

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-4.0021 Florida Teacher Certification Examinations

PURPOSE AND EFFECT: This rule amendment serves the following purpose:

(1) Adopt new Florida Teacher Certification Examinations (FTCE) competencies and skills, effective August 1, 2015, for the following FTCE examinations:

Preschool Education (Birth–Age 4)

Reading K–12

The effect will be changes to the affected FTCE competencies and skills for the affected examinations.

SUBJECT AREA TO BE ADDRESSED: Florida Teacher Certification Examinations.

RULEMAKING AUTHORITY: 1012.56(9) FS.

LAW IMPLEMENTED: 1012.56 FS.

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

DATE AND TIME: April 24, 2015, 11:00 a.m. – 12:00 Noon

PLACE: Florida Department of Education, Room 422B, 325 West Gaines St. Tallahassee, Florida, 32299, Conference Call: 1(888)670-3525, Conference Code: 4073661188

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Phil Canto, Bureau Chief, Bureau of Postsecondary Assessment, Office of Assessment, Division of Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 414, Tallahassee, FL 32399, (850)245-0513. To submit a comment on this rule development, go to: <https://app1.fldoe.org/rules/default.aspx>

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

DEPARTMENT OF TRANSPORTATION

Florida Seaport Transportation and Economic Development Council

RULE NOS.: RULE TITLES:

14B-1.001 Definitions

14B-1.002 Port Project Funding Application Procedures and Requirements

14B-1.003 Measuring Economic Benefits

14B-1.004 Determination of Funding; Council/Agency Review

14B-1.005 Council Procedures

14B-1.006 Eligible Port Funding Requirements

PURPOSE AND EFFECT: Chapter 14-B1, F.A.C. is being amended to clarify the procedures and criteria for port funding.

SUBJECT AREA TO BE ADDRESSED: Procedures and criteria for port funding.

RULEMAKING AUTHORITY: 311.09(4) FS.

LAW IMPLEMENTED: 311.07, 311.09, 315.02, 320.20 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: Susan Schwartz, Assistant General Counsel, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station #58, Tallahassee, Florida 32399-0458, (850)414-5392, susan.schwartz@dot.state.fl.us

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

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

RULE NO.: RULE TITLE:

65E-4.016 Mental Health Residential Treatment Facilities

PURPOSE AND EFFECT: The purpose of the proposed rule is to update existing licensure requirements for mental health residential treatment facilities, and remove duplicative language found in other applicable statute and rule. The effect will be the simplification of the regulatory process and a decrease in the administrative burden for those seeking a license to operate a mental health residential treatment program.

SUBJECT AREA TO BE ADDRESSED: The proposed rule addresses the requirements for operating a mental health residential treatment program.

RULEMAKING AUTHORITY: 394.879(1) FS.

LAW IMPLEMENTED: 394.67, 394.875, 394.876, 394.877, 394.878, 394.879, 394.90, 394.902, 394.903 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.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Krystle Cacci, Policy Analyst, krystle.cacci@myflfamilies.com, (850)717.4437

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

65E-4.016 Mental Health Residential Treatment Facilities.

(1) Licensure of Mental Health Residential Treatment Facilities. To be licensed as a mental health residential treatment facility an applicant must provide a long term, homelike residential environment that provides care, support, assistance and limited supervision in daily living to adults diagnosed with a serious and persistent ~~major~~ mental illness who do not have another primary residence. Any facility licensed as a residential treatment facility under this rule must sustain a 60 day average or greater length of stay of residents, except as specifically provided for in ~~Section~~ section 394.875(10)(11), F.S. Any facility providing primarily crisis services as defined in Section 394.67(3), F.S., clinical residential services, either during an urgent care episode or during the 90 days following such an episode shall not be licensable under this rule. Residential treatment facilities that primarily provide treatment for eating disorders, weight loss programs, substance abuse or other specialty psychiatric treatment program are excluded from licensure under this rule.

(2) Definitions. The definitions provided in this section are limited to this Rule 65E-4.016, F.A.C.

(a) “Agency” or “AHCA” means the Agency for Health Care Administration.

(b) “Apartment” means a self-contained dwelling unit with kitchen and bathing facilities and living, dining and sleeping space for use by one to four residents who maintain a common household.

~~(c) “CCMS” means the Department of Children and Family Services Continuity of Care Management System.~~

~~(c)(d)~~ “Governing Board” means the individual or individuals responsible for and having authority for the policies, bylaws, operations, and standards of service and activities of the residential treatment facility. If the RTF facility is operated by an organization that delivers comprehensive mental health services, the governing body of such organization shall be considered the RTF’s facility’s governing board. If the RTF facility is owned by a partnership or single owner, the partners or single owner shall be regarded as the RTF’s facility’s governing board.

~~(d)(e)~~ “Department” means the Department of Children and ~~Families~~ Family Services.

~~(e)(f) “Individual Service Plan” or “Service Plan”~~ means the part of the clinical record which outlines a comprehensive strategy for improving a client’s quality of life and ability to function in the community as meaningfully and independently as possible. It identifies goals and objectives and the services and resources necessary to achieve these goals and objectives. The service plan is designed to integrate the efforts and effects of multiple service and resource providers. The case manager and the client develop the service plan in conjunction with family members, service providers and other entities and individuals necessary to its implementation. a document developed by the case manager and resident which depicts service and resource attainment goals and objectives to guide service delivery.

~~(f)(g) “Individual Treatment Plan” or “Treatment Plan”~~ means the individual document or identifiable section of the service plan developed by treatment staff and the client which depicts goals or objectives for the provision of services within specific treatment environments. Examples of treatment environments include, but are not limited to, day treatment, vocational, residential, outpatient and activities of daily living programs. a document or section of the individual service plan developed by residential treatment facility staff or the treatment team and the resident which depicts the goals and objectives relating to skill attainment that need to be accomplished within the facility’s environment.

~~(h) “JCAHO” means the Joint Commission on Accreditation of Healthcare Organizations.~~

~~(g)(i)~~ “Medication Administration” means opening a container of medication, removing a prescribed dosage, and giving the medication to the person for whom it is prescribed. This includes administering injections and eyedrops.

~~(h)(j)~~ “Medication Supervision” means activities which assist an individual to self-medicate. These activities include prompting a resident to take medication, opening containers and reading labels to the resident, and checking the self-administered dosage against the label of the container.

~~(i)(k)~~ “Mental Health Professional” or “Professional” means a clinical psychologist, clinical social worker, physician, psychiatric nurse or psychiatrist as defined in subsection 394.455, F.S.

~~(j)(l)~~ “Mental Illness” is as defined in subsection 394.455(18)(3), F.S.

~~(m)~~ “Office of Health Facility Regulation” means the AHCA program responsible for receiving license applications, coordinating licensure survey activities and issuing or denying the license.

~~(n)~~ “Physician” means a person licensed to practice medicine or osteopathic medicine in Florida.

~~(k)(e)~~ “Peer Review” means the review of a staff member’s professional work by comparably trained and qualified individuals performing similar tasks.

~~(l)(p)~~ “Quality Assurance Program” means a systematic approach designed to evaluate the quality of care provided by an agency and to promote and maintain efficient and effective mental health services.

~~(m)(q)~~ “Rehabilitation” means services and supports that promote recovery, full community integration and improved quality of life for persons diagnosed with any mental health condition that seriously impairs their ability to lead meaningful lives. Rehabilitation services are collaborative, person directed and individualized. They focus on helping individuals develop skills and access resources needed to increase their capacity to be successful and satisfied in the living, working, learning, and social environments of their choice. means an educationally based process which provides the opportunities for mentally ill persons to attain the physical, emotional and intellectual skills needed to live, learn, work or socialize in their own particular environments. The process includes developing the resources needed to support or strengthen their level of functioning in these environments.

~~(n)(r)~~ “Resident” means any individual 18 years of age or older receiving services in any mental health residential treatment facility, program or service.

~~(o)(s)~~ “Residential Treatment Facility,” or “RTF” referenced herein as either RTF or facility, means any building, buildings or distinct, physically separated and separately controlled part of a building, whether operated for profit or not, which meets the criteria defined in subsection 394.67(22)(44), F.S. Short-term residential treatment facilities, regulated under Chapter 65E-12, F.A.C., are excluded from this definition. The criteria which comprise each level of RTF are specified in subsection 65E 4.016(4), F.A.C.

~~(p)(t)~~ “Restraint” means a physical device, method, or drug used to control behavior. A physical restraint is any manual method or physical or mechanical device, material, or equipment attached or adjacent to the individual’s body so that he or she cannot easily remove the restraint and which restricts freedom of movement or normal access to one’s body. A drug used as a restraint is a medication used to control the person’s behavior or to restrict his or her freedom of movement and is not part of the standard treatment regimen of a person with a diagnosed mental illness who is a client of the department. Physically holding a person during a procedure to forcibly administer psychotropic medication is a physical restraint. Restraint does not include physical devices, such as orthopedically prescribed appliances, surgical dressings and bandages, supportive body bands, or other physical holding when necessary for routine physical examinations and tests; or for purposes of orthopedic, surgical, or other similar medical treatment; when used to provide support for the achievement of functional body position or proper balance; or when used to protect a person from falling out of bed. restricting the movement of a person’s limbs, head or body by the use of mechanical or physical devices for the purpose of preventing injury to self or others.

~~(q)(u)~~ “Seclusion” means the physical segregation of a person in any fashion or involuntary isolation of a person in a room or area from which the person is prevented from leaving. The prevention may be by physical barrier or by a staff member who is acting in a manner, or who is physically situated, so as to prevent the person from leaving the room or area. ~~the isolation and containment of residents who pose an imminent threat of physical harm to themselves or others.~~

~~(r)(v)~~ “Self-Preservation” means the ability of a person to perceive danger and take appropriate action to keep safe from injury.

~~(s)(w)~~ “Treatment” means services which are provided to persons, individually or in groups, which include rehabilitation, counseling, supportive therapy, chemotherapy, psychotherapy or any other accepted therapeutic, educational or supportive process.

~~(t)(x)~~ “Utilization Review” means the process of using predefined criteria to evaluate the necessity and appropriateness of services and allocated resources to assure that the program’s services are necessary, cost effective and effectively utilized.

(3) Licensure Procedure. An entity operating as an Every RTF must shall be licensed biennially annually by the Agency AHCA unless specifically excluded from licensure under the provisions of subsection 394.875(35), F.S. Application for licensure shall be made on AHCA Form 3180-5005, February 2015, Health Care Licensing Application Residential

Treatment Facility, which is incorporated by reference and available online at <http://ahca.myflorida.com/MCHQ/Health Facility Regulation/Hospital Outpatient/residential.shtml>.

(a) Buildings that are separated from one another in which a similar level of residential care and treatment is provided, as defined in subsection 65E-4.016(4), F.A.C., may be licensed as one RTF facility under the following circumstances:

1. Such buildings are not separated by another building, part of a building or buildings used for other purposes; and
2. Such buildings are not separated by obstructions that impede the rapid movement of staff between them.

(b) When different levels of residential care and treatment are provided in one building, each level must be licensed as a separate RTF.

(c) License fee. An application fee of \$191.83 per bed shall accompany an application for an initial license, change of ownership or license renewal application. For capacity changes effective during the license period, a \$25 license reprint fee applies. In addition, the application fee for capacity increases shall be the per bed fee for each additional bed to be added to the license. All fees are non-refundable. The fee shall be reasonably calculated annually and adjusted by the agency to cover the cost of regulation. Original License — New construction, new operation or change of licensed operator. Applicants for an original license shall submit completed AHCA Form, 3180 5003 Feb. 96, “Crisis Stabilization Unit, Short Term Residential Treatment Facility and Residential Treatment Facility Licensure Application” effective February, 1996 “Health Care Licensing Application Mental Health Services”, which is incorporated by reference and provided by AHCA. The following supplemental information must be attached to the application:

(d) Accredited Programs. Programs accredited by The Joint Commission (TJC), Commission on Accreditation of Rehabilitation Facilities, (CARF) or Council on Accreditation (COA) shall provide proof of accreditation as required by Section 394.741, F.S. Application for licensure by accredited programs does not preclude monitoring by the Department or managing entity under contract with the Department, the Agency, county public health unit, local fire authority having jurisdiction and fire marshal, and compliance with the provisions of these rules.

(e) Initial License – New construction, new operation or reapplications of an expired license. The applicant shall provide all the information required by Chapter 408, Part II, Sections 394.875, 394.876, F.S., and Chapter 59A-35, F.A.C. The following additional documentation shall be attached to the application:

1. Program narrative which contains the following:

a. List of services provided, including a description of each service;

b. Staffing pattern description, including the hours and days of on-premises and on-call staff coverage, and the number and types of staff on duty for each shift; and

c. Resident population description, based minimally on the criteria in subsection 65E-4.016(4), F.A.C., that are applicable to the level of RTF for which the licensure application is being submitted.

~~2. Proof of compliance with Section 394.4572 and 408.809, F.S. Table of Organization, including all management levels between the RTF and the governing board.~~

~~3. Proof of liability insurance coverage from an authorized insurer in the amount no less than \$300,000 per occurrence with a minimal annual aggregate of not less than \$1,000,000. Resume of the RTF manager.~~

~~4. Affidavit of compliance with Section 381.0035, F.S. Fiscal information, including a balance sheet and a statement projecting revenues, expenses, taxes, extraordinary items and other credits and charges for the licensure year.~~

~~5. Proof of liability insurance coverage from a licensed insurer in an amount not less than \$300,000 per occurrence with a minimal annual aggregate of not less than \$1,000,000.~~

~~56. Copy of a satisfactory current fire safety inspection report completed within the last 365 days by the local fire authority having jurisdiction or the local fire marshal certificate.~~

~~67. Copy of a satisfactory sanitation inspection report completed within the last 365 days by the local county public health unit current health inspection certificate.~~

~~78. For Level I and II RTFs facilities, a signed statement from the appropriate government official that the RTF facility has met applicable local zoning requirements.~~

~~89. Proof of current JCAHO accreditation by the Joint Commission; Council on Accreditation (COA); or Commission on Accreditation of Rehabilitation Facilities (CARF) if applicable.~~

~~(d) A newly developing facility will be provided a 90-day probationary license after the completed application has been verified for compliance with Rule 65E 4.016, F.A.C. The probationary period may be extended for an additional 90 days if the applicant has substantially complied with the requirements for licensure, and if action has been initiated to satisfy all of these requirements.~~

~~(f)(e) License Renewal License.~~

1. An applicant for license renewal of a license shall submit a complete application that meets the requirements of Section 408.806, F.S. and Chapter 59A-35.060, F.A.C. The following additional documentation shall be submitted with the application: apply to AHCA no later than 90 days before expiration of the current license.

a. Proof of liability insurance coverage from an authorized insurer in the amount no less than \$300,000 per occurrence with a minimal annual aggregate of not less than \$1,000,000.

b. Copy of a satisfactory fire safety inspection report completed within the last 365 days by the local fire authority having jurisdiction or the local fire marshal.

c. Copy of a satisfactory sanitation inspection report completed within the last 365 days by the local county public health unit.

d. Affidavit of compliance with Section 381.0035, F.S.

e. For RTFs accredited by an accrediting organization listed in 65E-4.016(3)(c), provide a copy of the current accreditation report. The accreditation report shall include any citations to which the accrediting organization requires a response, the RTF's response to each citation and the accreditation award letter. The accreditation report must be submitted only if a new accreditation period has been awarded since the initial application or last renewal application was filed with the Agency.

