

## Section I

### Notice of Development of Proposed Rules and Negotiated Rulemaking

#### DEPARTMENT OF STATE

##### Division of Historical Resources

RULE NO.: RULE TITLE:  
1A-39.001 Division of Historical Resources Grant  
Programs & Requirements

**PURPOSE AND EFFECT:** The purpose of this amendment is to incorporate additional documents into the rule, in accordance with Section 120.55(1)(1), F.S. These additional documents are already listed in the rule, but will now be incorporated by reference.

**SUBJECT AREA TO BE ADDRESSED:** Guidelines for the Small Matching Grant Program and the Special Category Grant Program.

**RULEMAKING AUTHORITY:** 267.031(1); 267.0617(5) FS.  
**LAW IMPLEMENTED:** 267.0617 FS.

**IF REQUESTED, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, NONE WILL BE HELD):**

**DATE AND TIME:** Tuesday, May 19, 2015, 9:00 a.m.  
**PLACE:** R.A. Gray Building, 500 South Bronough Street, Room 307, Tallahassee, FL 32399, Call-In Information: 1(888)670-3525, Participant Code: 8511869563 then #

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 hours before the workshop/meeting by contacting: Brandy Hedges, Florida Department of State, 500 South Bronough Street, Tallahassee, FL 32399, (850)245-6127, Brandy.Hedges@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Lydia Strom, Florida Department of State, 500 South Bronough Street, Tallahassee, FL 32399, (850)245-6536 or Lydia.Strom@dos.myflorida.com

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

#### DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-5.030: Instructional Personnel Assessment Systems

**PURPOSE AND EFFECT:** The purpose and effect of this rule development is to establish uniform procedures and format for the submission, review and approval by the Department of Education of school district systems for personnel evaluation under Section 1012.34, Florida Statutes and reporting requirements for the annual evaluation of instructional personnel and school administrators. This rule also addresses procedures and requirements for monitoring each district's implementation of its instructional personnel and school administrator evaluation systems for compliance with Section 1012.34, F.S. Rule revisions will implement changes to Section 1012.34, Florida Statutes, since the Student Success Act (SB 736) of 2011, including the inclusion of school administrator evaluation systems.

**SUBJECT AREA TO BE ADDRESSED:** District instructional personnel and school administrator evaluation systems.

**RULEMAKING AUTHORITY:** 1001.02, 1012.34 FS.

**LAW IMPLEMENTED:** 1001.42(18), 1012.22(1)(c), 1012.34, 1012.98 FS.

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

**DATES AND TIMES:** May 12, 2015, 4:00 p.m., EDT; May 13, 2015, 9:00 a.m., EDT; May 14, 2015, 4:15 p.m., EDT

**PLACES:** May 12th, 4:00 p.m. – McArthur High School Staff Development Room, 6510 Hollywood Boulevard, Hollywood, FL 33024; May 13th, 9:00 a.m. - Ronald Blocker Educational Leadership Center, First Floor, 445 West Amelia Street, Orlando, Florida 32801; May 14th, 4:15 p.m. - Via conference call: To join the conference call: 1(888)339-2688, Passcode: 839 609 23, anyone wishing to attend in person: Department of Education, 325 West Gaines Street, Room 1703, Tallahassee, FL 32399-0400

Workshops for this rule are being held in conjunction with workshops for Rule 6A-5.0411, F.A.C.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Eileen McDaniel, Chief, Bureau of Educator Recruitment, Development and Retention, Florida Department of Education, Florida Department of Education, 325 West Gaines Street, Room 124, Tallahassee, Florida 32399-0400, (850)245-0435. Public comments concerning this rule development can be made at [DistrictEvalSystRule@fldoe.org](mailto:DistrictEvalSystRule@fldoe.org) or <https://app1.fldoe.org/rules/default.aspx> or by contacting: Cathy Schroeder, Agency Clerk, Department of Education, (850)245-9661

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Anticipated to be available by the date of the workshop. If available, will be provided at no charge from the contact person listed above or at or <https://app1.fldoe.org/rules/default.aspx>.

