compliance with the Community Residential Homes site selection requirements specified pursuant to Chapter 419, Florida Statutes.....Initial application types

Health Care Licensing Application Addendum, AHCA Form 3110-1024..... Initial and Renewal application types

Attestation of Compliance with Background Screening Requirements, AHCA Form 3100-0008 for the administrator and financial officers..... Initial and Renewal application types, if background screening was conducted by a state agency other than the Agency for Health Care Administration

Exemption from disqualification for documented offense, if applicable..... All application types

Required disclosures related to actions taken by Medicare, Medicaid or CLIA, if applicableAll application types, if documentation is required due to responses provided in application

Approved repayment plan, if applicable..... All application types

The following changes have been made to the Health Care Licensing Online Application Adult Family-Care Home; AHCA Form 3180-1022OL, September 2015:

The words “Health Care Licensing Online Application Adult Family-Care Home; AHCA Form 3180-1022OL, September 2015” and “Section 59A-35.060(1), Florida Administrative Code” will be added to the application form.

Provider/Facility Information page – The following language will be added: “Pursuant to section 408.806 (1)(a) , Florida Statutes, an application for licensure must include: the name, address and Social Security number of the applicant, administrator or similarly titled person who is responsible for the day to day operation of the provider, and financial officer or similarly titled person who is responsible for the financial operation of the licensee or provider. Disclosure of Social Security number(s) is mandatory. The Agency for Health Care Administration shall use such information for purposes of securing the proper identification of persons listed on this application for licensure.”

Payment Summary page – The following language will be added:

Biennial Licensure Fee and Other Amounts Due Upon Submission of Application

- The biennial licensure fee is \$226.34
- Other amounts due (fines, assessment, fees, etc.) will be detailed in the application

The following changes have been made to the Health Care Licensing Application Adult Day Care Center; AHCA Form 3180-1004, September 2015:

On pgs. 3 and 4

Section 4. Personnel will be renumbered as Section 5., and Section 5. Management Company Controlling Interests will be renumbered as Section 4.

On pg. 6

In Section 9. Supporting Documents, the “Required for” text next to the “Documents to be Provided” in the table will be changed to read:

Documents to be Provided:.....Required For:

Certificate of Liability Insurance.....Initial, Renewal, Change of Ownership and Capacity Increase application types

Fire Safety Inspection Report..... Initial, Renewal, Change of Ownership and Capacity Increase application types

Department of Health Septic System or Water Supply Evaluation Report..... Initial application types

Department of Health Food PermitAll application types

Proof of Financial Ability to Operate (AHCA Form 3100-0009)..... Initials and Change of Ownership application types

Proof of Property Occupancy, Examples: Lease, Mortgage, and Transfer Agreement..... Initial, Renewal, Change of Ownership, Request to Change Name or Address of Provider application types

Documentation signed by the appropriate local government official, which states that the applicant has met local zoning requirements..... Initials and Change of Ownership application types

Health Care Licensing Application Addendum, AHCA Form 3110-1024Initial, Renewal and Change of Ownership application types

Attestation of Compliance with Background Screening Requirements, AHCA Form 3100-0008 for the administrator and financial officers..... Initial, Renewal and Change of Ownership application types, if background screening was conducted by a state agency other than the Agency for Health Care Administration

Copy of exemption from disqualification for documented offense, if applicable..... All application types

Required disclosures related to actions taken by Medicare, Medicaid or CLIA, if applicable..... All application types, if documentation is required due to responses provided in application

Approved repayment plans, if applicable.....All application types

The following changes have been made to the Health Care Licensing Online Application Adult Day Care Center; AHCA Form 3180-1004OL, September 2015:

The words “Health Care Licensing Online Application Adult Day Care Center; AHCA Form 3180-1004OL, September 2015” and “Section 59A-35.060(1), Florida Administrative Code” will be added to the application form.

Payment Summary – The following language will be added: Biennial Licensure Fee and Other Amounts Due Upon Submission of Application

- The biennial licensure fee is \$172.55
- Other amounts due (fines, assessment, fees, etc.) will be detailed in the application

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.: RULE TITLES:
61D-4.004 Application for Annual Racing License
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in Vol. 41 No. 126, June 30, 2015 issue of the Florida Administrative Register.