~~2. Applicants for renewal of a license to operate a facility shall submit an application that meets the requirements of paragraph 65E-4.016(3)(a), F.A.C.~~

~~(f) License Fee. An annual non refundable license fee shall be submitted with the application for licensure. The fee shall be reasonably calculated annually to cover the cost of regulation. The formula for calculating this fee is the cost of Office of Health Facility Regulation positions for the process of surveying crisis stabilization units, short term residential treatment facilities, and residential treatment facilities for licensure divided by the total number of crisis stabilization units, short term residential treatment facilities, and residential treatment facility beds times the number of beds in the facility applying for licensure.~~

~~(f) Change of Ownership. The license, AHCA Form 3180-5001 Feb. 96, effective February, 1996, which is incorporated by reference, shall be displayed in a conspicuous location inside the facility. For Levels III, IV, and V such license may be held available for inspection at the administrative offices of the facility or the organization which operates the facility.~~

1. An applicant for initial licensure due to a change of ownership must submit a complete application that meets the requirements of Sections 408.806, and 408.807, F.S. and Rules 59A-35.060 and 59A-35.070, F.A.C.

2. The Agency will process the change of ownership application according to the requirements of Chapter 408, Part II, F.S. and Chapter 59A-35, F.A.C.

3. The information required by paragraphs (3)(e)1-7 of this section shall be submitted with the application.

4. A copy of the closing documents, which must include an effective date and the signatures of both the buyer and the seller must be received by the Agency before a license will be issued.

(g) The license shall be displayed in a conspicuous location inside the RTF. For Levels III, IV, and V, such license may be made available for inspection at the administrative offices of the RTF or the organization which operates the RTF.

(4) Residential Treatment Facility Licensure Classifications.

(a) Level IA. A Level IA RTF facility provides a structured group treatment setting with 24 hours per day, 7 days per week supervision for residents who have major skill deficits in activities of daily living and independent living, and are in need of intensive staff supervision, support and assistance. Nursing services are provided on this level but are limited to medication administration, monitoring vital signs, first aid, and individual assistance with ambulation, bathing, dressing, eating and grooming.

1. Resident Eligibility Criteria. Persons who enter Level I RTFs facilities must meet the following minimum criteria:

a. Diagnosed as having mental illness;

b. Age 18 or older;

c. Ambulatory or capable of self-transfer;

d. Able to participate in treatment programming and services;

e. Free of major medical conditions requiring ongoing 24 hours per day, 7 days per week nursing services;

f. Assessed as having the potential, with staff supervision, to self-administer medication, maintain personal hygiene, and participate in social interaction; and

g. Does not exhibit chronic inappropriate behavior which disrupts the RTF's facility's activities or is harmful to self or others.

2. Staffing Pattern. Level IA RTFs facilities must maintain a minimum of 1-10 staff to resident ratio with never less than 2 staff on the premises at all times. There must be 24 hours per day, 7 days per week nursing supervision, provided minimally by a licensed practical nurse under the direction of an on-call licensed physician or registered nurse.

(b) Level IB. Level IB RTFs facilities shall meet all Level IA criteria with the exception of fire safety requirements. Level IB fire safety requirements are specified in sub-subparagraph 65E-4.016(17)(b)2.a., F.A.C.

(c) Level II. A Level II RTF facility provides a structured group treatment setting with 24 hour per day, 7 days per week supervision for five or more residents who range from those who have significant deficits in independent living skills and need extensive supervision, support and assistance to those

who have achieved a limited capacity for independent living, but who require frequent supervision, support and assistance.

1. Resident Eligibility Criteria. A person who enters Level II RTFs facilities, in addition to meeting the eligibility criteria specified in Level I, must meet the following criteria:

- a. Able to administer ~~Self administers~~—medication with staff supervision,
- b. Able to maintain ~~Maintains~~ personal hygiene and grooming with staff supervision,
- c. Able to initiate ~~Initiates~~ and participate ~~participates~~—in social interaction with staff supervision,
- d. Able to perform ~~Performs~~—assigned household chores with staff supervision, and
- e. Is capable of self-preservation in accordance with subparagraph 65E-4.016(17)(b)2., F.A.C.

2. Staffing Pattern. Level II RTFs facilities—must maintain a minimum of 1:15 ~~1-15~~ staff to resident ratio with never less than one staff on the premises when residents are present during normal waking hours. During normal sleeping hours, a minimum of 1:22 ~~1-22~~ staff to resident ratio is required. The RTF facility must have procedures to mobilize additional staff 24 hours daily in the event of emergency need.

(d) Level III. A Level III RTF facility—consists of collocated apartment units with an apartment or office for staff who provide on-site assistance 24 hours per day, 7 days per week. The RTF facility may be comprised of a block of apartments within a large apartment complex. The residents served in this RTF facility have a moderate capacity for independent living.

1. Resident Eligibility Criteria. A person who enters Level III RTFs facilities, in addition to meeting the criteria specified in Levels I and II, must meet the following criteria:

- a. Able to administer ~~Self administers~~ and monitor ~~monitors~~ own medication with minimal prompting,
- b. Able to perform ~~performs~~ household chores with minimal prompting,
- c. Able to maintain ~~Maintains~~ personal hygiene and grooming with minimal prompting,
- d. Able to utilize ~~Utilizes~~—recreational and social resources with staff encouragement,
- e. Able to utilize ~~Utilizes~~ community transportation systems,
- f. Able to manage ~~Manages~~ income with assistance, and
- g. Able to express ~~Expresses~~ problems and concerns to appropriate persons.

2. Staffing Pattern. Level III RTFs facilities must maintain a minimum 1:15 ~~1-20~~ staff to resident ratio with never less than one staff on the premises when residents are present during normal waking hours. During normal sleeping hours, a

minimum of 1:22 ~~1-40~~ staff to resident ratio is required. The RTF facility must have procedures to mobilize additional staff 24 hours daily in the event of emergency need.

(e) Level IV. A Level IV RTF facility provides a semi-independent, minimally structured group setting for 4 or more residents who have attained most of the skills required for independent living and require minimal staff support.

1. Resident Eligibility Criteria. A person who enters Level IV RTFs facilities, in addition to meeting the eligibility criteria specified in Levels I, II and III, must demonstrate proficiency in performing at least the following skills without daily supervision:

- a. Able to administer ~~Self administers~~ and monitor ~~monitors~~ own medications,
- b. Able to perform ~~Performs~~ household chores and activities,
- c. Able to maintain ~~Maintains~~ personal hygiene and grooming,
- d. Able to manage ~~Manages~~ income,
- e. Able to utilize ~~Utilizes~~ recreational and social resources,
- f. Able to procure ~~Procures~~ food and other items necessary to maintain a household,
- g. Able to prepare ~~Prepares~~ meals either individually or cooperatively, and
- h. Able to utilize ~~Utilizes~~—community transportation systems.

2. Staffing Pattern. Level IV RTFs facilities may have less than 24 hours per day, 7 days per week on-premises supervision; however, on-call staff must be available at all times. Staff shall have a minimum of weekly on-premises contact with residents.

(f) Level V. A Level V RTF facility provides a semi-independent, minimally structured apartment setting for 1 to 4 residents who have attained adequate independent living skills and require minimal staff support. The apartments in this setting are owned or leased by the service provider and rented to residents. All apartments on this level that are operated by a service provider, regardless of location, shall be considered the premises of the RTF facility.

1. Resident Eligibility Criteria. Persons who enter Level V RTFs facilities, in addition to meeting the eligibility criteria specified in Levels I, II and III, must demonstrate proficiency in performing at least the following skills:

- a. Able to administer ~~Self administers~~ and monitor ~~monitors~~ own medications,
- b. Able to perform ~~Performs~~ household chores and activities,
- c. Able to maintain ~~Maintains~~ personal hygiene and grooming,

- d. ~~Able to manage~~ Manages income,
- e. ~~Able to utilize~~ Utilizes recreational and social resources,
- f. ~~Able to procure~~ Procures food and other items necessary to maintain a household,
- g. ~~Able to prepare~~ Prepares meals either individually or cooperatively, and
- h. ~~Able to utilize~~ Utilizes community transportation system.

2. Staffing Pattern. Level V ~~RTFs facilities~~ may have less than 24 hours per day, 7 days per week on-premises staff; however, on-call staff must be available at all times. Staff shall have a minimum of weekly on-premises contact with residents.

(5) Program Reviews, Evaluations and Consultations.

(a) ~~Representatives of the Alcohol, Drug Abuse and Mental Health Program Office; AHCA; and Substance Abuse and Mental Health regional offices or designees District Alcohol, Drug Abuse and Mental Health Program Office;~~ shall provide consultation and conduct ~~annual~~ reviews and evaluations, ~~or more~~ as necessary, of ~~all~~ RTFs to determine compliance with rules and standards.

(b) RTFs shall afford representatives of the ~~Department Alcohol, Drug Abuse and Mental Health Program Office; AHCA; and Substance Abuse and Mental Health regional office or designee and District Alcohol, Drug Abuse and Mental Health Program Offices;~~ access to the ~~RTF facility~~ and the documentation necessary for conducting the reviews required to determine compliance with this rule and all other applicable rules and statutes.

(6) Organization and Administration.

(a) Governing Board Responsibilities. The governing board of each RTF shall be responsible for policies, by-laws, operations and standards of service.

(b) Administrative Management.

1. Each RTF Level I, II, and III shall have a manager who is responsible for its daily operations.

2. RTFs shall comply with Chapter 394, F.S., ~~and all other applicable Florida Statutes; Part II of Chapter 408, F.S.,~~ all applicable sections of Chapters 65E-4 and 65E-14, F.A.C.; and Chapter 59A-35, F.A.C. ~~all other applicable Florida Administrative Rules.~~

3. RTFs shall develop and maintain all records required by Chapter 394, F.S., and applicable administrative rules.

(c) Personnel Policies, Records, and Practices.

1. Personnel policies and procedures shall be developed and provided to each employee.

2. There shall be a written description for each position in the ~~RTF facility~~. Position descriptions shall include the following:

- a. Functions,
 - b. Responsibilities,
 - c. Supervision, and
 - d. Minimum academic and experience requirements.
3. Confidential personnel records shall be maintained for each employee of the residential program. These records shall contain minimally the following information:
- a. Qualifications for the position;
 - b. Verified pre-employment references;
 - c. Evaluation of performance on at least an annual basis;
 - d. Dates and subjects of in-service training and attendance at conferences, workshops and other relevant activities;
 - e. Beginning date of employment; ~~and~~
 - f. Date and reason for separations; ~~and-~~
 - g. Documentation that the individual has been fingerprinted and screened, if appropriate, in accordance with Section 394.4572, F.S.

4. Each RTF shall post a weekly schedule of work hours.

5. The ~~RTF's facility's~~ personnel recruitment and selection process shall ensure that there is no discrimination based on race, color, religion, gender, disability, national origin, age, marital status, political affiliation, or sexual orientation. ~~because of race, creed, color, age, sex, national origin, or political affiliation.~~

6. The RTF shall make available to employees a written orientation to the program's operation, a copy of their current job description, a copy of this rule and a copy of patient's rights. The receipt or availability of this information shall be documented in personnel records.

(d) Staff Composition, Organization and Coverage.

1. Organization. RTFs shall have a written organizational plan for the administrative and direct services staff which clearly explains the responsibilities of the staff for services provided by the program. The plan shall also include lines of authority, accountability and communication.

2. RTFs shall have direct or telephone access to at least one mental health professional ~~as defined in subsection 394.455(2), F.S.,~~ 24 hours a day, 7 days a week. ~~If the professional is not a psychiatrist, The the RTF facility~~ shall also arrange for the regular, consultative and emergency services of a psychiatrist licensed to practice in Florida.

a. Back-up coverage shall be provided by staff trained to handle acute problems on a 24 hours per day, 7 days per week on-call basis.

b. Staffing patterns shall be no less than required by the level for which a ~~RTF facility~~ is licensed.

3. Staff Development. Staff development and education programs shall be planned and conducted on a regular and continuing basis. Documentation of these sessions shall include date, subject, attendance and instructor. Attendance at

professional workshops and conferences should also be documented and placed in employees' personnel records.

(7) Resident Eligibility Criteria.

(a) To be eligible for admission to a RTF facility, a person shall meet the minimum criteria required by the level for which a RTF facility is licensed.

(b) Additional eligibility criteria may be developed if such criteria are needed to ensure ~~insure~~ that individuals admitted by the RTF facility are compatible with the RTF's facility's capability to serve them, or to further delineate the minimum skills or behaviors that a person needs to function in the RTF's facility's environment.

(8) Continuity of Care.

(a) A ~~CCMS~~ case manager shall be assigned to each resident in a publicly funded RTF. In addition to the requirements specified in Rules 65E-4.014 and ~~Chapter~~ 65E-15, F.A.C., the RTF resident's case manager shall be responsible for the following:

1. Providing to RTF staff a copy of the individual service plan and any amendments to the plan;
2. Providing to RTF staff the assessment information needed to determine a resident's eligibility and the information needed to develop the individual treatment plan;
3. Providing to RTF staff ongoing information regarding the resident's progress in other settings and any other factor which may assist in the treatment or rehabilitation process;
4. Providing assistance to RTF staff in relating treatment goals to the environment in which the resident will live after the completion of treatment; and
5. Coordinating discharges from residential treatment to the least restrictive level of care possible with the resident, RTF staff, family members, and significant others as permitted by the resident. Residential placement as needed.

(b) RTF staff shall be responsible for the following activities:

1. Providing to the case manager a copy of the individual treatment plan and any amendments to the plan;
2. Reporting to the case manager the resident's progress in achieving treatment goals;
3. Attending case management conferences as needed;
4. Informing the case manager of any changes in the resident's status or condition that may affect other services the resident receives or may require the case manager's intervention; and
5. Providing to the case manager a discharge, termination or transfer summary as appropriate.

(9) Intake. The intake criteria specified in this subsection shall apply to either a freestanding RTF or to one which first admits a resident if such RTF is part of a system of residential care and treatment. The following assessment and evaluation

information shall be obtained or developed by the RTF in order to determine a resident's eligibility. Each RTF, using nationally accepted accrediting standards for guidance, shall adopt written professional standards of quality, accuracy, completeness, and timeliness for all diagnostic reports, evaluations, assessments, and examinations, provided to residents. RTFs shall monitor the implementation of those standards to assure the quality of all diagnostic products.

(a) Physical Assessment.