## DEPARTMENT OF EDUCATION

### State Board of Education

RULE NO.: RULE TITLE:  
6A-5.0411 Calculations of Student Learning Growth Using Statewide Assessment Data for Use in School Personnel Evaluations

PURPOSE AND EFFECT: The purpose and effect of this rule development is to fulfill requirements under Section 1012.34, Florida Statutes, including the adoption of the formula that measures individual student learning growth, as approved by the Commissioner of Education, and to adopt performance level standards based on this formula using statewide, standardized assessment data.

SUBJECT AREA TO BE ADDRESSED: The adoption of the student learning growth model and the establishment of performance level standards for student learning growth in grades and subjects for use in school personnel evaluations.

RULEMAKING AUTHORITY: 1012.34 FS.

LAW IMPLEMENTED: 1012.34 FS.

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

DATES AND TIMES: May 12, 2015, 4:00 p.m., EDT; May 13, 2015, 9:00 a.m., EDT; May 14, 2015, 4:15 p.m., EDT

PLACES: May 12th, 4:00 p.m. – McArthur High School Staff Development Room, 6510 Hollywood Boulevard, Hollywood, FL 33024; May 13th, 9:00 a.m. - Ronald Blocker Educational Leadership Center, First Floor, 445 West Amelia Street, Orlando, Florida 32801; May 14th, 4:15 p.m. - Via conference call: To join the conference call: 1(888)339 2688, Passcode: 839 609 23 anyone wishing to attend in person: Department of Education, 325 West Gaines Street, Room 1703, Tallahassee, FL 32399-0400

Workshops for this rule are being held in conjunction with workshops for Rule 6A-5.030, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jason Gaitanis, Policy Research and Accountability Coordinator, Florida Department of Education, Florida Department of Education, 325 West Gaines Street, Suite 544, Tallahassee, Florida 32399-0400, (850)245-0437. Public comments

concerning this rule development can be made at [ARM@fldoe.org](mailto:ARM@fldoe.org) or <https://app1.fldoe.org/rules/default.aspx> or by contacting: Cathy Schroeder, Agency Clerk, Department of Education, (850)245-9661 or e-mail: [cathy.schroeder@fldoe.org](mailto:cathy.schroeder@fldoe.org)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Anticipated to be available by the date of the workshop. If available, will be provided at no charge from the contact person listed above or at <https://app1.fldoe.org/rules/default.aspx>.

## DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:  
33-103.001 Inmate Grievances - General Policy

PURPOSE AND EFFECT: The purpose and effect of the amendment is make clear that inmate grievances that violate subsection 33-602.203(7), F.A.C., will not be treated as grievances, but as contraband. This puts all inmates and Department staff on notice of how such grievances shall be handled.

SUBJECT AREA TO BE ADDRESSED: Inmate Grievances

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 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: Adam Stallard, 501 South Calhoun Street, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-103.001 Inmate Grievances – General Policy.

(1) through (2) No changes.

(3) No inmate grievance presented that violates the provisions of Rule 33-602.203(7), F.A.C., including any grievance which presents a copyright or attempted copyright of an inmate's name, absent prior written authorization from the warden, shall be treated or processed as a grievance. Any inmate grievance that violates the provisions of Rule 33-602.203(7), F.A.C., will be treated as contraband, will not be processed as a grievance or returned to the inmate, and shall not constitute any step of the grievance process for purposes of exhaustion. When grievances of this nature are submitted that contain serious allegations, staff shall report the issue through the appropriate channels.

~~(4)~~~~(3)~~ Inmates can file complaints regarding the following matters:

(a) through (e) No changes.

~~(5)~~~~(4)~~ Inmates cannot file complaints regarding the following matters:

(a) through (d) No changes.