61D-4.004 Application for License and Operating Dates.

(1) Any permitholder authorized to submit an application for an annual license to conduct races or games pursuant to Section 550.0115, F.S., shall make such application to the division on Form DBPR PMW-3060, Permitholder Application for License and Operating Dates; http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX_05844, either Form DBPR PMW-3105, Surety Bond for Florida Pari-Mutuel Wagering, http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX_05846, or provide continuation certificate; Form DBPR PMW-3080, Permitholder Calendar; http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX_05845, and Form DBPR PMW-3190, Officers and Directors; http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX_05847, all of which are effective on the date this rule goes into effect and incorporated adopted herein by reference. The forms can be obtained at www.myfloridalicense.com/dbpr/pmw or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1037.

(2) through (5) No change.

Rulemaking Authority 550.125(3)(a), 550.0251(2), 550.0251(3), 550.01215(2) FS. Law Implemented 550.125(3)(a), 550.054(3)(b), 550.0115, 550.01215, 550.0251, 550.5251, 559.79 FS. History–New 3-4-07, Amended 9-12-12, _____.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:
64B9-3.015 Licensure Examination Preparatory Courses.
NOTICE OF CHANGE

NOTICE IS HEREBY GIVEN that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 41, No. 125, June 29, 2015, issue of the Florida Administrative Register as a result of the Board meeting held October 9, 2015:

64B9-3.015 Licensure Examination Preparatory Courses. Licensure preparatory courses which meet the following requirements are approved by the Board ~~To meet the requirements of Section 464.008(4), F.S., licensure preparatory courses must meet the following requirements:~~

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

Rulemaking Authority 464.008(4), 464.019(8) FS. Law Implemented 464.008(4), 464.019(5) FS. History–New 4-27-15, Amended _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Council on Certified Nursing Assistants, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252, (850)245-4125

**Section IV
Emergency Rules**

NONE

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

NONE

**Section VI
Notice of Meetings, Workshops and Public
Hearings**

DEPARTMENT OF LEGAL AFFAIRS

Florida Elections Commission

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

DATE AND TIME: November 17, 2015, 8:30 a.m. – 5:00 p.m.

PLACE: Department of Business and Professional Regulations, 1940 North Monroe Street, Tallahassee, Florida 32399

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the Agency Clerk at (850)922-4539, by email: FEC@myfloridalegal.com or write to: 107 West Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399-1050. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: contact the Agency Clerk, Donna Ann Malphurs, at (850)922-4539 or by email: FEC@myfloridalegal.com.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agriculture Center and Horse Park Authority announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, November 17, 2015, 3:00 p.m.

PLACE: Call-in number: 1(888)670-3525, participant code: 900-269-3284

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a conference call for the Nominating Committee to discuss general business.

A copy of the agenda may be obtained by contacting: Janella Johnson at (850)617-7700.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Janella Johnson at (850)617-7700. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

The Board of Professional Surveyors and Mappers announces a public meeting to which all persons are invited.

DATE AND TIME: November 19, 2015, 10:00 a.m.

PLACE: Hilton Ocala, Belmont Room, 3600 S.W. 36th Avenue, Ocala, Florida 34474

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be a meeting of the Board of Professional Surveyors and Mappers, Rules Workgroup. The Board has charged the Workgroup to review Rule Chapter 5J-17, F.A.C., discuss potential improvements to the rules, and prepare recommendations for the Board. Any recommendations by the Workgroup will be reviewed and discussed by the full Board in a separate meeting or rule workshop.

A copy of the agenda may be obtained by contacting: Jenna Harper, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3674.

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: Jenna Harper at (850)410-3674. 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: Jenna Harper, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3674.

DEPARTMENT OF EDUCATION

State Board of Education

The Blind Services Foundation announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, November 25, 2015, 3:00 p.m.

PLACE: Telephone number: 1(888)670 3525, participant passcode: 1242528392 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular board meeting.