1. For each resident accepted into a RTF facility from a state mental health treatment facility ~~state institution~~, a medical summary consisting minimally of a problem list, current status, significant lab reports and a copy of the most recent physical examination shall have preceded the resident to the program. The medical summary shall be placed in the resident's record.

2. If a physical examination has not been completed within 60 days prior to the resident's admission to the RTF, the examination shall be initiated within 24 hours of the admission. A licensed physician, licensed physician's assistant or licensed advanced registered nurse practitioner shall complete the examination within 30 days. The medical report shall be placed in the resident's record.

3. Physical examination requirements ~~minimally~~ shall include:

- a. A medical history, including responses to medication, physical diseases and physical disabilities ~~handicaps~~;
- b. The date of the last physical examination;
- c. A description of physical status, including diagnosis and any functional limitation;
- d. Recommendations for care, including medication, diet and therapy; and,
- e. To the extent possible, a determination of the presence of a communicable disease.

(b) Psychiatric or psychological assessment.

~~(e) Mental status examination.~~

~~(c)(d)~~ Psychosocial assessment and history which shall minimally include ~~includes~~:

1. Presenting problems, strengths, needs, and self-management skills; Developmental problems, including past experiences that may have affected development
2. Resident's assessment of his or her personal situation and goals Peer group relationships and activities;
3. Biological factors including history of head injuries, illnesses, and developmental issues Social skills and deficits;
4. Psychological factors including history of trauma and response, risk assessment and coping styles, and substance use Past and present relationship with family and community;
5. Social factors including family history and resident's role within the family, formal and informal supports,

recreational interests, religious/spiritual practices, financial resources, and cultural influences ~~Prior placement settings;~~

6. Legal, vocational, and educational history and current status ~~Recreational experiences, activities and interests;~~

7. Treatment history including interventions and supports that have been helpful ~~Expectations and role of the family in the treatment process;~~

8. Mental health status examination ~~Psychiatric history, including any previous treatment and the reason for termination;~~

9. Summary of findings and diagnostic impression ~~Vocational history; and~~

10. Treatment recommendations ~~Educational history.~~

(10) Admission.

(a) Each resident, within 24 hours of admission to a RTF facility, shall be provided an orientation which includes ~~minimally~~ the following:

1. Explaining the RTF's facility's services, activities, performance expectations, rules and regulations, including providing to the resident written RTF facility rules;

2. Familiarizing the resident with the RTF's facility's premises, the neighborhood and public transportation systems;

3. Scheduling the resident's activities; and

4. Explaining resident rights and grievance procedures; ~~except to residents who have transferred from another facility within the same system and are familiar with their rights and grievance procedures.~~

(b) The following documentation shall be placed in the resident's file:

1. A signed statement by the resident or guardian that the resident has received an orientation which meets the minimum required criteria specified in subsection 65E-4.016(10)(a), F.A.C., of this rule;

2. ~~A signed statement that the resident has either read or has been explained facility rules;~~

23. A signed statement by the resident or guardian indicating the resident's financial obligations to the RTF facility and the person responsible for meeting such obligations;

34. For incompetent residents, a statement identifying and locating the guardian of record, legal guardian or court ordered custodian with responsibility for medical and dental care and signed consent for treatment from such person;

45. Written arrangements for phone calls, visits, and, when indicated, family participation in the treatment process;

56. Written arrangements for clothing, allowances and gifts; and

67. For forensic residents, a copy of any court order, charges pending and any other legal status documents and procedures to be followed if the resident leaves the program without approval.

(11) Assessment and Treatment Planning. RTF clinical staff or the treatment team shall begin within 72 hours of admission and complete within 30 days of admission a functional assessment and individual treatment plan for each resident. Interventions which are needed to assist the resident's improve functioning ~~remedy serious deficits~~ shall not be delayed until the assessment and individual treatment plan are completed.

(a) Assessment. The functional assessment shall determine the resident's ability to utilize the skills needed to live function successfully in the RTF environment, and shall identify any obstacles to the resident's learning or using such skills.

(b) Treatment Planning.

1. Treatment goals or objectives shall be identified with the resident, achievable, have a reasonable time frame for achievement, be written in terms understandable to the resident and guardian, and be stated in terms of measurable and observable changes.

2. The treatment plan shall be developed with and signed by the resident or guardian. If the resident or guardian refuses to sign, the reason for this, if determinable, must be documented in the case record.

3. ~~RTF staff or~~ The the treatment team shall review the treatment plan at least monthly and note this in the record.

4. ~~RTF staff or~~ The the treatment team shall update and revise the treatment plan with the resident or guardian when goals or objectives are accomplished or when additional resident ~~deficits which are in need of intervention~~ needs are identified requiring intervention. The treatment plan shall be updated at least every 60 days for facility Levels I, II and III and at least every 120 days for facility Levels IV and V.

5. Family members, guardians or significant others shall be included in treatment planning, treatment, and discharge planning to the extent permitted or requested by the resident ~~and when the staff has determined that such participation will be in the best interests of the resident.~~

(12) Treatment Services and Activities. RTFs shall provide an environment that supports a culture of recovery and individual empowerment. RTF practices shall be sensitive to persons with a history of trauma. The types and intensity of services provided shall be based on the client's clinical status and goals, community resources, and preferences and promote personal growth and development, and prevent deterioration or loss of ability ~~services and activities which are adaptable to the individual needs of residents, promote personal growth and development, and prevent deterioration or loss of ability.~~

(a) Policy and Procedures Manual. Each RTF shall have a policy and procedures manual which guides its services and activities. The manual shall be periodically reviewed at least

annually and revised as the needs of individual residents or the ~~living~~ group change, and shall be available to staff and residents.

(b) Social and Recreational Activities. RTFs shall provide or refer residents to recreational and social activities during the hours they are not involved in other planned or structured activities. Recreational and social activities shall be planned with resident participation and posted in a conspicuous location.

(c) Religious Activities. Opportunity shall be provided for all residents to participate in religious services and other religious activities within the framework of their individual and family interests.

(d) Resident Tasks. A resident may be assigned tasks related to RTF facility operation, including but not limited to cooking, laundering, housekeeping and maintenance, only if such tasks are in accordance with the treatment plan and are done with staff supervision.

(e) Physical Health Care Services.

1. A RTF facility shall have available, whether within its organizational structure or by written agreements, procedures or contracts with ~~outside~~ health care clinicians or facilities, a full range of services for the treatment of illnesses and maintenance of general health.

2. Staff shall have a basic knowledge of and receive training in the health needs and problems of residents.

3. Direct service staff shall report resident illnesses and significant physical dysfunctions in a timely manner to the resident's ~~organization's~~ physician and note such in the resident's record.

(f) Medication. RTFs shall have written policies and procedures regarding the following aspects of medication management.

1. Storage.

a. No prescription drug shall be kept in the RTF facility unless it has been legally dispensed and labeled for the person for whom it is prescribed.

b. Residents may keep their medication in a secure place in their room, except when such medication is required to be personally carried for frequent or emergency use.

c. Medication may be centrally stored under the following conditions:

(I) If the preservation of medicines requires refrigeration;

(II) When medication is determined and documented by the physician to be hazardous if kept in the personal possession of the person for whom it was prescribed;

(III) If the resident is forgetful or disoriented and is not capable of taking medications as prescribed; or

(IV) When, because of physical arrangements and the conditions or habits of other persons in the program, the medications are determined by the RTF facility manager, nurse or physician to be a safety hazard to others.

d. Centrally stored medications shall be:

(I) Kept in a locked cabinet or other locked storage receptacle:

(II) Accessible only to the staff responsible for distribution of medication; and

(III) Located in an area free of dampness and abnormal temperatures, except in the case of a medication requiring refrigeration.

e. Each container of medication shall be labeled according to state law.

f. Prescription medications which are not taken with the person upon terminating residence shall be returned to a responsible relative or a guardian, or if none exists, given to a pharmacist to destroy. Notation of drug disposition shall be entered in the resident's record.

g. Staff not licensed by the State of Florida to administer medication may assist a resident in the self-administration of medication by:

(I) Obtaining the medication from the centrally stored or other location;

(II) Reminding the resident that it is time for the medication to be administered;

(III) Preparing the necessary paraphernalia, such as water, juice, cups, spoons, and medicine cups;

(IV) Steadying arm, hand or other parts of the resident's body;

(V) Returning to the medication container unused doses of solid medication not used by the resident; and

(VI) Returning the medication container to the centrally stored or other location.

2. Distribution of Centrally Stored Medication.

a. A staff person who has access to and is responsible for the distribution of centrally stored medication shall be available at all times.

b. Staff may distribute medication only to the person for whom it is prescribed.

3. Medication Administration.

a. Professionals licensed to administer medications in accordance with Chapter 464, F.S., may administer medications in accordance with the physician's directions.

b. A licensed practical nurse may administer medications when under the direction of a registered nurse, a licensed physician, or a licensed dentist who minimally must be accessible by telephone.

(g) Emergency Services. All direct service staff shall be provided training to handle emergency medical and mental health situations.

1. RTFs shall have written policies and procedures regarding handling and reporting of emergencies. Such policies and procedures shall be reviewed at least annually by all staff.

2. RTFs shall not use seclusion.

3. ~~RTFs shall not use restraints. With the exception of half bed rails used under the prescription and supervision of a physician, RTFs shall not use restraints.~~

4. A minimum of one RTF staff member per shift shall maintain current first aid and CPR certification.

5. Each RTF shall have training and procedures for managing aggressive behavior.

6. First aid kits shall be available to ~~RTF facility~~ staff at all times. Contents of the first aid kits shall be selected by the staff ~~or~~ and consulting medical personnel and shall include items designed to meet the needs of the RTF facility.

7. RTFs shall have written policies and procedures for obtaining emergency diagnosis and treatment of dental problems.

8. RTFs shall have written policies and procedures for providing emergency medical and psychiatric care.

a. There shall be written, posted procedures which clearly specify who is available and authorized to provide necessary emergency psychiatric or medical care and how to arrange for referral or transfer to another facility, including ambulance arrangements, when necessary.

b. RTFs shall transfer residents who pose an imminent physical danger to themselves or others to an appropriate provider of crisis services as defined in section 394.67 (3), F.S. and document all such transfers in the resident's medical record. In the case of a forensic resident, the RTF shall notify the referring court, as applicable acute care facility.

~~(I) RTFs shall develop and maintain written transfer procedures, including a cooperative agreement with appropriate acute care facilities.~~

~~(II) RTFs shall maintain a registry of all transfers to acute care facilities and shall notify the referring court in the case of forensic residents, if appropriate.~~

9. Emergency Reports and Records.

a. RTFs shall report to the ~~appropriate district administrator and~~ guardian and significant others and case manager, with appropriate consent, any serious occurrence involving a resident outside the normal routine of the residential program such as abduction, abuse, assault, accident, contraband, illness requiring hospitalization, sexual abuse, suicide, death and homicide.

b. The reporting of all critical unusual incidents shall comply with departmental incident reporting procedures as prescribed in CF-OP 215-6 HRSR-215-6, "Incident Reporting

and Analysis System (IRAS) Incident Reporting and Client Risk Prevention," April July 1, 2013 1994, which is incorporated herein by reference.

(13) Discharge, Termination and Transfer.

(a) A discharge, termination or transfer summary shall be included in the resident's record.

(b) If required by the court, the program shall obtain court approval for the discharge of forensic residents and submit to the court any required reports.

(14) Resident Rights. The legal and civil rights of residents shall be safeguarded.

(a) Residents shall be informed of their rights, including the right to legal counsel and all other requirements of due process. Receipt of such information shall be documented by the signatures of the resident or guardian and maintained in the medical record.

(b) RTFs shall be administered in a manner that protects the resident's rights, life and physical safety.

(c) RTFs shall post abuse and neglect phone numbers and the Disability Rights Florida District Human Rights Advocacy Committee (HRAC) phone number in a conspicuous area.

(d) The RTF's facility's space and furnishings shall enable the staff to provide appropriate supervision while respecting the resident's right to privacy.

(e) Each RTF facility shall have written policies and procedures which allow resident communication and visits with family members and other visitors when such visits do not interfere with treatment activities. Such policies and procedures shall be provided to the resident and family and updated when changes occur.

1. If treatment interventions require restriction of communication or visits, as set forth in the program's policies and procedures, treatment staff shall evaluate these restrictions at least weekly for their effectiveness and continuing need. Such restrictions shall be subject to the provisions of Chapter 65E-5, F.A.C., documented and signed by the RTF facility manager, and placed in the resident's record.

2. Restriction of communication or visits required for practical reasons, including the expense of travel or telephone calls, shall be determined with the resident's family or guardian.

(f) The resident's opinions and recommendations shall be considered in the development and continued evaluation of the facility and its operations. The facility shall have written policies and procedures for receiving and responding to resident communications concerning its program.

(g) RTFs shall have written policies concerning resident grievance procedures.

(h) Residents shall not be subjected to remarks which ridicule them, their families or others.

(i) RTFs shall ~~not suspend~~ ~~have written procedures for~~ suspending residents from the RTF facility which are approved by the governing board and the district administrator.

(j) RTFs shall not exploit a resident or require a resident to make public statements acknowledging gratitude to the program.

(k) Residents shall not be required to perform at public gatherings.

(l) RTFs shall not use identifiable pictures of a resident without written consent from the resident or guardian. Before any such pictures are used, a signed consent form indicating how they will be used shall be placed in the resident's record.

(m) Residents shall be allowed to wear their own clothing as appropriate.

1. Training and assistance in the selection and proper care of clothing shall be available.

2. Clothing shall be suited to the climate.

3. Clothing shall be in good repair, of proper size and similar to the clothing worn by the resident's peers in the community.

(15) Resident Records.

(a) ~~RTF's or organizations operating RTF's~~ Policies and Procedures for Resident Records. A freestanding facility or an organization operating a facility shall have written policies and procedures regarding resident records in accordance with Rule 65E-4.014, F.A.C. that include the following:

~~1. Resident records shall be confidential, current and accurate.~~

~~2. Resident records shall be stored in a locked room or container.~~

~~3. The information in resident records shall be safeguarded against loss, defacement, tampering or use by unauthorized persons.~~

~~4. Confidentiality of the information contained in a resident's record and communication between staff members and residents shall be protected as stated in Section 394.4615, F.S., and Chapter 65E 5, F.A.C. Records may only be removed from the jurisdiction and safekeeping of the facility or the organization operating a facility according to written policies and procedures as required by law.~~

~~5. Records may only be removed from the jurisdiction and safekeeping of the facility or the organization operating a facility according to written policies and procedures as required by law.~~

~~6. Each RTF shall provide training in verbal and written confidentiality requirements to all staff as part of new staff orientation and ongoing staff development.~~

~~(b) Maintenance of Records.~~ Each freestanding facility or organization operating a facility shall have a master filing system which includes a comprehensive record of each resident's involvement in every aspect of the program.

~~(b)1-~~ Level I, II and III RTFs facilities operating under an organization that maintains a master filing system not on the RTF premises shall, in lieu of the master resident record, maintain for each resident a record at the RTF that contains minimally the following information:

1.a Demographic information,

2.b Psychosocial assessment,

3.e ~~Medical Health~~ assessment,

4.d Current medication profile,

5.e Individual treatment plan and plan amendments,

6. Service plan.

7.f Emergency contact sheet, and

8.g Progress notes.