~~(6)~~~~(5)~~ Staff in the Bureau of Policy Management and Inmate Appeals shall have unlimited access to information required to respond to inmate grievances and appeals. All department employees are required to cooperate with staff in the inmate grievance office by providing accurate and timely information.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, Formerly 33-29.001, Amended 10-11-00, 10-28-07, 5-27-12,

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE NOS.:	RULE TITLES:
40E-41.223	C-51 Basin Boundary
40E-41.233	Implementation
40E-41.263	Conditions for Issuance of Permits in the C-51 Basin

PURPOSE AND EFFECT: The District is proposing to update its rules regarding the C-51 Basin to reflect changes in basin conditions since the rule was originally implemented in 1987. These changes include an update to the extent of the basin boundaries and topographic information within the basin, installation and operation of water control facilities associated with the C-51 West project (STA-1E, the S-319 pump station, the S-155A “Divide” Structure and the S-155 Structure), as well as the resulting changes in the allowable 10-year, 3-day peak discharge rates and the minimum 100-year, 3-day finished floor elevations.

SUBJECT AREA TO BE ADDRESSED: Basin boundaries and topographic information within the basin, 10-year, 3-day design discharge rates, 100-year, 3-day design stages, and elimination of dry retention/detention pretreatment requirement for commercial/industrial projects.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.4131 FS.

LAW IMPLEMENTED: 373.085, 373.086, 373.413, 373.4131, 373.416 FS.

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

DATE AND TIME: May 21, 2015, 9:30 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406.

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 hours before the workshop/meeting by contacting: South Florida Water Management District Clerk’s Office, toll free: 1(800)432-2045, ext. 2087 or (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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: The Draft rule text will be available on the District’s website 7 days prior to the workshop at [www.sfwmd.gov/rules](http://www.sfwmd.gov/rules), C-51 Basin Rule, or may be obtained by contacting Jesse Markle, P.E., Section Leader, Okeechobee Service Center, Regulation Division, South Florida Water Management District, 3800 NW 16th Boulevard, Suite A, Okeechobee, FL 34972, Phone: (863)462-5260, x3005, Toll Free: 1(800)250-4200, x3005, email: [jmarkle@sfwmd.gov](mailto:jmarkle@sfwmd.gov), or Susan Roeder Martin, Esq., Office of Counsel, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, Phone: (561)682-6251, Toll Free: 1(800)432-2045, ext. 6251, email: [smartin@sfwmd.gov](mailto:smartin@sfwmd.gov). For procedural questions, contact Jan Sluth, Sr., Paralegal, Office of Counsel, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, Phone: (561)682-6299, Toll Free: 1(800)432-2045, ext. 6299, email: [jsluth@sfwmd.gov](mailto:jsluth@sfwmd.gov).

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

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

**Division of Workforce Services**

RULE NOS.:	RULE TITLES:
73B-11.013	Filing Claims and Providing Documentation
73B-11.015	Continued Claims for Benefits
73B-11.016	Monetary Determinations
73B-11.017	Nonmonetary Determinations
73B-11.024	Short-Time Compensation Plan Application

PURPOSE AND EFFECT: The purpose of the rule is to incorporate updated forms into the rule, eliminate references to obsolete forms, and to clarify how the remaining forms are to be used.

SUBJECT AREA TO BE ADDRESSED: Incorporation of updated forms and clarification of their use.

RULEMAKING AUTHORITY: 443.091(1)(a), (c), 443.1317(1)(b), 443.151(2)(b) FS.

LAW IMPLEMENTED: 443.036, 443.091(1), 443.101, 443.111(1), 443.151(2), (3), 443.1116 FS.