A copy of the agenda may be obtained by contacting: Sharon Scurry, (850)245-0392, Sharon.Scurry@dbs.fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Division of Blind Services, 325 West Gaines Street, Room 1114, Tallahassee, FL 32399. Telephone (850)245-0392, email: Sharon.Scurry@dbs.fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: The Division of Blind Services, 325 West Gaines Street, Room 1114, Tallahassee, FL 32399, email: Sharon.Scurry@dbs.fldoe.org.

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

The Department of Transportation announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, November 19, 2015, 1:00 p.m.

PLACE: Florida Department of Transportation Headquarters, Suwannee Room, Second Floor Burns Building, 605 Suwannee Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comments on proposed changes to Rule Chapter 14-10, Florida Administrative Code, Outdoor Advertising Regulation.

A copy of the agenda may be obtained by contacting: Michael Green, OAC Operations, Department of Transportation, 605 Suwannee Street, Tallahassee, Florida 32399, (850)414-4558, michael.green@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 3 days before the workshop/meeting by contacting: Michael Green, OAC Operations, Department of Transportation, 605 Suwannee Street, Tallahassee, Florida 32399, (850)414-4558, michael.green@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).

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: November 17, 2015, 1:00 p.m. until conclusion of business

PLACE: Hyatt Regency Orlando International Airport, Constellation Meeting Room, 9300 Jeff Fuqua Boulevard, Orlando, FL 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED: FTC Operational and Administrative Issues.

A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)414-4105.

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: Lisa O. Stone at (850)414-4105. 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: Florida Transportation Commission, 605 Suwannee Street, MS 9, Room 176, Tallahassee, FL 32399-0450 or phone: (850)414-4105.

AGENCY FOR HEALTH CARE ADMINISTRATION

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

DATE AND TIME: November 20, 2015, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Health Information Exchange Coordinating Committee will review and discuss strategies to increase electronic health record adoption and health information exchange in Florida.

A copy of the agenda may be obtained by contacting: Dana M. Watson, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403.

The agenda will be posted at:

<http://www.fhin.net/committeesAndCouncils/hiecc.shtml>

seven (7) days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Dana M. Watson, at (850)412-3784. 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: Dana M. Watson, at (850)412-3784.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

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

DATE AND TIME: November 20, 2015, 3:30 p.m.

PLACE: Conference number: 1(888)670-3525, participant code: 7335214083

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General board business.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Mobile Home Relocation Corporation

The Florida Mobile Home Relocation Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 2, 2015, 11:00 a.m.

PLACE: Telephone conference: 1(888)909-7654, enter pass code: 128126 when prompted

GENERAL SUBJECT MATTER TO BE CONSIDERED:
The Board will address official business of the Florida Mobile Home Relocation Corporation which will include, among other matters, a review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use and such other business as may come before the Board. A schedule for future meetings will be determined.

A copy of the agenda may be obtained by contacting: Vicky Krentz at 1(888)862-7010.

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: Vicky Krentz at 1(888)862-7010. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Vicky Krentz, Executive Director, FMHRC, PO Box 7848, Clearwater, FL 33758, 1(888)862-7010, vicky@fmhrc.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida Department of Environmental Protection, Florida Coastal Office announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 8, 2015, 6:00 p.m. – 7:30 p.m.

PLACE: Dunnellon Public Library, 20351 Robinson Road, Dunnellon, FL 34431

GENERAL SUBJECT MATTER TO BE CONSIDERED: A draft Rainbow Springs Aquatic Preserve Management Plan has been prepared by the Florida Coastal Office. The draft plan is available for viewing or download at www.dep.state.fl.us/coastal/sites/rainbow/plan.htm. The Florida Coastal Office seeks public comment on the draft. Members of the Rainbow Springs Aquatic Preserve Management Plan Advisory Committee have also been invited to attend, listen to comments, and may provide or respond to comments.

A copy of the agenda may be obtained by contacting: Aquatic Preserve Manager, Jeff Sowards, by email: Jeff.Sowards@dep.state.fl.us or by phone: (352)465-8565.