~~(c)2-~~ RTFs or organizations that operate RTFs shall adopt policies regarding the storage, disposal or destruction of resident records that protect against disclosure of confidential information in compliance with Chapter 119 and 267, F.S. ~~Resident records shall be maintained minimally for 7 years after the date of the last entry.~~

~~3. Resident record services shall be directed, staffed and equipped to facilitate processing, checking, indexing, filing, retrieval and review of all resident records.~~

~~4. There shall be adequate space, equipment and supplies, compatible with the needs of the resident record services, to enable the personnel to function effectively and to maintain clinical records readily accessible.~~

(16) Program Evaluation.

(a) Quality Assurance.

1. RTFs shall have or be part of an established quality assurance program with written policies and procedures in accordance with Rule 65E-4.014, F.A.C. that include the following:

~~a. Composition of review committees,~~

~~b. Case review procedures,~~

~~c. Criteria and standards used in the review process and procedures for their development, and~~

~~d. Procedures to assure dissemination of the results and corrective action.~~

2. Each quarter a peer review and a utilization review shall be conducted which ensure at a minimum that:

a. Resident admissions are appropriate;

b. Services are delivered in the least restrictive environment possible;

c. Resident rights are protected;

d. When permitted by the resident, the resident's family or significant others are involved in resident assessment, treatment planning and discharge planning;

e. Service plans are individualized, comprehensive and relevant to residents' needs;

f. Minimum standards for resident records are met;

g. Minimum therapeutic dosages of medication are prescribed and appropriately administered;

h. Medical emergencies are handled appropriately;

i. Critical Incidents ~~Specialty cases~~ such as suicides, death, violence, staff abuse, and resident abuse are reviewed;

j. All critical ~~major~~ incident reports are reviewed;

k. The length of stay for each resident is appropriate;

l. Supportive services are ordered and obtained as needed;

m. Continuity of care is provided; and

n. Delay in receiving services is minimal.

(b) The program shall conduct an annual review of program effectiveness, program goals, policies, procedures and ~~service~~ treatment provision.

(c) All program evaluation and review information shall be made available to the Department ~~department~~, upon request, within the limits of confidentiality pursuant to Section 394.459(9), F.S.

(17) RTF Facility Standards.

(a) Building Construction Requirements.

1. The construction and renovation of a RTF facility shall comply with the provisions of Chapter 553, F.S., Building Construction Standards.

2. Sewage, including liquid wastes from cleaning operations, shall be disposed of in a public sewage system or other approved sewage system in accordance with Chapter 64E-6, F.A.C., Standards for Onsite Individual Sewage Treatment and Disposal Systems ~~Facilities~~.

3. All sanitary facilities shall comply with the requirements of Chapter 64E-10, F.A.C.

4. All plumbing shall comply with the plumbing code legally applicable to the area where the RTF facility is located.

5. The water supply must be adequate, of safe and sanitary quality and from an approved source in accordance with Chapters 64E-4 and 62-550, F.A.C., Drinking Water Standards, Monitoring, and Reporting.

6. Heat shall be supplied from a central heating plant or by a heating system which meets with applicable fire safety codes.

7. RTFs Facilities and additions shall be constructed to allow full compliance with the provisions of paragraph 65E-4.016(17)(b), F.A.C.

(b) Health and Safety.

1. Disaster Preparedness.

a. The RTF facility shall have or operate under a safety committee with a safety director or officer who is familiar with the applicable local, state, federal and National Fire Protection Association safety standards. The committee's

functions may be performed by an ~~already~~ existing committee or governing board subcommittee with related interests and responsibilities.

b. The RTF facility shall have or be a part of a written internal and external disaster plan, developed with the assistance of qualified fire, safety and other experts.

(I) The plan shall identify the availability of fire protection services and provide for the following:

(A) Use of the fire alarm;

(B) Transmission of the alarm to the fire department;

(C) Response to the alarm;

(D) Isolation of the fire;

(E) Evacuation of the fire area, with posted evacuation routes;

(F) Preparation of the building for evacuation; and

(G) Fire extinguishment.

(II) The plan shall be made available to all facility staff and posted in appropriate areas within the RTF facility.

(III) There shall be records indicating the nature of disaster training and orientation programs offered to staff.

2. Fire Safety.

a. RTFs shall comply with all applicable federal, state and local fire safety standards.

(I) For RTF facility Level IB, which may have no more than three residents incapable of self-preservation, and for RTF facility Levels II, III, IV, and V, which may have no residents incapable of self-preservation, each resident record shall have a signed statement by a physician or licensed psychologist regarding the resident's capability of self-preservation.

(II) RTF Facility Levels IB, II, III, IV, and V shall have a prompt evacuation capability.

b. Level IV and V RTFs facilities shall have a written policy on the safe use of extension cords and adapters. The use of extension cords and adapters is prohibited in Level I, II and III RTFs facilities.

c. Electrical cords and appliances shall be maintained in a safe condition.

d. Portable heating devices shall be used only in emergency situations as defined in agency procedures approved by the governing board.

e. Flammable liquids or gas cylinders shall not be positioned near flame or heat sources, nor stored with combustible materials.

f. Emergency Power. The RTF facility shall provide egress lighting that will operate in the event of a power failure.

g. Smoking. The program shall have a written policy governing smoking in the RTFs facilities.

(I) The smoking policy shall be conspicuously posted and made known to all residents, staff and visitors.

(II) Smoking shall be prohibited in any area of the RTF facility where combustible supplies, materials, liquids or gases are in use or stored.

(III) Ambulatory residents shall not be permitted to smoke in bed.

(IV) Unsupervised smoking by residents confined to bed shall be prohibited.

(V) Wastebaskets and ashtrays shall be made of noncombustible materials, and wastebaskets shall not be used as ashtrays.

h. Fire Safety Inspections.

(I) A fire safety inspection must be obtained before occupying any new physical RTF facility or addition.

(II) The program shall secure, on a yearly basis or as required by statute, a documented fire safety inspection, including an inspection of electrical equipment.

(III) A report of the most recent fire inspection must be kept on file and accessible to authorized individuals.

3. Personal Safety.

a. The grounds and all buildings on the grounds shall be maintained in a safe and sanitary condition, as required in Chapter 386, F.S., Nuisances Injurious to Health.

b. The building shall be free of hazards such as cracks in the floors, walls, or ceiling; warped or loose boards, tile, linoleum, handrails or railings; and broken window panes or missing window screens.

c. Protection shall be provided from sharp or jagged projections, "invisible" glass, moving parts, heated surfaces, heavy objects that could fall, or any other potentially hazardous condition.

d. The RTF facility shall be free of unsafe accumulations of possessions, including equipment and supplies of residents, staff or owner.

e. Grab bars shall be nonremovable.

f. The temperature of the hot water supply shall be regulated and shall be between 105°-115° at the outlet.

g. Any electrical fans, except ceiling paddle fans, shall be screened. All electrical fans, including paddle fans, shall be placed in a safe location.

h. All potentially dangerous or toxic substances shall be stored in a cabinet or enclosure, away from food or other areas that could constitute a hazard to the residents.

i. If for clinical reasons access to potentially dangerous grooming aids or other personal articles is contraindicated for residents in Level I, II and III RTFs facilities, staff shall explain to the resident the conditions under which the articles may be used and shall document the clinical rationale for these conditions in the resident's record. If clinically indicated, the personal articles of residents in RTF facility Levels I, II and III may be kept under lock and key by staff. Such actions shall be reviewed weekly for effectiveness and continued need.

j. The RTF facility shall develop and enforce policies pertaining to the maintenance, supervision and safe use of any special activity areas or equipment.

(I) Indoor and outdoor recreational areas shall be provided with safeguards designed for the needs of the residents.

(II) Outdoor recreational areas shall be well drained and kept free of litter and trash.

(III) If swimming pools are available in RTFs facilities with eight or more residents, such pools shall be supervised at all times when they are in use.

k. Security. The RTF facility shall develop a written policy which includes procedures that provide security for residents, staff and visitors, consistent with the conditions and risks associated with the RTF's facility's location.

4. Health and Sanitation.

a. Appropriate health and sanitation inspection certificates shall be obtained before occupying any new physical location facility or addition, and at least yearly or as required by statute, thereafter. A report of the most recent inspection must be on file and accessible to authorized individuals.

b. Hot and cold running water under pressure shall be readily available in all washing, bathing and food preparation areas.

c. Garbage, Trash and Rubbish Disposal.

(I) All garbage, trash, and rubbish from residential areas shall be collected daily and taken to storage facilities. Garbage shall be removed from storage facilities frequently enough to prevent a potential health hazard or at least twice per week. Wet garbage shall be collected and stored in impermeable, leakproof, fly-tight containers pending disposal. All containers, storage areas and surrounding premises shall be kept clean and free of vermin.

(II) If public or contract garbage collection service is available, the RTF facility shall subscribe to these services unless the volume makes on site disposal feasible. If garbage and trash are disposed of on premises, the method of disposal shall not create sanitary nuisance conditions.

d. Pets and Live Animals.

(I) The RTF facility shall formulate a policy regarding the availability and care of pets and other animals consistent with the requirements of good health, sanitation and local ordinances.

(II) Live animals shall not be allowed in the kitchen or food service areas while food is uncovered or exposed.

e. The kitchen and food preparation area shall be well-lighted, ventilated and located apart from areas which could cause food contamination. All doors and windows in the kitchen and food preparation areas that open to the outside shall be screened.

f. The floors, walls, shelves, tables, utensils and equipment in all rooms where food or drink is stored, prepared

or served or where utensils are washed shall be kept clean and in repair. Stored food shall be protected from vermin, rodents and other contamination.

(c) Food Service.

1. For food service areas with a capacity of 13 or more residents, all matters pertaining to food service shall comply with the provisions of Chapter 64E-11, F.A.C.

2. Third Party Food Service. When food service is provided by a third party, the provider shall meet all conditions stated in this section, and shall comply with Chapter 64E-11, F.A.C. There shall be a formal contract between the ~~RTF facility~~ and provider containing assurances that the provider will meet all food service and dietary standards imposed by this rule. Sanitation reports and food service establishment inspection reports shall be on file in the ~~RTF facility~~.

3. Staff.

a. The ~~RTF facility~~ or organization which operates the ~~RTF facility~~ shall be responsible for the supervision of food service staff.

b. The staff shall perform their duties in a safe and sanitary manner, be knowledgeable of foods that meet regular diets and participate in continuing in-service education on at least an annual basis. A minimum of one staff member from each ~~RTF facility~~ or organization which operates the ~~RTF facility~~ serving food shall have on staff a Certified Food Manager in compliance with Department of Health requirements. A list of approved test providers may be located at <http://www.floridahealth.gov/healthy-environments/food-safety-and-sanitation/food-manager.html>. ~~complete the Food Service Management Training Course at the county public health unit.~~

c. All employees shall wear clean garments and keep their hands clean at all times while engaged in preparing or serving food and drink.

d. Staff and residents engaging in the preparation and service of food shall use effective restraints to keep hair from food and contact surfaces.

e. No person having a communicable disease in the transmittable stage or who is a carrier of organisms that may cause a communicable disease shall prepare or serve food for others.

f. Duty assignments shall be posted in the kitchen area in ~~RTFs facilities~~ having three or more food service staff.

4. Diet and Nutrition. The ~~RTF facility~~ shall have policies and procedures to assure proper nutritional care of its residents, whether the food is prepared by residents, staff or a third party.

a. For residents who need therapeutic diet services, a physician's order for each diet and the meal pattern, including types and amounts of food to be served, shall be on file.

Therapeutic diets shall be prepared and served as ordered by the physician. Staff shall insure that residents on special diets follow the physician's orders.

b. Regular diets shall meet the nutritional needs of residents.

c. An up-to-date diet manual, such as the Diet Manual of the Florida Academy of Nutrition and Dietetics ~~Dietetic Association, Inc.~~, shall be used as the standard reference in planning regular and therapeutic diets.

d. The dietary allowances shall be met by offering a variety of foods adapted to the food habits, preferences and physical abilities of the residents and prepared by the use of standardized recipes.

e. For ~~RTFs facilities~~ serving 3 meals a day, no more than 14 hours shall elapse between the end of an evening meal and the beginning of a morning meal containing a protein food. Intervals between other meals shall not be less than 4 hours and not more than 6 hours.

f. Group ~~RTFs facilities~~ shall plan menus at least 1 week in advance for regular and therapeutic diets. The menus shall be dated and posted where easily viewed by residents, corrected as served, and kept on file for 6 months.

5. Food Preparation, Sanitation and Storage.

a. All food and drink shall be clean, wholesome, free from spoilage and prepared so as to be safe.

b. Group ~~RTFs facilities~~ shall maintain a 1-week supply of non-perishable food, based on the number of weekly meals the program serves.

c. Food shall be served attractively and at safe temperatures.

d. Sufficient and appropriate eating ware shall be on hand.

e. Schedules for cleaning of equipment, storage and work areas shall be in writing and on file.

f. Reports of sanitation inspections shall be on file, showing corrections of any deficiencies.

g. After each use, all non-disposable eating and drinking utensils shall be thoroughly cleansed with hot water and an effective detergent, rinsed free of such solution and sanitized.

h. All food and drink at risk of spoilage shall be kept at or below 45° F, or above 140° F, except when being prepared or served.

i. Each refrigerator or freezer used for storage of perishable foods shall be provided with an accurate indicating thermometer located in the warmest part toward the front side of the refrigerator or freezer so that the temperature can be easily and readily observed.

j. Freezers should be kept at or below 0° F.

6. Dining.

a. Dining tables shall seat small groups of residents unless other arrangements are justified on the basis of resident needs.

b. Dining rooms in Level I or II ~~RTFs facilities~~ shall be adequately supervised and staffed to provide assistance to residents when needed and to assure that each resident receives an adequate amount of and variety of food.

c. The dining area shall be suitably lighted, ventilated and furnished.

(d) Environment.

1. The facility shall establish an environment that enhances the positive self-image of residents and preserves their human dignity.

a. ~~RTFs Residential facilities~~ shall not be identified by an exterior sign or vehicle sign that labels ~~its the~~ residents or special functions ~~of the facility~~.

b. Vehicle traffic and parking relating to the ~~RTF facility~~ shall be similar to that of surrounding structures or residences.

c. Residences and grounds shall be furnished in a manner similar to a normal home living environment.

2. The grounds of the ~~RTF facility~~ shall have adequate space for resident activities.

3. The ~~RTF facility~~ shall be accessible to individuals with physical disabilities ~~handicapped persons~~ or the ~~RTF facility~~ shall have written policies and procedures that describe how ~~handicapped~~ individuals with physical disabilities can gain access to the facility for necessary services.

4. Areas that accommodate the following shall be available:

- a. A full range of social activities;
- b. Private conversations;
- c. Group activities; and
- d. Resident privacy, when appropriate.