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

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

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

## Section II Proposed Rules

### WATER MANAGEMENT DISTRICTS

#### Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-2.021	Definitions
40D-2.091	Publications Incorporated by Reference
40D-2.301	Conditions for Issuance of Permits
40D-2.321	Duration of Permits
40D-2.331	Modification of Permits
40D-2.351	Transfer of Permits

**PURPOSE AND EFFECT:** The purpose of this rulemaking is to amend the Water Use Permit Applicant’s Handbook Part B, Section 1.4.13 to establish an exception from certain water use permitting requirements for the Board of Trustees of the Internal Improvement Trust Fund when property leased from the Board of Trustees to a local government extends through the water use permit term, and to incorporate the change thereto, make corresponding amendments to Chapter 40D-2, F.A.C. The effect of this rulemaking will be to decrease regulation by alleviating the need for the Board of Trustees to be a co-applicant for certain water use permits of local governments.

**SUMMARY:** The proposed amendments will relieve the Board of Trustees from having to be a co-applicant for a water use permit when land leased from the Board to a local government extends through the water use permit term. The proposed revisions provide more options to both the Board and local governments. Local governments will no longer have to solicit the Board to be a co-applicant, and the Board will no longer have to be a co-applicant or the sole applicant. The proposed revisions, requested by the Board and desired by local governments, provide additional regulatory flexibility for water use permit applicants.

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

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

**RULEMAKING AUTHORITY:** 373.044, 373.113, 373.118, 373.171 FS.

**LAW IMPLEMENTED:** 373.083, 373.116, 373.118, 373.171, 373.216, 373.217, 373.219, 373.223, 373.229, 373.236, 373.239, 373.243 FS.

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

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 Southwest Florida Water Management District Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899, telephone: (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702; TDD (FL only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Natalia Santiago, SWFWMD, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481, ext. 4657, email: natalia.santiago@swfwmd.state.fl.us (OGC #2015008)

THE FULL TEXT OF THE PROPOSED RULE IS:

### **SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT WATER USE PERMIT APPLICANT’S HANDBOOK PART B**

#### **1.4.13 CONTROL OF PROPERTY AND ACTIVITIES.**

1. Applicants must demonstrate ownership or legal control of all property on which pumps, wells, diversions or other permitted facilities are or will be located. Applicants seeking renewal or modification of a WUP authorizing less

than 100,000 gpd annual average quantities will not be required to demonstrate continued ownership, provided current property appraiser records confirm that there is no change in property ownership from what is documented in District records for the WUP to be renewed or modified.

Except for Self-Relocations as described below, applications for leased property, except property that is (a) leased from the District; or (b) leased from the Board of Trustees of the Internal Improvement Trust Fund to a local government when such leasehold extends through the water use permit term, must be either a joint application in the name of the lessee and the property owner(s) or be only in the name of the property owner(s). If there are multiple property owners, all owners must sign the application form or sign an attachment to the application form indicating their joinder in the application, and all property owners will be Permittees on the WUP when issued. In the case of an application for Self-Relocation, a WUP may be issued solely to the lessee if the lessee and the Permittee on the permit to be Self-Relocated are identical.

2. through 6. No change.

**CHAPTER 40D-2, F.A.C.  
CONSUMPTIVE USE OF WATER**

**40D-2.021 Definitions.**

The following definitions shall apply Districtwide when used in this chapter and in the District’s Water Use Permit Applicant’s Handbook Part B, (WUP Applicant’s Handbook), (\_\_\_/\_\_\_) ~~(05/14)~~, (\_\_\_\_\_)  
~~(http://www.flrules.org/Gateway/reference.asp?No=Ref-03676)~~, incorporated by reference in Rule 40D-2.091, F.A.C., except as specifically limited:

(1) through (15) No change.

Rulemaking Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243, 373.709 FS. History—New 1-1-07, Amended 12-30-08, 4-27-10, 6-16-11, 5-19-14,\_\_\_\_\_.