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: Jeff Sowards at (352)465-8565. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida Department of Environmental Protection, Florida Coastal Office announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 9, 2015, 9:00 a.m. – 4:00 p.m.

PLACE: Dunnellon Public Library, 20351 Robinson Road, Dunnellon, FL 34431

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Rainbow Springs Aquatic Preserve Management Plan Advisory Committee will meet to discuss comments received at the public meeting - scheduled for December 8, 2015, and separately noticed - and possible revisions to the draft Rainbow Springs Aquatic Preserve Management Plan. The draft plan is available for viewing or download at www.dep.state.fl.us/coastal/sites/rainbow/plan.htm.

A copy of the agenda may be obtained by contacting: Aquatic Preserve Manager, Jeff Sowards, by email: Jeff.Sowards@dep.state.fl.us or by phone: (352)465-8565.

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: Jeff Sowards at (352)465-8565. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The Drug Policy Advisory Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, November 13, 2015, 10:00 a.m. – 11:00 a.m., ET

PLACE: Telephone conference: dial 1(888)670-3525, enter passcode: 164 869 6226 when prompted

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Established in section 397.33, Florida Statutes, the Drug Policy Advisory Council reviews and analyzes the impacts of substance abuse in the State and makes recommendations for the implementation of a state drug control strategy.

A copy of the agenda may be obtained by contacting: Rebecca Poston at (850)245-4444, extension 3700 or Rebecca.Poston@flhealth.gov.

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

DEPARTMENT OF HEALTH

Board of Psychology

The Board of Psychology announces a public meeting to which all persons are invited.

DATE AND TIME: Notice of Change: Please note that the Full Board Quorum Meeting scheduled to convene on November 20, 2015 will now take place immediately after a meeting of the Board's Credentials Committee on November 20, 2015, 8:00 a.m., ET or soon thereafter.

PLACE: Conference call: 1(888)670-3525; when prompted, insert participant code: 7811783909 followed by the # sign to join the meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: Credentials Committee Meeting and Board Quorum Meeting.

A copy of the agenda may be obtained by contacting: The Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255, by calling the board office at (850)245-4373, ext. 3482 or by visiting our website: www.floridaspsychology.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Department of Health at (850)245-4444, ext. 3418. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Division of Environmental Health

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

DATE AND TIME: November 23, 2013, 3:00 p.m.

PLACE: Conference call, toll-free: 1(888)670-3525; to obtain the participant passcode contact Mr. Ursin, contact information listed below

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This meeting will be for evaluating a Lifeguarding and Swimming Instructor training program proposed to be considered as equivalent with paragraph 64E-9.008(1)(a), Florida Administrative Code. The advisory group will provide an assessment of the program to the department.

A copy of the agenda may be obtained by contacting: Mr. Ursin, contact information is listed below.

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

For more information, you may contact: Mr. August Ursin, Florida Department of Health, Bureau of Environmental Health, 4052 Bald Cypress Way, Mail Bin A08, Tallahassee, FL 32399-1710, august.ursin@flhealth.gov, (850)245-4444, ext. 2716.

DEPARTMENT OF CHILDREN AND FAMILIES

The Hendry/Glades County Community Alliance announces public meetings to which all persons are invited.

DATES AND TIMES: February 13, 2015; May 8, 2015; July 21, 2015; August 14, 2015; November 13, 2015, 10:00 a.m.

PLACE: Hendry County Health Department, 1140 Pratt Boulevard, LaBelle, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ongoing Hendry/Glades County Alliance business.

A copy of the agenda may be obtained by contacting: Stephanie Jones at (239)895-0257.

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: Stephanie Jones at (239)895-0257. 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).

PASCO-PINELLAS AREA AGENCY ON AGING

The Area Agency on Aging of Pasco-Pinellas announces a public meeting to which all persons are invited.

DATE AND TIME: November 16, 2015, 9:30 a.m.

PLACE: 9549 Koger Blvd., Suite 100, St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items related to Area Agency on Aging of Pasco-Pinellas business and Board of Directors oversight.