5. All areas of the ~~RTF facility~~ occupied by residents shall be climatically controlled in a manner conducive to the comfort and privacy of the residents.

a. A temperature of at least 72° F shall be maintained during waking hours in all areas used by residents. During hours when residents are normally asleep, a temperature of at least 68° F shall be maintained. These temperature requirements apply unless otherwise mandated by federal or state authorities.

b. Temperatures of all inside areas of buildings used by residents shall not exceed 85° F.

c. When cooling devices are used, they shall be placed or adjusted in a manner which minimizes drafts.

6. Drinking water shall be readily available and easily accessible to residents.

7. Mirrors reasonably free of distortion shall be placed in appropriate places to aid in grooming and to enhance self-awareness.

8. Clocks and calendars shall be provided to promote awareness of time and day.

9. The use of door locks or closed sections of the building shall comply with all applicable safety standards.

10. Clean, well-lighted and ventilated laundering facilities for resident use shall be available on the premises or in the immediate neighborhood.

11. A telephone which allows private conversations shall be available and easily accessible within the ~~RTF facility~~.

12. ~~RTF Facility~~ lighting shall promote clear perceptions of people and functions. When and where appropriate, lighting shall be controlled by residents.

13. Whenever feasible, the environment shall provide views of the outdoors.

14. Books, magazines, newspapers, arts and crafts materials, radios and televisions shall be available in accordance with residents' recreational, cultural and educational backgrounds and needs.

15. Bedrooms.

a. All resident bedrooms shall be ventilated, well-lighted and located convenient to a bathroom.

b. Resident bedrooms designated for single occupancy shall provide a minimum inside measurement of 80 square feet of usable floor space.

c. Resident bedrooms designated for multiple occupancy shall provide a minimum inside measurement of 60 square feet of usable floor space per bed and be limited to four occupants.

d. All resident bedrooms shall open directly into a corridor, a common use area or the outside, except in those ~~RTFs facilities~~ comprised of apartments.

e. Each resident bedroom where furnishings are supplied by the ~~RTF facility~~ shall be furnished with at least the following equipment per resident:

(I) Personal storage space such as dressers, chests or wardrobes;

(II) Upon request, a table and comfortable chair;

(III) Adequate space for hanging clothes; and

(IV) A clean, comfortable bed in good repair with a mattress that is clean and free of odors, stains, rips, tears or lumpy stuffing, and is not less than 36 inches in width and 72 inches in length, with the top surface of the mattress at a comfortable height to assure easy access by residents; and

(V) Bedding appropriate to the seasons, including a pillow, pillow case, sheets, blankets and spread.

f. The placement of residents in a bedroom shall be appropriate to their ages, developmental levels and clinical needs and to meet the goals of the ~~RTF facility~~.

g. Sleeping areas shall be assigned on the basis of the residents' needs for group support, privacy or independence.

h. Bedroom doors shall not have vision panels.

i. Residents shall be allowed to keep and display personal belongings and to add personal touches to the decoration of their rooms. The ~~RTF facility~~ shall have written policies to govern the appropriateness of such decorative display.

j. Each resident will be provided a place in which personal belongings may be securely stored.

16. Bathrooms.

a. A toilet and lavatory facility shall be provided for every six residents, and toilets shall be equipped with seats.

b. A minimum of one tub or shower facility, equipped with non-slip devices, shall be provided for every eight residents.

c. Bathrooms shall be ventilated, adequately lighted and have clearly labeled hot and cold running water.

d. Each bathroom shall have a door in working order to assure privacy.

e. When there is more than one toilet or bathing facility in a bathroom, provisions are required for privacy.

f. Bathrooms used by ~~physically handicapped~~ residents with physical disabilities shall be equipped to ensure safety and independent mobility.

g. Sole access to toilet or bathing facilities shall not be through another resident's sleeping room, except in facilities comprised of apartments.

17. Common Living Areas.

a. A room, separate from sleeping areas, shall be provided where residents may read or engage in socialization or other leisure time activities.

b. A minimum of 35 square feet of living and dining space per resident shall be provided by all facilities except those comprised of apartments. This space shall include living, recreational and other space designated accessible to residents, but shall not include bathrooms, corridors, storage space, or screened porches which cannot be adapted for year round use. Facilities with bedrooms which include living space may count the square footage that is in excess of the bedroom square footage requirements as part of the 35 square footage living and dining space requirements.

(e) Housekeeping and Maintenance.

1. Housekeeping.

a. The ~~RTF facility~~ shall have written policies and procedures for maintaining a clean and sanitary environment, including the following:

(I) The proper use, cleaning and care of equipment;

(II) The proper use of housekeeping and cleaning supplies;

(III) Appropriate techniques for evaluating the effectiveness of cleaning; and

(IV) The roles of staff and residents in maintaining a clean and safe environment.

b. Furniture and furnishings shall be clean and reasonably attractive.

c. Odors shall be controlled by appropriate sanitation practices, effective cleaning procedures and proper use of ventilation.

d. The ~~RTF facility~~ shall be free of unsafe or unsightly clutter or accumulations of possessions, equipment or supplies.

e. Bedding shall be kept clean and free of odors or stains.

(I) Mattresses and pillows shall be sanitized between uses by different residents.

(II) Blankets and bedspreads shall be washed or dry cleaned at least quarterly.

(III) Bed linens shall be washed at least weekly, or more frequently if necessary.

2. Maintenance.

a. The interior and exterior of buildings shall be reasonably attractive and in good repair. Loose, cracked or peeling wallpaper shall be promptly replaced, repaired or removed and the exposed area repainted to provide a satisfactory finish.

b. The ~~RTF facility~~ grounds shall be maintained in a safe and reasonably attractive manner.

c. Furniture and furnishings shall be kept in good repair.

d. All heating, air conditioning, electrical, mechanical, plumbing and fire protection systems shall function properly.

Specific Authority 394.879(1) FS. Law Implemented 394.67, 394.875, 394.876, 394.877, 394.878, 394.879, 394.90, 394.902, 394.903 FS. History—New 2-27-86, Amended 7-29-96, Formerly 10E-4.016, Amended 12-20-98, _____

Section II
Proposed Rules

DEPARTMENT OF FINANCIAL SERVICES

Division of Accounting and Auditing

RULE NOS.: RULE TITLES:

69I-20.001 Registration

69I-20.0021 Procedures for Filing Claim

PURPOSE, EFFECT & SUMMARY: These rules are being amended to clarify the statutory requirements under section 717.135, Florida Statutes, for filing claims; remove unnecessary language; and repealing an obsolete form.

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

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

RULEMAKING AUTHORITY: 717.138 FS.

LAW IMPLEMENTED: 92.525, 717.1201, 717.124, 717.12403, 717.12404, 717.12405, 717.1242, 717.1243, 717.125, 717.126, 717.1261, 717.1262, 717.135, 717.1351, 717.139, 717.1400 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: Wednesday, May 6, 2015, @ 9 AM

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Phillip Carlton @ (850)413-5570 or Phillip.Carlton@MyFloridaCFO.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Phillip Carlton, Assistant Bureau Chief, Bureau of Unclaimed Property, Division of Accounting and Auditing, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0356 or (850)413-5570 or Phillip.Carlton@MyFloridaCFO.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69I-20.001 Registration.

~~Sections 717.117(8) and 717.1400, F.S., require that, in~~ In order to file claims as a Claimant’s Representative, acquire ownership or entitlement to unclaimed property, and receive a distribution of fees and costs from the Department, private investigators licensed to practice in the State of Florida,

certified public accountants licensed to practice in the State of Florida and attorneys licensed to practice in the State of Florida must register with the Department.

(1) To register with the Bureau of Unclaimed Property a private investigator licensed to practice in the State of Florida must file a duly completed and ~~verified executed~~, Form DFS-A4-2010, Application for Registration as an Unclaimed Property Claimant Representative – Florida Private Investigator, effective 10-13-10, and must provide the documents specified in the form.

(2) To register with the Bureau of Unclaimed Property a certified public accountant licensed to practice in the State of Florida must file a duly completed and ~~verified executed~~, Form DFS-A4-2009, Application for Registration as an Unclaimed Property Claimant Representative – Florida Certified Public Accountant, effective 10-13-10, and must provide the documents specified in the form.

(3) To register with the Bureau of Unclaimed Property an attorney licensed to practice in the State of Florida must file a duly completed and ~~verified executed~~, Form DFS-A4-2008, Application for Registration as an Unclaimed Property Claimant Representative – Florida Attorney, effective 10-13-10, and must provide the documents specified in the form.

(4) No Change.

Rulemaking Authority 717.138 FS. Law Implemented 92.525, 717.124, 717.135, 717.1351, 717.1400 FS. History-New 1-3-05, Amended 10-13-10,_____.

69I-20.0021 Procedures for Filing Claim.

(1) through (4) No Change.

(5) Claims Filed by Other than Apparent Owners.

(a) No Change.

(b) Form DFS-UP-107 shall be manually signed and dated by the claimant and accompanied by the following:

1. through 4. No Change.

5. If applicable, the original Purchase Agreement signed and dated by the owner and the buyer pursuant to ~~section~~ Section 717.1351, F.S.

6. Full disclosure must be provided in accordance with section 717.135, F.S ~~on a duly completed and executed, Form DFS UP 143, Florida Department of Financial Services Full Disclosure Form, which is hereby incorporated by reference, effective 1-3-05. The original disclosure form must be filed with the Department. The disclosure form and the purchase agreement must be signed and dated on the same day.~~

(6) Claims Filed by Claimant's Representative.

(a) All claims for unclaimed property filed by a Claimant's Representative shall be submitted on Form DFS-UP-108, entitled Claim Filed by Claimant's Representative on Behalf of the Claimant, which is hereby incorporated by reference, effective 1-3-05.

(b) Form DFS-UP-108 shall be manually signed and dated by the person(s) filing the claim and accompanied by the following:

1. Original ~~Power of Attorney Recovery Agreement~~ signed and dated by the claimant ~~and the Claimant's Representative~~ pursuant to ~~section~~ Section 717.135, F.S.

2. No Change.

3. Personal identification of the person(s) for whom payment is sought as provided in subsection 69I-20.0022(2), F.A.C. When ownership is claimed by an entity, personal identification of the entity representative is also required as provided in subsection 69I-20.0022(2), F.A.C., and must be filed, unless the entity is an active corporation.

4. No Change.

(c) Claimant's Representative Fee Caps.

1. The ~~Power of Attorney Agreement between the claimant and the Claimant's Representative~~ shall reflect the total fee charged by the Representative for the account(s) listed on the claim form and the ~~Power of Attorney Recovery Agreement~~.

2. The ~~Power of Attorney Agreement between the claimant and the Claimant's Representative~~ shall contain either full disclosure or fee caps.

3. Full disclosure must be provided in accordance with section 717.135, F.S. on a duly completed and executed, Form DFS UP 143, Florida Department of Financial Services Full Disclosure Form, which is hereby incorporated by reference, effective 1-3-05. The original disclosure form must be filed with the Department. The disclosure form and the recovery agreement must be signed and dated on the same day.

4. If the ~~Power of Attorney Agreement between the claimant and the Claimant's Representative~~ contains fees that exceed statutory caps, the Department will deny the claim.

5. Fees will be paid when the value of all approved accounts associated with the ~~Power of Attorney Agreement~~ have been determined as follows:

a. through c. No Change.

6. Contracts for the recovery of small estate accounts pursuant to ~~section~~ Section 717.1243, F.S., by Estate Affidavit (Form DFS-UP-1243), in lieu of probate, are subject to ~~section~~ Section 717.135(1), F.S.

(d) As used in this Section, "Power of Attorney" means the written limited power of attorney agreement pursuant to section 717.135, F.S.

(7) through (10) No Change.

Rulemaking Specific Authority 717.138 FS. Law Implemented 92.525, 717.1201, 717.124, 717.12403, 717.12404, 717.12405, 717.1242, 717.1243, 717.125, 717.126, 717.1261, 717.1262, 717.135, 717.1351, 717.139 FS. History—New 3-20-91, Amended 3-13-96, 3-18-96, 1-18-99, 1-5-00, 4-16-02, Formerly 3D-20..0021, Amended 1-3-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Phillip Carlton, Assistant Bureau Chief, Bureau of Unclaimed Property, Division of Accounting and Auditing, Department of Financial Services

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 19, 2014

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NOS.:	RULE TITLES:
69J-8.002	Definitions
69J-8.004	Qualification and Certification of Neutral Evaluators
69J-8.006	Notice of Program
69J-8.007	Request for Evaluation
69J-8.008	Selection of Neutral Evaluator
69J-8.009	Evaluation Process

PURPOSE AND EFFECT: The proposed rulemaking repeals Rule 69J-8.004, F.A.C., because it is not needed since the standards for neutral evaluators are now in section 627.7074, F.S. Subsection 69J-8.008(2), F.A.C., is amended to require insurers to contact claimants within 3 business days of notice of a request for neutral evaluation, and copy the department on the correspondence to the claimant. Subsection (9) of section 69J-8.008, F.A.C., is added to impose a duty on neutral evaluators to disclose conflicts of interest within 3 business days of assignment. Subsection (5) is added to Rule 69J-8.009, F.A.C., to require disclosure of professionals used by a neutral evaluator and conflicts of interest associated with those professionals. Technical changes are also made.

SUMMARY: Neutral evaluator standards are repealed because the standards are now set forth in statute. A three business day limit is imposed on insurers to contact claimants after notice of a request for neutral evaluation. The three business day deadline is also imposed on neutral evaluators to disclose conflicts of interest. Disclosure of conflicts of interest with professionals used by a neutral evaluator is also required.

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: None of the changes are expected to cause significant economic impact.

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: 627.7074(18) FS.

LAW IMPLEMENTED: 627.7074 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: Tuesday, May 12, 2015, 9:30 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tasha Carter @ (850)413-5800 or Tasha.Carter@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tasha Carter, Director, Division Consumer Services, Department of Financial Services, 200 E. Gaines Street, Room 518A, Larson Building, Tallahassee, FL 32399-0321, (850)413-5800 or Tasha.Carter@myfloridacfo.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69J-8, F.A.C.: Alternative Procedure for Resolution of Disputed Sinkhole Insurance Claims

69J-8.002 Definitions.

When used in this chapter, and ~~section~~ ~~Section~~ 627.7074, F.S., the following terms are defined as follows:

(1) through (8) No Change.

Rulemaking Authority 627.7074(18) FS. Law Implemented 627.7074 FS. History—New 11-4-07, Amended 12-26-13, Amended.

69J-8.004 Qualification and Certification of Neutral Evaluators.

Rulemaking Authority 627.7074(18) FS. Law Implemented 627.7074 FS. History—New 11-4-07, Amended 12-26-13, Repealed.

69J-8.006 Notice of Program.