A copy of the agenda may be obtained by contacting: Brenda Black at (727)570-9696, ext. 233.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Brenda Black at (727)570-9696, ext. 233. 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: Brenda Black at (727)570-9696, ext. 233.

FLORIDA SELF-INSURERS GUARANTY ASSOCIATION
The Florida Self-Insurers Guaranty Association, Inc., Finance Committee of its Board of Directors announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, November 16, 2015, 2:00 p.m.

PLACE: Florida Self-Insurers Guaranty Association, Inc., 1427 E. Piedmont Drive, 2nd Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Brian Gee, Executive Director at (850)222-1882.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Jane Strickland, Administrative Assistant, Florida Self-Insurers Guaranty Association at (850)222-1882. 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).

MOFFITT CANCER CENTER & RESEARCH INSTITUTE

The H. Lee Moffitt Cancer Center & Research Institute, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: November 16, 2015, 1:30 p.m.

PLACE: Moffitt Cancer Center, Stabile Research Building, Trustees Board Room

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Joint Finance & Planning Committee.

A copy of the agenda may be obtained by contacting: Kathy McKinley, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, SRB-ADM, Tampa, FL 33612.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Kathy McKinley. 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 COMMISSION ON ACCESS TO CIVIL JUSTICE

The Florida Commission on Access to Civil Justice Outreach Subcommittee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, November 9, 2015, 4:00 p.m. – 5:00 p.m., Eastern Time

PLACE: To hear the meeting: dial 1(888)376-5050 and enter the following participant code: 2311661132#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda focuses on discussing on further Outreach initiatives, working with other ATJ Subcommittees and reviewing possible names for the Gateway portal.

A copy of the agenda may be obtained by contacting: Francisco-Javier Digon-Greer, 1(800)342-8060, extension 5793, email: flaccessjustice@flabar.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Francisco-Javier Digon-Greer, 1(800)342-8060, extension 5793, email: flaccessjustice@flabar.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).

SUNSHINE STATE ONE CALL OF FLORIDA

Sunshine One Call of Florida d/b/a Sunshine 811 announces public meeting to which all persons are invited.

DATES AND TIMES: Thursday, November 19, 2015, 1:00 p.m. – 5:00 p.m.; Friday, November 20, 2015, 1:00 p.m. – 5:00 p.m.

PLACE: 11 Plantation Road, DeBary, Florida 32713

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee Meetings, Thursday, November 19, 2015, 1:00 p.m. – 5:00 p.m.: lunch provided at the call center for meeting participants and Sunshine 811 employees beginning at 12:00 Noon. Board Meeting, Friday, November 20, 2015, 8:30 a.m. – 5:00 p.m., lunch provided at the call center for meeting participants and Sunshine 811 employees.

A copy of the agenda may be obtained by contacting: http://www.sunshine811.com/images/stories/board/201511_agenda.pdf.

For more information, you may contact: Lori Budiani, Executive Assistant, (386)575-2002.

FLORIDA IS FOR VETERANS INC.

The Veterans Florida Board of Directors announces a workshop to which all persons are invited.

DATE AND TIME: November 16, 2015, 8:00 a.m., ET

PLACE: University of North Florida, 1 University of North Florida Drive, Student Union in Room 3806, West Building, Jacksonville, FL 32224

You can also join the call at www.uberconference.com/veteransflorida or dial in at 1(877)619-2945, no PIN needed

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board matters, review and approval of the Final Audit Report, review and approval of the Annual Report, marketing updates, program updates, and presentations by the university applicants for both the FL VETS Entrepreneurship Program Host Partner and Network Partner RFPs with selection by the Board of Directors.

A copy of the agenda may be obtained by contacting: Kristen Kerr at kerr@veteransflorida.org or under “Board Meeting Documents” on our website at <http://www.veteransflorida.org/about-us/>.

For more information, you may contact: Kristen Kerr at (850)898-1444.

Section VII

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Florida Building Commission

RULE NO.: **RULE TITLE:**

61G20-1.001 Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from the Door & Access Systems Manufacturer’s Association. The petition seeks the agency’s opinion as to the applicability of Table C402.4.3, Florida Building Code 5th edition (2014), Energy Conservation as it applies to the petitioner.

Petitioner seeks clarification regarding whether Table C402.4.3 can be used for high speed door compliance to maximum air leakage requirements.

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

Please refer all comments to: Mo Madani, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 North Monroe, Tallahassee, Florida 32399, (850)487-1824, mo.madani@myfloridalicense.com or April L. Hammonds, Office of the General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1000, (850)487-1824, april.hammonds@myfloridalicense.com.

RESPONSES, MOTIONS TO INTERVENE, OR REQUESTS FOR A HEARING, §120.57(2), FLA. STAT., MUST BE FILED WITHIN 21 DAYS OF THIS NOTICE.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF CHILDREN AND FAMILIES
Sewer Line Lining-Northeast Florida State hospital

INVITATION TO BID

Proposals are requested from QUALIFIED STATE CERTIFIED, GENERAL OR PLUMBING CONTRACTORS by the State of Florida, Department of Children and Families, hereinafter referred to as OWNER, for the construction of:

PROJECT NO: DCF - 16235500

TITLE: NEFSH Building # 12 (C) SEWER LINE LINING

SITE: Northeast Florida State Hospital, 7487 South State Road 121, Macclenny, Florida 32063, Building #12.

PREQUALIFICATION: Each prime Bidder shall be state-certified in accordance with Chapter 489, Florida Statutes, as a General or Plumbing Contractor. Bids from firms not able to furnish proof of the required certification are subject to disqualification.

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the Drawings and the General and Technical Specifications, which may be examined and obtained from the Project Manager:

P/M: Florida Department of Children and Families, Office of General Services, Design, and Construction. 1317 Winewood Blvd., Building #3, Room 205-F, Tallahassee, Florida 32399-0700

TEL#: (850) 717-4303

E-MAIL: jimmie.padgett@myflfamilies.com

BID DOCUMENTS: PDF Drawings and Specifications may be purchased from the Project Manager, by payment of printing and handling costs at the rate of \$10.00 per bid set.

PRE-BID MEETING: A MANDATORY pre-bid meeting will be held on Thursday, NOVEMBER 19, 2015 at 10:00 a.m. local time. The meeting will be held at 7487 South State Road 121, Macclenny, Florida, Northeast Florida State Hospital, Maintenance & Facilities-Building #19

BONDING REQUIREMENTS: See Section B-11 for bid guarantee requirements. See Section C-5 for performance and payment bond requirements.

BID OPENING: Sealed bids will be received, and publicly opened and read aloud at:

DATE: November 30, 2015, Monday

TIME: 10:00 a.m. local time

LOCATION: 7487 South State Road 121, Macclenny, Florida, Northeast Florida State Hospital, Maintenance & Facilities-Building #19

Summary of Work: project is a 90 day duration from signed contract / Notice to Proceed.

- 1. Bid # 1. The sewer line between building # 12 C and the manhole (Clay pipe under asphalt) needs to be lined cast in place (CIP). This will include a two way clean out to be installed in the sidewalk outside of the building (side walk will need to be cut and replaced) with SCH 40 pipe back to where the pipe comes out of the ground under the building. Contractor to verify. Contractor will hold price for 120 days. This work might not happen if determined it is not needed or contract could be signed in March or April 2016.

DEPARTMENT OF CHILDREN AND FAMILIES
P-Trap Replacement, Northeast Florida State Hospital
INVITATION TO BID

Proposals are requested from QUALIFIED STATE CERTIFIED, GENERAL OR PLUMBING CONTRACTORS by the State of Florida, Department of Children and Families, hereinafter referred to as OWNER, for the construction of:

PROJECT NO: DCF - 16235500

TITLE: NEFSH Building # 12 (C) 1 St FLOOR P TRAP REPLACEMENT

SITE: Northeast Florida State Hospital, 7487 South State Road 121, Macclenny, Florida 32063, Building #12.