Insurers shall provide the notice of the right to participate in the program, required by subsection 627.7074(3), F.S., in writing. The insurer shall also provide the pamphlet, Settling Your Sinkhole Claim: Where to Find Help, Form Number DFS-I4-1788, (Revised: 1/2015), (~~Revised: 10/2013~~), which is hereby incorporated by reference. The pamphlet may be provided electronically or by United States mail. The pamphlet may be obtained online at the following website: <http://www.myfloridacfo.com/Division/Consumers/Mediation/documents/SettlingSinkholeClaim.pdf>.

Rulemaking Authority 627.7074(18) FS. Law Implemented 627.707, 627.7074 FS. History—New 11-4-07, Amended 12-26-13, _____.

69J-8.007 Request for Evaluation.

(1) A person wishing to request neutral evaluation pursuant to subsection 627.7074(4), F.S., shall make a request to the department by:

(a) Submitting their request online at the following website: <https://apps.fldfs.com/eservice/MediationInfo.aspx>; or by

(b) Mailing their request to the Department of Financial Services, Mediation Section, Bureau of Education, Advocacy, and Research, 200 East Gaines Street, Tallahassee, FL 32399-4212, using the form, Sinkhole Insurance Claims Request For Neutral Evaluation, Form Number DFS-I4-1784, (Revised: 1/2015), (~~Revised: 10/2013~~), which is hereby incorporated by reference; or by faxing the form to the department at + (850)488-6372. The form may be obtained online at the following website: <http://www.myfloridacfo.com/consumers/mediation/docs/SinkholeInsuranceClaimRequest.doc>, or by calling the department at + (850)413-5818.

(2) Neutral evaluation may be requested for any sinkhole loss claim for which a report was prepared pursuant to ~~section~~ ~~Section~~ 627.7073, F.S.

(3) No Change.

Rulemaking Authority 627.7074(18) FS. Law Implemented 627.7074 FS. History—New 11-4-07, Amended 12-26-13, _____.

69J-8.008 Selection of Neutral Evaluator.

(1) No Change.

(2) The insurer shall contact the policyholder or its representative and the parties shall attempt to reach an agreement on selection of a neutral evaluator. The insurer shall contact the policyholder to attempt to reach an agreement in writing within 3 business days of the date notified of the neutral evaluation request. The insurer shall provide a copy of its written correspondence to the Department at the same time written contact is made to the policyholder. If the parties come to mutual agreement on the selection of a neutral evaluator,

both parties shall so inform the department, in writing, by emailing such information to the following email address: NeutralEvaluation@MyFloridaCFO.com.

(3) No Change.

(4) When informed that the selection of a neutral evaluator could not be agreed upon by the parties, or if the parties fail to contact the department within the 14 business day time period, the department shall conditionally assign ~~select~~ a neutral evaluator by rotating sequentially through the list of willing neutral evaluators who do not currently have a neutral evaluation report outstanding for more than 14 days after holding a neutral evaluation conference.

(5) The department will inform the parties of the selection.

~~(6)(5)~~ The department shall allow the parties to submit requests to disqualify evaluators on the list for cause. Parties who wish to disqualify evaluators for cause shall submit their request immediately, or as soon as the cause is known. The department will confirm the reason for disqualification for cause with the neutral evaluator.

~~(6) The department will inform the parties of the selection.~~

(7) Either party may disqualify the selection without cause by emailing the department at NeutralEvaluation@MyFloridaCFO.com, notifying the department electronically or by facsimile within 3 business days after receipt of the notice of selection ~~by email or facsimile~~, or within 6 business days after receipt if notice of selection is sent by U.S. mail ~~or other means~~.

(8) Each party may disqualify up to 2 neutral evaluators without cause.

(9) Upon expiration of the timeframe within which to disqualify the selection, the department shall notify the neutral evaluator of the conditional assignment. The neutral evaluator must acknowledge confirmation of assignment and provide information regarding known conflicts within 3 business days of assignment. Failure to provide information regarding known conflicts within the required timeframe will result in the withdrawal of the assignment and the department shall conditionally assign another neutral evaluator by rotating sequentially through the list of willing neutral evaluators who do not currently have a neutral evaluation report outstanding for more than 14 days after holding a neutral evaluation conference.

Rulemaking Authority 627.7074(18) FS. Law Implemented 627.7074 FS. History—New 11-4-07, Amended 12-26-13, _____.

69J-8.009 Evaluation Process.

(1) No Change.

(2) The evaluation proceeding shall take the form of an informal conference, and shall not be subject to rules of

procedure or evidence applicable in a court or administrative proceeding. The neutral evaluator and all representatives of the parties must be allowed reasonable access to the interior and exterior of insured structures to be evaluated or for which a claim has been made.

(3) All parties shall submit to the neutral evaluator copies of all reports related to the claim, including those prepared pursuant to ~~sections~~ Sections 627.7072 and 627.7073, F.S., at least 7 days prior to the neutral evaluation conference of the property. The neutral evaluator shall give each party the opportunity to submit evidence, testimony, or other information which is reasonably expected to assist the neutral evaluator in determining the existence, nature, and scope of a sinkhole loss, and the nature, extent, and cost of repair and remediation. Any report initiated by policyholder, or an agent of the policyholder, confirming a sinkhole loss or disputing another sinkhole report must be provided to the neutral evaluator prior to his or her physical inspection of the insured property. The neutral evaluator shall not be required to accept or consider any submission of information under this section after the completion of the neutral evaluation conference.

(4) No Change.

(5) The neutral evaluator may utilize other professionals during the course of the neutral evaluation in accordance with subsection 627.7074(11), F.S. The neutral evaluator is to notify the Department of the professionals utilized and confirm no known conflicts exist between the professionals and the parties.

~~(6)(5)~~ The parties may settle the claim at any time. If a settlement is reached prior to the conclusion of the neutral evaluation, the parties will notify the neutral evaluator and the department in writing, and the evaluation will be cancelled. If the settlement is cancelled and either party decides to re-submit their request for neutral evaluation, the previously confirmed evaluator shall continue as the assigned evaluator and complete the neutral evaluation.

~~(7)(6)~~ The neutral evaluator shall conclude the proceeding upon settlement of the claim or at any point that the neutral evaluator reasonably determines that settlement is not likely to be facilitated by the continuation of the proceeding.

~~(8)(7)~~ If the proceeding is concluded without reaching a settlement, the neutral evaluator shall prepare and file the report required under subsection 627.7074(2), F.S., on the form adopted in Rule 69J-8.011, F.A.C., below.

~~(9)(8)~~ As neutral evaluators are deemed by statute to be agents of the department, they shall not use any company letterhead on any reports, invoices, or other documents submitted or circulated to the department or the parties in connection with any neutral evaluation.

Rulemaking Authority 627.7074(18) FS. Law Implemented 627.7074 FS. History—New 11-4-07, Amended 12-26-13, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Tasha Carter, Director, Division Consumer Services,
 Department of Financial Services
 NAME OF AGENCY HEAD WHO APPROVED THE
 PROPOSED RULE: Jeff Atwater, Chief Financial Officer,
 Department of Financial Services
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: February 23, 2015
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAR: December 19, 2014

Section III
**Notice of Changes, Corrections and
 Withdrawals**

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NOS.: RULE TITLES:
 64B24-2.001 Licensure to Practice Midwifery
 64B24-2.003 Licensure by Examination
 64B24-2.004 Licensure by Endorsement

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 40 No. 65, April 3, 2014 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NOS.: RULE TITLES:
 64B24-4.006 Curriculum Guidelines and Educational
 Objectives
 64B24-4.010 Four-month Pre-licensure Course

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 40 No. 65, April 3, 2014 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NO.: RULE TITLE:
 64B24-8.002 Disciplinary Action and Guidelines

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 41 No. 21, February 2, 2015 issue of the Florida Administrative Register has been withdrawn.

Section IV
Emergency Rules

NONE

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

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

On April 9, 2015, the Division issued an order. The Final Order was in response to a Petition for a Variance from Anastasia Condominium, filed March 12, 2015, and advertised on March 20, 2015, in Vol. 41, No. 55, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.3.1 ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a), F.A.C., that requires a means of access for authorized personnel shall be provided to all pits because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2015-064).

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

Section VI

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER
SERVICES**

Division of Agricultural Environmental Services

The Fertilizer Subcommittee announces a public meeting to which all persons are invited.

DATE AND TIME: May 7, 2015, 10:00 a.m.

PLACE: IFAS Plant Science Research and Education Center, 2556 West Highway 318, Citra, Florida 32113 or via GoToMeeting at <https://global.gotomeeting.com/join/262273637>, 1(877)309-2070, Access Code: 262-273-637

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Subcommittee discusses and makes enhancement recommendations to the Agricultural Feed, Seed and Fertilizer Advisory Council regarding turnaround times for laboratory analyses of fertilizer samples.

A copy of the agenda may be obtained by contacting: The Bureau of Licensing and Enforcement, (850)617-7997 or from the Council website at <http://consensus.fsu.edu/AFSFAC/index.html>.

For more information, you may contact: Ms. Kelly Friend, Chief, Bureau of Licensing and Enforcement, 3125 Conner Boulevard, Building 8, Tallahassee, Florida 32399-1650, (850)617-7997, Kelly.Friend@FreshFromFlorida.com.

DEPARTMENT OF TRANSPORTATION

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

DATES AND TIMES: May 5, 2015, 1:00 p.m. until conclusion of business; May 6, 2015, 9:00 a.m. until conclusion of business

PLACES: May 5, 2015: Port Manatee, 300 Tampa Bay Way, Palmetto, FL; May 6, 2015: Lakewood Ranch Town Hall, 8175 Lakewood Ranch Blvd., Lakewood Ranch, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: May 5, 2015: FTC Workshop; May 6, 2015: FTC Meeting.

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, Florida 32399 or phone: (850)414-4105.

STATE BOARD OF ADMINISTRATION

The Florida Commission on Hurricane Loss Projection Methodology announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 22, 2015, 9:00 a.m. – 4:00 p.m., ET

PLACE: Room 116, Hermitage Conference Room, 1801 Hermitage Blvd., Tallahassee, Florida

Persons wishing to participate by phone may dial: 1(888)670-3525, conference code: 7135858151

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will review model revisions and consider the acceptability of Applied Research Associates HurLoss 6.0.b under the 2011 standards. In addition, other general business of the Commission may be addressed. Following the Commission meeting, the Flood Standards Development Committee will meet to discuss a working draft of the Meteorological/Hydrological Flood Standards and to begin a discussion of the Statistical Flood Standards.

A copy of the agenda may be obtained by contacting: Donna Sirmons, Florida Hurricane Catastrophe Fund, P.O. Drawer 13300, Tallahassee, FL 32317-3300, donna.sirmons@sbafla.com, (850)413-1349.

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: Donna Sirmons at the email or number listed 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).

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces a prehearing conference and a hearing in the following docket to which all persons are invited.

DOCKET NOS. AND TITLES: Docket No. 140156-TP-Petition by Communications Authority, Inc. for arbitration of Section 252(b) interconnection agreement with BellSouth Telecommunications, LLC d/b/a AT&T Florida.

DATE AND TIME: Prehearing Conference: Tuesday, April 21, 2015, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED AT THE PREHEARING: The purpose of this prehearing conference is to: (1) simplify the issues; (2) identify the positions of the parties on the issues; (3) consider the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) identify exhibits; (5) establish an order of witnesses; and (6) consider such other matters as may aid in the disposition of the action.

HEARING DATE AND TIME: Hearing: Wednesday-Friday, May 5-8, 2015, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED AT THE HEARING: The purpose of this hearing shall be to receive testimony and exhibits and to take final action relative to the Commission's review of arbitration of a Section 252(b) interconnection and to take action on any motions or other matters that may be pending at the time of the hearing. The Commission may rule on any such motions from the bench or may take the matters under advisement. This proceeding shall: (1) allow the parties to present evidence and testimony in support of their positions; (2) allow for such other purposes as the Commission may deem appropriate.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than **five** days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service.

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 4, 2015, 12:00 Noon

PLACE: Treasure Coast Regional Planning Council, 421 SW Camden Avenue, Stuart, Florida 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: Council's Budget and Personnel Committee will meet to discuss a proposed amendment to Council's current budget for Fiscal Year 2014-2015.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

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

DATE AND TIME: Monday, April 27, 2015, 1:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Advisory Committee described above. The purpose of the meeting is to conduct administrative and procedural matters related to the committee and update the committee on the status of the FDACS Development of Projection Methodologies and Values for Agricultural Water Use and the North Florida Southeast-Georgia Regional Groundwater Flow Model. There will also be briefings and discussion on updates to the Advisory Committee Workplan and on the methods, results and an Advisory Committee recommendation for water resource assessments related to groundwater quality. An opportunity for public comment will be provided near the end of the meeting.

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Abby Johnson, Suwannee River Water Management District, (386)362-1001. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: April 21, 2015, 9:00 a.m., Big Cypress Basin Board Meeting

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

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the District Clerk, (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Lucia Martin, (239)263-7615, ext. 7602, lmartin@sfwmd.gov.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The South Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 20, 2015, 12:00 Noon

PLACE: Jupiter Emergency Operations Center, 3133 Washington Street, Jupiter, FL 33458

GENERAL SUBJECT MATTER TO BE CONSIDERED: Loxahatchee River Preservation Initiative meeting

A copy of the agenda may be obtained by contacting: Rod Braun, Office of Everglades Policy and Coordination, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-2925, rbraun@sfwmd.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 5 days before the workshop/meeting by contacting: the District Clerk, (561)682-2087. 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: Rod Braun, (561)682-2925, rbraun@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

The Committee on Continuing Professional Education announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 11, 2015, 9:00 a.m.

PLACE: Teleconference, Conference Number: 1(888)670-3525, Conference Code: 4694532213

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee on Continuing Professional Education will meet to discuss items relating to CPE credits.

A copy of the agenda may be obtained by contacting: Karan Lee, Florida Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Karan Lee. 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: Karan Lee.

DEPARTMENT OF HEALTH

Division of Family Health Services

The Florida Department of Health, Bureau of Chronic Disease Prevention, Preventive Health & Health Services Block Grant Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: May 6, 2015, 2:00 p.m. – 3:30 p.m., Advisory Committee Meeting; 3:30 p.m. – 4:00 p.m., Public Hearing; conference call: 1(866)899-4679, conference code: 311-763-341

PLACE: The Florida Department of Health, Capital Circle Office Complex, Building 4025, Room 301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Health is designated as the principal state agency for the allocation and administration of the Preventive Health & Health Services Block Grant within the State of Florida.

As established by the Public Health Service Act, Section 1905(d), the PHHSBG Advisory Committee makes recommendations regarding the development and implementation of the Annual Application/State Plan. The PHHSBG Advisory Committee recommends funding of prevention programs committed to reducing the burden of the leading causes of death and disability by emphasizing effective prevention strategies. Committee members must meet annually to review funding, programs and to recommend plans for the future as a requirement of continued federal funding. The Preventive Health & Health Services Block Grant Advisory Committee Meeting is from 2:00 p.m. to 3:30 p.m., and the Public Hearing is from 3:30 p.m. to 4:00 p.m. Both meetings can be attended in person and/or via conference call: 1(866)899-4679, conference code: 311-763-341.