PREQUALIFICATION: Each prime Bidder shall be state-certified in accordance with Chapter 489, Florida Statutes, as a General or Plumbing Contractor. Bids from firms not able to furnish proof of the required certification are subject to disqualification.

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the Drawings and the General and Technical Specifications, which may be examined and obtained from the Project Manager:

P/M: Florida Department of Children and Families, Office of General Services, Design, and Construction. 1317 Winewood Blvd., Building #3, Room 205-F, Tallahassee, Florida 32399-0700

TEL#: (850)717-4303

E-MAIL: jimmie.padgett@myflfamilies.com

BID DOCUMENTS: PDF Drawings and Specifications may be purchased from the Project Manager, by payment of printing and handling costs at the rate of \$10.00 per bid set.

PRE-BID MEETING: A MANDATORY pre-bid meeting will be held on Thursday, NOVEMBER 19, 2015 at 10:00 a.m. local time. The meeting will be held at 7487 South State Road 121, Macclenny, Florida, Northeast Florida State Hospital, Maintenance & Facilities-Building #19

BONDING REQUIREMENTS: See Section B-11 for bid guarantee requirements. See Section C-5 for performance and payment bond requirements.

BID OPENING: Sealed bids will be received, and publicly opened and read aloud at:

DATE: November 30, 2015, Monday

TIME: 10:00 a.m. local time

LOCATION: 7487 South State Road 121, Macclenny, Florida, Northeast Florida State Hospital, Maintenance & Facilities-Building #19

Summary of Work: project is a 90 day duration from signed contract / Notice to Proceed.

1. Bid # 1 Supply and install sink p trap drains that supply water to the sewer lines we are replacing (first floor only). Contractor to Verify quantity. Contractor will hold bid price for 120 days. This work might not happen if determined it is not needed or contract could be signed in March or April 2016.

DEPARTMENT OF CHILDREN AND FAMILIES
Sewer Line Replacement, Northeast Florida State Hospital
INVITATION TO BID

Proposals are requested from QUALIFIED STATE CERTIFIED, GENERAL OR PLUMBING CONTRACTORS by the State of Florida, Department of Children and Families, hereinafter referred to as OWNER, for the construction of:

PROJECT NO: DCF - 16235500

TITLE: NEFSH Building # 12 (C) SEWER LINE REPLACEMENT

SITE: Northeast Florida State Hospital, 7487 South State Road 121, Macclenny, Florida 32063, Building #12.

PREQUALIFICATION: Each prime Bidder shall be state-certified in accordance with Chapter 489, Florida Statutes, as a General or Plumbing Contractor. Bids from firms not able to furnish proof of the required certification are subject to disqualification.

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the Drawings and the General and Technical Specifications, which may be examined and obtained from the Project Manager:

P/M: Florida Department of Children and Families, Office of General Services, Design, and Construction. 1317 Winewood Blvd., Building #3, Room 205-F, Tallahassee, Florida 32399-0700

TEL#: (850)717-4303

EMAIL: jimmie.padgett@myflfamilies.com

BID DOCUMENTS: PDF Drawings and Specifications may be purchased from the Project Manager, by payment of printing and handling costs at the rate of \$10.00 per bid set.

PRE-BID MEETING: A MANDATORY pre-bid meeting will be held on Thursday, NOVEMBER 19, 2015 at 10:00 a.m. local time. The meeting will be held at 7487 South State Road 121, Macclenny, Florida, Northeast Florida State Hospital, Maintenance & Facilities-Building #19

BONDING REQUIREMENTS: See Section B-11 for bid guarantee requirements. See Section C-5 for performance and payment bond requirements.

BID OPENING: Sealed bids will be received, and publicly opened and read aloud at:

DATE: November 30, 2015, Monday

TIME: 10:00 a.m. local time

LOCATION: 7487 South State Road 121, Macclenny, Florida, Northeast Florida State Hospital, Maintenance & Facilities-Building #19

Summary of Work: project is a 90 day duration from signed contract / Notice to Proceed.

1. Bid # 1. All work will take place at the Northeast Florida State Hospital Building # 12 C. The cast iron sewer lines under Build # 12 C (elevated floor above the ground) needs to be removed and replaced with SCH 40 PVC (APX 500 lf) (contractor to verify). This work will stop where the pipe goes underground. The cast iron pipe underground to the clay pipe that is under the sidewalk is not in this scope of work. Try to reuse the hangers if possible. The toilet floor flanges and piping coming down through the floor do not need replacing. Cut the old pipe as close as possible to the floor and attach new pipe. Clean out sewer line sludge (dry or wet) and put in a sealed drum (protect ground from sludge spill/contamination). After the pipe sludge is removed, put all cast iron pipe in a dumpster and recycle the pipe. Provide documentation to DCF / NEFSH for the recycled pipe. When the drum is 80% full, seal drum and turn over to NEFSH Maintenance Department. This work will also include all ground protection and cleaning material to be placed in a sealed drum when pipe cleaning is completed. Contractor site is to be fenced off and secure.

2. Alternate # 1 is to supply and install sink p trap drains that supply water to the sewer lines we are replacing (first floor only). Contractor Verify quantity. Contractor will hold bid price for 120 days. This work might not happen if determined it is not needed or Alternate could be added in March or April 2016.

Section XII Miscellaneous

AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need

GRACE PERIOD LETTERS OF INTENT

The Agency for Health Care Administration received and accepted the following letters of intent for the November 18, 2015 application filing date for Other Beds and Programs batching cycle:

County: Alachua District: 3-2
Date Filed: 11/04/2015 LOI #: N1510041
Facility/Project: Alachua County HRC, LLC
Applicant: Alachua County HRC, LLC
Project Description: Establish a new community nursing home of up to 103 beds

County: Alachua District: 3-2
Date Filed: 11/04/2015 LOI #: N1510042
Facility/Project: HSP Florida, LLC
Applicant: HSP Florida, LLC
Project Description: Establish a new community nursing home of up to 94 beds

County: Alachua District: 3-2
Date Filed: 11/04/2015 LOI #: N1510043
Facility/Project: PruittHealth - Alachua County, LLC
Applicant: PruittHealth - Alachua County, LLC
Project Description: Establish a new community nursing home of up to 94 beds

County: Brevard District: 7-1
Date Filed: 11/04/2015 LOI #: N1510044
Facility/Project: Melbourne Terrace RCC, LCC
Applicant: Melbourne Terrace RCC, LCC
Project Description: Add up to 30 community nursing home beds

County: Charlotte District: 8-1
Date Filed: 11/04/2015 LOI #: N1510045
Facility/Project: Port Charlotte Rehabilitation Center
Applicant: Deep Creek RNC, LLC
Project Description: Add up to 20 community nursing home beds

County: Lee District: 8-5
Date Filed: 11/04/2015 LOI #: N1510046
Facility/Project: Lee County Development, LLC
Applicant: Lee County Development, LLC
Project Description: Establish a new community nursing home of up to 133 beds

County: Miami-Dade District: 11-1
Date Filed: 11/04/2015 LOI #: N1510047
Facility/Project: Plaza North, Inc.
Applicant: Plaza North, Inc.
Project Description: Establish a new community nursing home of up to 120 beds

If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after December 23, 2015, the date the application is scheduled to be deemed complete. Tentative hearing dates will be published on November 25, 2015.

DEPARTMENT OF HEALTH
Board of Nursing

Notice of Emergency Action

On November 4, 2015, the State Surgeon General issued an Order of Emergency Restriction of License with regard to the license of Denise Johanna Nelson, R.N., License #: RN 9226470. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2015). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH
Board of Nursing

Notice of Emergency Action

On November 4, 2015, the State Surgeon General issued an Order of Emergency Suspension of Certificate with regard to the certificate of Gina M. Albrecht, C.N.A., Certificate #: CNA 222055. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2015). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH
Board of Nursing

Notice of Emergency Action

On November 4, 2015, the State Surgeon General issued an Order of Emergency Suspension of Certificate with regard to the certificate of Nadia E. Stephenson, C.N.A., Certificate #: CNA 283352. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2015). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Section XIII
Index to Rules Filed During Preceding
Week

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