A copy of the agenda may be obtained by contacting: Calandra Portalatin, (850)245-4444, extension 3797.

For more information, you may contact: Calandra Portalatin, Florida Department of Health, (850)245-4444, Extension 3797.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NO.: RULE TITLE:

69O-137.001 Annual and Quarterly Reporting Requirements

The Office of Insurance Regulation announces a hearing to which all persons are invited.

DATE AND TIME: June 23, 2015, 9:00 a.m., during a regular meeting of the Financial Services Commission

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed amendments to Rule 69O-137.001, Florida Administrative Code, published on January 21, 2015, in Vol. 41, No. 13, of the Florida Administrative Register.

A copy of the agenda may be obtained by contacting: The Governor and Cabinet website at <http://www.myflorida.com/myflorida/cabinet/mart.html>.

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

For more information, you may contact: David Altmaier, David.Altmaier@flor.com.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NO.: RULE TITLE:

69O-138.001 NAIC Financial Condition Examiners Handbook Adopted

The Office of Insurance Regulation announces a hearing to which all persons are invited.

DATE AND TIME: June 23, 2015, 9:00 a.m., during a regular meeting of the Financial Services Commission

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed amendments to Rule 69O-138.001, Florida Administrative Code, published on January 21, 2015, in Vol. 41, No. 13, of the Florida Administrative Register.

A copy of the agenda may be obtained by contacting: The Governor and Cabinet website at <http://www.myflorida.com/myflorida/cabinet/mart.html>.

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

For more information, you may contact: David Altmaier, David.Altmaier@flor.com.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NOS.: RULE TITLES:

69O-162.102 Purpose
 69O-162.103 Definitions
 69O-162.104 Individual Annuity or Pure Endowment Contracts

69O-162.106 Application of 1994 GAR Table

69O-162.108 Tables

The Office of Insurance Regulation announces a hearing to which all persons are invited.

DATE AND TIME: June 23, 2015 at 9:00 a.m., during a regular meeting of the Financial Services Commission.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed amendments to Rule 69O-162.102, .103, .104, .106, .108, Florida Administrative Code, published on January 16, 2015 in Vol. 41, No. 11, of the Florida Administrative Register.

A copy of the agenda may be obtained by contacting: The Governor and Cabinet Website at <http://www.myflorida.com/myflorida/cabinet/mart.html>.

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: Kerry Krantz at E-mail Kerry.Krantz@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kerry Krantz at E-mail Kerry.Krantz@flor.com.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NOS.: RULE TITLES:

69O-144.005 Credit for Reinsurance

69O-144.007 Credit for Reinsurance from Eligible Reinsurers

The Office of Insurance Regulation announces a hearing to which all persons are invited.

DATE AND TIME: June 23, 2015, 9:00 a.m., during a regular meeting of the Financial Services Commission

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed amendments to Rule 69O-144.005, .007, Florida Administrative Code, published on January 20, 2015, in Vol. 41, No. 12, of the Florida Administrative Register.

A copy of the agenda may be obtained by contacting: The Governor and Cabinet website at <http://www.myflorida.com/myflorida/cabinet/mart.html>.

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: David Altmaier at David.Altmaier@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: David Altmaier, David.Altmaier@flor.com.

REGION XII TRAINING COUNCIL

The Region XII Training Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 28, 2015, 8:35 a.m.

PLACE: Clayton Hutchinson Agricultural Center, Exhibit Hall “A”, 559 Military Trail, West Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda will include, but is not limited to, F.D.L.E./C.J.S.T.C. updates: Palm Beach State College/Criminal Justice Institute Assessment Center Updates, Region XII budget approval and any other business.

A copy of the agenda may be obtained by contacting: Sue Voccola at (561)868-3403.

FLORIDA WORKERS’ COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The FWCJUA Operations Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 11, 2015, 11:00 a.m., Eastern Time

PLACE: Contact Kathy Coyne at (941)378-7408 to participate.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics shall include the 2014 Operations Report, banking engagement, disaster recovery matters and a report on operations.

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

FLORIDA WORKERS’ COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The FWCJUA Investment Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 13, 2015, 10:00 a.m., Eastern Time

PLACE: Contact Kathy Coyne at (941)378-7408 to participate

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics may include approval of minutes; investment marketplace update; portfolio compliance review; investment policy & guidelines review; CD listing service; investment manager performance & engagement; and meeting schedule.

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

FLORIDA WORKERS’ COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The FWCJUA Audit Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 14, 2015, 10:00 a.m., Eastern Time

PLACE: Contact Kathy Coyne at (941)378-7408 to participate

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda items may include the 2014 financial audit; update on federal tax matters; Audit Committee Charter procedures checklist; and financial auditor solicitation.

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

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The FWCJUA Rates & Forms Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 14, 2015, 2:00 p.m., Eastern Time
 PLACE: Contact Kathy Coyne at (941)378-7408 to participate
GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Agenda topics may include legislative update; Policyholder Dividend Policy; return of premium dividend; program to eliminate 2014 Subplan D deficit; 2015 loss ratio selection; Operations Manual; and review of rates, rating plans & policy forms and associated matters to include application forms.
 A copy of the agenda may be obtained by contacting: Kathy Coyne or at www.fwcjua.com.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The FWCJUA Producer Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 19, 2015, 2:00 p.m., Eastern Time
 PLACE: Contact Kathy Coyne at (941)378-7408 to participate
GENERAL SUBJECT MATTER TO BE CONSIDERED:
 The agenda topics may include the agency authorization process; agency producer agreement; agency producer termination, suspension or revocation to include the appeal process; agency producer fees; online application process; certificate of insurance issuance system; and a report on agency producer activities.
 A copy of the agenda may be obtained by contacting: Kathy Coyne or at www.fwcjua.com.

VHB

The Florida Department of Transportation (FDOT), District Five announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 7, 2015, 4:45 p.m. – 6:30 p.m.

PLACE: Florida Grande Motor Coach Resort, 9675 SE 49th Terrace, Webster, FL 33597

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 The FDOT is conducting a public meeting to give the public the opportunity to make comments about the Coast-to-Coast (C2C) South Sumter Connector Trail Study. The 20-mile length of the South Sumter Connector Gap represents the largest missing segment in the C2C Connector Trail. The C2C Connector Trail is a 250-mile system of trails that begins at the Gulf of Mexico in Pinellas County and extends to the Atlantic Ocean in Brevard County. The study will consider engineering factors, potential environmental effects, financial costs, and other unique elements. The objective is to establish consensus among project stakeholders and lay a solid

foundation for the future development of a trail alignment that provides for the best balance of current and future needs.

The meeting is an open house format from 4:45 p.m. to 6:30 p.m. The doors open at 4:45 p.m. with a presentation of the project overview at 5:00 p.m. Display maps illustrating the study corridor, the study schedule, and other information will be available for public review and comment. Project representatives will also be available to discuss the study, receive input, and answer questions. Participants may provide public comments directly to public information staff at any time during the meeting. Written comments from all interested parties will be accepted by the Department at the public meeting and for a period of ten (10) days after the public meeting. Comments should be addressed to Natalie Suñer, 225 East Robinson Street, Suite 300, Orlando, Florida 32801. All comments, written and oral, will become part of the project's public record.

A copy of the agenda may be obtained by contacting Natalie Suñer, Consultant Project Coordinator, in writing at 225 East Robinson Street, Suite 300, Orlando, Florida 32801, telephone :(407)965-0590, email: nsuner@vhb.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Jennifer Smith, FDOT Title VI Coordinator, (386)943-5367. 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: John Moore, FDOT Project Manager at (407)482-7882 or john.moore@dot.state.fl.us.

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:

14-94.003 Statewide Minimum Level of Service Standards (Repealed)

NOTICE IS HEREBY GIVEN that the Florida Department of Transportation has issued an order disposing of the petition for declaratory statement filed by YTG Palm Beach GC, LP; YTG Palm Beach IL NR, LP; YTG Palm Beach IL WR, LP; YTG Palm Beach IG NR, LP; YTG Palm Beach IG WR, LP; and YTG Florida, LLC (Petitioners) on March 6, 2015. The following is a summary of the agency's disposition of the petition:

The Department granted the Petition and responded by stating that Conditions Two and Three of an Order Conditionally Granting Petition for Variance or Waiver, dated March 7, 2007, are based on repealed law and can no longer be enforced against Petitioners and, as such, are not “applicable” to the Petitioners.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: the Clerk of Agency Proceedings, 605 Suwannee Street, MS 58, Tallahassee, Florida 32399-0458, trish.parsons@dot.state.fl.us.

Please refer all comments to: Austin Hensel, Assistant General Counsel, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, MS 58, Tallahassee, Florida 32399-0458 or by telephone: (850)414-5265.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Office of Financial Regulation has issued an order disposing of the petition for declaratory statement filed by Moon, Inc., on April 6, 2015. The following is a summary of the agency’s disposition of the petition:

Petitioner’s bitcoin retail network and related processing activities do not fall within Florida’s money transmitting licensing statute Chapter 560, Florida Statutes and therefore, licensure is not required.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that on April 7, 2015, the Office of Financial Regulation, has received the petition for declaratory statement from Quotanda, LLC. The petition seeks the agency’s opinion as to the applicability of Chapter 516, Florida Statutes, as it applies to the petitioner.

The petition seeks a declaratory statement from the Office on whether Petitioner’s proposed business model of providing loans to international students fall within Florida’s Consumer Finance laws Chapter 516, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889.

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 EDUCATION

School Districts

DCPS Sale of Surplus Real Property –Normandy School No. 204/OFDC -ITB-023-15

DUVAL COUNTY PUBLIC SCHOOLS ADVERTISEMENT FOR BIDS - Invitation to Bid for Sale of Surplus Real Property - Normandy School No. 204 - Publish Date is April 10, 2015. Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207 until the time and date recorded

below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, located at 1701 Prudential Drive, Jacksonville, Florida, 5th Floor, Room 513D. BIDS ARE DUE ON OR BEFORE JUNE 18, 2015 AND WILL BE ACCEPTED UNTIL 2:00 PM. OFFICIAL PROJECT TITLE: Sale of Surplus Real Property –Normandy School No. 204/OFDC - ITB-023-15. Purpose: This Invitation to Bid is to accept firm offers for the sale of surplus Duval County Public Schools real estate located at Normandy School No. 204, 6803 Arques Road, Jacksonville, Florida 32205. Real estate documents for bidding may be examined at the Duval County Public Schools Administration Building located at 1701 Prudential Drive, Jacksonville, FL 32207. DCSB Point of Contact: Tyler Loehnert (904)390-2359. Open House inspections will be conducted at the Normandy School No. 204 property on the following dates: May 13, 2015, May 20, 2015, June 3, 2015, June 16, 2015, from 9:00 AM – 12:00 Noon. Contract documents for bidding information may be obtained at www.duvalschools.org. Follow website to Departments/Facilities/Projects/Selection Booklets/Sale of Surplus Property. The Bid Award Recommendation will be posted on the first floor bulletin board at the Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

SENIOR CONNECTION CENTER, INC.

Notice of Intent to Award - Community Care for the Elderly Program

NOTICE OF INTENT TO AWARD

Community Care for the Elderly Program

As the result of the recently completed Request for Proposal process, the Board of Directors of Senior Connection Center, Inc. (SCC), formerly known as West Central Florida Area Agency on Aging, Inc., has approved the following Notice of Intent to Award 2015-2016 Community Care for the Elderly Program (CCE) Lead Agency Designations:

- NU-HOPE Elder Care Services, Inc. – Hardee County
- NU-HOPE Elder Care Services, Inc. – Highlands County
- Hillsborough County Department of Aging Services – Hillsborough County
- Manatee County Community Services Department – Manatee County
- Seniors First, Inc. – Polk County

Any party who is substantially affected by the SCC’s intended decision to award a contract for Lead Agency status to the agencies shown above must file a written notice of protest with the SCC within seventy-two (72) hours after the posting of this Notice of Intent to Award, excluding weekends and

state holidays. Procedures for filing a protest are outlined in Rule 58C-1.0031 Florida Administrative Code. Any party who files a protest will be responsible for payment of all costs associated with the dispute resolution, including the Impartial Decisionmaker’s time at the Impartial Decisionmaker’s customary and usual hourly rate. Costs may also include document preparation, hearing fees, and other required costs associated with the dispute resolution process. Failure to file a notice of protest as described in subsection (4) of Rule 58C-1.0031, Florida Administrative Code (F.A.C.), shall constitute a waiver of proceedings under Rule 58C-1.0031, F.A.C. This notice is filed by Senior Connection Center, Inc., 8928 Brittany Way, Tampa, Florida 33619 (www.seniorconnectioncenter.org).

**Section XII
Miscellaneous**

DEPARTMENT OF REVENUE

Sales and Use Tax

NOTICE OF ADOPTION OF COMMUNICATIONS SERVICES

TAX ADDRESS/JURISDICTION DATABASE

Section 202.22(2), F.S., requires the Department of Revenue to create and maintain an electronic siting database that assigns service addresses to local taxing jurisdictions for purposes of the communications services tax. The update to the Address/Jurisdiction Database, as posted on April 2, 2015, becomes effective on July 1, 2015. The database can be accessed at <https://pointmatch.state.fl.us>. The next update to the database will be effective January 1, 2016, and is required to be posted 90 days in advance of the effective date. Local governments are required to submit changes and additions for inclusion in the January 1, 2016, update no later than September 3, 2015. Additional information concerning procedures for requesting changes and additions to the database is available from the Department of Revenue Local Government Unit by telephone at (850)717-6630 or by e-mail at local-govt-unit@dor.state.fl.us. Persons with hearing or speech impairments may call the Florida Relay Service at 1(800)955-8770 (Voice) and 1(800)955-8771 (TTY).

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

St Pete Powersports, Inc. for the establishment of INDI motorcycles

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Polaris Sales and Service, Inc, intends to allow the establishment of St. Pete Powersports, Inc., as a dealership for the sale of motorcycles manufactured by Indian Motorcycle (line-make INDI) at 555 34th Street South, St Petersburg, (Pinellas County), Florida 33711, on or after May 11, 2015.

The name and address of the dealer operator(s) and principal investor(s) of St Pete Powersports, Inc., are dealer operator(s): William Douglas, 3001 Woodsong Lane, Clearwater, Florida 33761; principal investor(s): William Douglas, 3001 Woodsong Lane, Clearwater, Florida 33761.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Tom Triano, Polaris Sales And Service, Inc., 995 59th Avenue North, Plymouth, Minnesota 55442.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Relocation of TT of Lake Shore, Inc. and the INDI motorcycles from current location

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Nissan North America, Inc., Infiniti Division, intends to allow the relocation of TT of Lake Shore, Inc., d/b/a Bonita Springs Infiniti as a dealership for the sale of Infiniti vehicles (line-make INFI) from its present location at 28480 South Tamiami Trail, Bonita Springs, (Lee County), Florida 34134, to a proposed location at the southeast corner of Pine Ridge Road at Kraft Road (close to 3640 Pine Ridge)

Latitude: 26.21017837524414 Longitude: - 81.74439239501953 Naples, (Collier County), Florida 34109, on or after December 31, 2015.

The name and address of the dealer operator(s) and principal investor(s) of TT of Lake Shore, Inc., d/b/a Bonita Springs Infiniti are dealer operator(s): Terry R. Taylor, 28480 Tamiami Trail South, Bonita Springs, Florida 34134, principal investor(s): Joseph Parisi, 28480 Tamiami Trail South, Bonita Springs, Florida 34134.

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

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

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

A copy of such petition or complaint must also be sent by US Mail to: Karla Miranda, Nissan North America, Inc. Infiniti Division, One Nissan Way, Franklin, Tennessee 37067.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Villages Golf Cart Man LLC, for the establishment of CITC low speed vehicles

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

Pursuant to Section 320.642, Florida Statutes, notice is given that CitEcar, LLC, intends to allow the establishment of Villages Golf Cart Man LLC, as a dealership for the sale of low-speed vehicle manufactured by CitEcar, LLC (line-make CITC) at 4525 Monaco Way, # C, Wildwood, (Sumter County), Florida 34785, on or after May 11, 2015.

The name and address of the dealer operator(s) and principal investor(s) of Villages Golf Cart Man LLC, are dealer operator(s): Anthony Colangelo, PO Box 2540, Lady Lake, Florida 32158 and Linda Colangelo, PO Box 2570, Lady Lake, Florida 32158, principal investor(s): Anthony Colangelo, PO Box 2540, Lady Lake, Florida 32158 and Linda Colangelo, PO Box 2570, Lady Lake, Florida 32158.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Ashley Jackrel, CitEcar, LLC, 7065 Northwest 22nd Street, Suite A, Gainesville, Florida 32653.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Gator Automotive Group, LLC, for the establishment of MOVT vehicles

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to section 320.642, Florida Statutes, notice is given that Mobility Ventures, LLC, intends to allow the establishment of Gator Automotive Group, LLC, d/b/a MV-1 of Tampa Bay as a dealership for the sale of automobile manufactured by Mobility Ventures, LLC (line-make MOVT) at 11780 Tampa Gateway Boulevard, Seffner, (Hillsborough County), Florida 33584, on or after May 11, 2015.

The name and address of the dealer operator(s) and principal investor(s) of Gator Automotive Group, LLC, d/b/a MV-1 of Tampa Bay are dealer operator(s): Karena Kilcoyne, 11780 Tampa Gateway Boulevard, Tampa, Florida 33584; principal investor(s): David Kilcoyne, 11780 Tampa Gateway

Boulevard, Tampa, Florida 33584 and Karena Kilcoyne, 11780 Tampa Gateway Boulevard, Tampa, Florida 33584.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Greg Proven, Mobility Ventures, LLC, 105 North Niles Avenue, South Bend, Indiana 46617.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Withdrawal of Kilcoyne Automotive Group, LLC for the establishment of MOVT vehicles

NOTICE OF WITHDRAWAL

Notice is hereby given that the publication of Kilcoyne Automotive Group, LLC, d/b/a MV-1 of Tampa Bay, as a new point for Mobility MV-1 automobiles manufactured by Mobility Ventures LLC line-make MOVT franchise dealership in Seffner, Hillsborough county by Mobiltiy Ventures LLC, published in Volume 40, Number 234, page 5303 of the Florida Administrative Register on December 4, 2014, has been withdrawn due to incorrect name of dealership and an a change in officer of the dealership.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

State Revolving Fund Program

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTICE

Town of Ponce Inlet

The Florida Department of Environmental Protection (DEP) has determined that the Town of Ponce Inlet project involving the construction of replacement water transmission mains within the Town's service area is not expected to generate

controversy over potential environmental effects. The total estimated construction cost is \$1,500,000. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal and state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Brian Moody SRF Program, Department of Environmental Protection, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399-2400, by calling (850)245-7546 or emailing brian.moody@dep.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 State Revolving Fund Program
 NOTICE OF AVAILABILITY
 FLORIDA CATEGORICAL EXCLUSION NOTICE
 City of Haines City

The Florida Department of Environmental Protection (DEP) has determined that the City of Haines City project involving the construction of an anionic Ion Exchange Treatment System at their Water Treatment Plant No. 1 is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$6,173,086. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal and state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Gregg Caro, SRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000 or by calling (850)245-8546 or emailing to gregg.caro@dep.state.fl.us.

DEPARTMENT OF FINANCIAL SERVICES
 OIR – Insurance Regulation
 Order Approving Citizens Coastal Account Bond Issuance and Related Documents
 IN THE MATTER OF:
 CITIZENS PROPERTY
 INSURANCE CORPORATION CASE NO.: 171229-15

ORDER APPROVING CITIZENS PROPERTY
 INSURANCE
 CORPORATION’S COASTAL ACCOUNT
 BOND ISSUANCE AND RELATED DOCUMENTS

THIS MATTER came before the Office of Insurance Regulation (the “Office”) for consideration and final agency action upon the request of Citizens Property Insurance Corporation (“Citizens”), pursuant to Section 627.351(6), Florida Statutes, as amended (the “Citizens Act”), and

Sections 19(B) and 20 of Citizens’ Plan of Operation (the “Plan of Operation”), for approval of the issuance by Citizens of its Coastal Account Senior Secured Bonds, Series 2015A, in the aggregate principal amount of not exceeding One Billion U.S. Dollars (\$1,000,000,000) (the “Series 2015A Bonds”) and related documentation. Citizens’ request is based on the adoption by its Board of Governors (the “Board”) of the resolution attached hereto as “Exhibit A” (the “Authorizing Resolution”), authorizing the issuance of the Series 2015A Bonds and related documentation. The Series 2015A Bonds may consist of one or more subseries.

Each separate subseries of Series 2015A Bonds shall be differentiated from other subseries of Series 2015A Bonds by a number designation, starting with the number “1,” so that the first subseries of Series 2015A Bonds shall be designated as “Series 2015A-1 Bonds,” the second subseries of Series 2015A Bonds shall be designated as “Series 2015A-2 Bonds,” and so on. The Series 2015A Bonds are to be issued pursuant to that certain Trust Indenture dated as of August 6, 1997 (the “1997 Indenture”), as amended to date, by and between Citizens and Regions Bank, as successor Indenture Trustee (the “Indenture Trustee”), as further amended by a Tenth Supplemental Indenture by and between Citizens and the Indenture Trustee (the “Tenth Supplemental Indenture” and, together with the 1997 Indenture as amended to date, the “Indenture”). The Tenth Supplemental Indenture is to be in substantially the same form as the copy received and reviewed by the Office prior to the entry of this Order.

The Series 2015A Bonds may be issued bearing interest at fixed or variable rates, including Adjusted SIFMA Rates or such other floating rate or rates as shall be provided for in the Tenth Supplemental Indenture; be issued as tax-exempt bonds; have the benefit of any credit enhancement as determined pursuant to the Authorizing Resolution; and maybe sold through a public offering or private placement. The final maturity of the Series 2015A Bonds shall be no later than June 1, 2025. The Tenth Supplemental Indenture approved hereby may be modified as necessary to reflect the final details of the Series 2015A Bonds.

Citizens is also entering into or will utilize, as applicable, other related documents and agreements in connection with the issuance of the Series 2015A Bonds as described in the Authorizing Resolution.

Citizens is a statutorily-created corporation and government entity that is an integral part of the State of Florida, established pursuant to the Citizens Act. Citizens, through its Coastal Account, is a significant provider of residential and commercial windstorm insurance in the State of Florida and, as such, must have immediate access to funding sources for the Coastal Account pending receipt of the Coastal Account’s ordinary and customary revenues and reinsurance and other

reimbursement funds to meet policyholder claims and other obligations resulting from ordinary losses or catastrophic hurricanes or other weather-related events.

The Citizens Act authorizes Citizens to borrow funds for the Coastal Account by issuing bonds or by incurring other indebtedness and to pledge assessments under the Act and other funds available to Citizens' Coastal Account as the source of security and repayment for such borrowings. Section 627.351(6)(c)(3), Florida Statutes, states that Citizens may issue bonds or incur other indebtedness in the absence of a hurricane or other weather-related event, upon a determination by Citizens, subject to approval by the Office, that such action would enable it to efficiently meet the financial obligations of Citizens and that such financings are reasonably necessary to effectuate the requirements of the Citizens Act.

The Citizens Act and the Plan Of Operation authorize Citizens to issue bonds in the absence of a hurricane or other weather-related event and the Plan of Operation, in Section 20(D), contains a determination by the Board that such advance financings constitute financing mechanisms under the Act that will allow Citizens to efficiently meet the financial obligations of the Coastal Account and that such financings are reasonably necessary to effectuate the requirements of the Act.

On April 7, 2015, Citizens' Board adopted the Authorizing Resolution authorizing the issuance of the Series 2015A Bonds, in one or more subseries, in the aggregate principal amount of not exceeding One Billion U.S. Dollars (\$1,000,000,000), to pay policyholder claims and other obligations of the Coastal Account. As reflected in the attached "Exhibit A," the Authorizing Resolution contains a finding by Citizens' Board that, in order to provide funds to meet policyholder claims and other obligations of the Coastal Account, it is in the best interests of Citizens to issue the Series 2015A Bonds. As further reflected in the attached "Exhibit A," the Authorizing Resolution contains a determination by Citizens' Board that the proceeds derived from the Series 2015A Bonds are reasonably necessary to enable Citizens to efficiently meet the financial obligations of the Coastal Account and to effectuate the requirements of the Citizens Act.

As required by Section 19(B) of the Plan of Operation, Citizens has filed with the Office a statement of the purpose of the Series 2015A Bonds, a copy of the Tenth Supplemental Indenture insubstantially final form, (including, without limitation, the form of the Master Trust Indenture referred to herein below) and an estimate of the costs to be incurred by Citizens in connection with the issuance of the entire aggregate principal amount (i.e., One Billion U.S. Dollars (\$1,000,000,000)) of the Series 2015A Bonds.

In connection with the issuance of the Series 2015A Bonds, Citizens desires to amend and restate the Indenture in its

entirety, as more specifically set forth in Article VI of the Tenth Supplemental Indenture and as reflected in the form of the Master Trust Indenture set forth in Exhibit B to the Tenth Supplemental Indenture (the "Master Trust Indenture"), with such amendments and the Master Trust Indenture to be effective no earlier than the Conversion Date (as defined in the Tenth Supplemental Indenture).

By virtue of their purchase of the Series 2015A Bonds, the purchasers thereof will have consented to and approved (i) the amendment and restatement of the Indenture in its entirety, (ii) the execution and delivery of the Master Trust Indenture, and (iii) the conversion of the Series 2015A Bonds that mature after the Conversion Date from obligations issued and secured under the provisions of the Indenture to obligations issued and secured under the provisions of the Master Trust Indenture.

The Office, having considered this submission, and being otherwise advised in the premises, hereby finds that:

1. The Office has jurisdiction over the subject matter of, and the parties to, this proceeding pursuant to the Citizens Act.
2. The Series 2015A Bonds are being issued for the purpose of providing additional resources to assist Citizens in covering policyholders' claims and expenses in the Coastal Account and are hereby determined to be for a valid purpose under the Citizens Act. The Series 2015A Bonds will enable Citizens to efficiently meet its financial obligations and are reasonably necessary to effectuate the requirements of the Citizens Act.
3. Each of the Indenture and the Master Trust Indenture is hereby deemed to be a "trust indenture" within the meaning of, and is approved for purposes of, Section 19(B) of the Plan of Operation.
4. Pursuant to the Citizens Act, and Sections 19(B) and 20 of the Plan of Operation, Citizens has authority to enter into the Tenth Supplemental Indenture in connection with the issuance of the Series 2015A Bonds, to issue the Series 2015A Bonds under the Indenture and with the details and characteristics described herein and in the Authorizing Resolution, and to make the Series 2015A Bonds payable and secured as provided in the Indenture. Citizens further has authority to enter into the Master Trust Indenture as contemplated by and provided for in the Authorizing Resolution, to have the Series 2015A Bonds that mature after the Conversion Date convert from obligations issued and secured under the Indenture to obligations issued and secured under the Master Trust Indenture, and to make such Series 2015A Bonds payable and secured as provided in the Master Trust Indenture.

IT IS THEREFORE ORDERED:

That the Office recognizes that on April 7, 2015, the Board adopted the Authorizing Resolution which delegates authority to the Chairman to (i) set the details of the Series 2015A Bonds, and (ii) award and sell the Series 2015A Bonds to the

Underwriters, all within the parameters set forth therein and herein.

The Office of Insurance Regulation hereby APPROVES:

- A. The Tenth Supplemental Indenture.
 - B. The issuance of the Series 2015A Bonds under the Indenture, with the details and characteristics described herein and in the Authorizing Resolution.
 - C. The pledge by Citizens of the Pledged Revenues (as defined in the Indenture) to secure the Series 2015ABonds.
 - D. The Master Trust Indenture.
 - E. On and after the execution and delivery of the Master Trust Indenture (which shall be no earlier than the Conversion Date), the conversion of the Series2015A Bonds that mature after the Conversion Date from obligations issued and secured under the Indenture to obligations issued and secured under the Master Trust Indenture.
 - F. The pledge by Citizens of the Pledged Revenues (as defined in the Master Trust Indenture) to secure the Series 2015ABonds that mature after the Conversion Date.
- DONE and ORDERED this 9th day of April, 2015.

 /s/
 Kevin M. McCarty, Commissioner
 Office of Insurance Regulation

NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Order is entitled to seek review of this Order pursuant to Section 120.68, Florida Statutes, and Rule 9.110, Fla. R. App. P. Review proceedings must be instituted by filing a petitioner notice of appeal with Anoush A. Brangaccio, General Counsel of the Office of Insurance Regulation, acting as the Agency Clerk, at 612 Larson Building, Tallahassee, Florida 32399-4206, and a copy of the same with the appropriate district court of appeal, within thirty (30) days of rendition of this Order.

 /s/
 Rachic A. Wilson, Esq.
 Bar No: 36715
 Assistant General Counsel
 Office of Insurance Regulation
 Division of Legal Services
 200 East Gaines Street
 Tallahassee, Florida 32399-4206
 Telephone: (850)413-4121
 Facsimile: (850)922-2543

**A copy of this order with attachments can be found at: **
<https://finalorders.fldfs.com/ExternalWebAccess.aspx>

Pursuant to Section 121.055, Florida Statutes, the Florida Clerks of Court Operations Corporation (CCOC) provides public notice of the intent to include the following position in the Florida Retirement System’s Senior Management Service Class effective May 1, 2015: Deputy Executive Director.

Additional information may be obtained by writing to the Florida Clerks of Court Operations Corporation, Attn: Lisa Daws, 2560-102 Barrington Circle, Tallahassee, Florida 32308.

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.

CLERKS OF COURT OPERATIONS CORPORATION
 Florida Clerks of Court Operations Corporation