**40D-2.091 Publications and Forms Incorporated by Reference.**

(1) The following publications are hereby incorporated by reference into this chapter, and are available from the District’s website at [www.WaterMatters.org](http://www.WaterMatters.org) or from the District upon request:

(a) Water Use Permit Applicant’s Handbook Part B (also referred to as the WUP Applicant’s Handbook) (\_\_\_/\_\_\_) ~~(5/14)~~, (\_\_\_\_\_)

~~(http://www.flrules.org/Gateway/reference.asp?No=Ref-03676)~~.

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

Rulemaking Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0363, 373.042, 373.0421, 373.079(4)(a), 373.083(5), 373.116, 373.117, 373.1175, 373.118, 373.149, 373.171, 373.185, 373.216, 373.217, 373.219, 373.223, 373.227, 373.228, 373.229, 373.236, 373.239, 373.243, 373.250, 373.705, 373.709, 373.715 FS. History—New 10-1-89, Amended 11-15-90, 2-10-93, 3-30-93, 7-29-93, 4-11-94, 7-15-98, 7-28-98, 7-22-99, 12-2-99, 8-3-00, 9-3-00, 4-18-01, 4-14-02, 9-26-02, 1-1-03, 2-1-05, 10-19-05, 1-1-07, 8-23-07, 10-1-07, 10-22-07, 11-25-07, 12-24-07, 2-13-08, 2-18-08, 4-7-08, 5-12-08, 7-20-08, 9-10-08, 12-30-08, 1-20-09, 3-26-09, 7-1-09, 8-30-09, 10-26-09, 11-2-09, 1-27-10, 4-27-10, 5-26-10, 6-10-10, 6-30-10, 6-16-11, 12-12-11, 10-14-12, 2-7-13, 2-18-13, 5-19-14, \_\_\_\_\_.

**40D-2.301 Conditions for Issuance of Permits.**

(1) through (3) No change.

(4) The standards and criteria set forth in the WUP Applicant’s Handbook Part B, (\_\_\_/\_\_\_) ~~(05/14)~~, (\_\_\_\_\_)

~~(http://www.flrules.org/Gateway/reference.asp?No=Ref-03676)~~, shall be used to provide the reasonable assurances required in subsections 40D-2.301(1) and (2), F.A.C.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.219, 373.223, 373.229 FS. History—New 10-5-74, Amended 12-31-74, 2-6-78, 7-5-78, Formerly 16J-2.11, 16J-2.111, Amended 1-25-81, 10-1-89, 2-10-93, 8-3-00, 4-14-02, 1-1-07, 5-26-10, 6-30-10, 5-19-14,\_\_\_\_\_.

**40D-2.321 Duration of Permits.**

(1) When requested by an applicant, a WUP shall have a duration of 20 years provided the applicant provides sufficient data to demonstrate reasonable assurance that the proposed use meets the conditions for issuance in Rule 40D-2.301, F.A.C., and the criteria in the WUP Applicant’s Handbook Part B, (\_\_\_\_\_)  
~~(http://www.flrules.org/Gateway/reference.asp?No=Ref-03676)~~, for the requested duration.

(2) If there are pre-existing adverse impacts resulting from the permittee’s existing permit that are being addressed through a mitigation plan that includes a minimum flow and recovery strategy that must be eliminated by the tenth year of the permit, the water use permit shall have a duration of 10 years provided that the applicant provides sufficient data to demonstrate reasonable assurance that the proposed use meets the conditions for issuance in Rule 40D-2.301, F.A.C., and the criteria in the WUP Applicant’s Handbook Part B, (\_\_\_\_\_)

~~(http://www.flrules.org/Gateway/reference.asp?No=Ref-03676)~~, for the permit’s duration. Subsection (3) shall not apply to a permit required to have a 10 year duration pursuant to subsection 40D-2.321(2), F.A.C.

(3) Permits that do not qualify for a 20 year permit duration pursuant to subsection 40D-2.321(1), F.A.C., shall be issued for a shorter duration that reflects the period for which the applicant has provided sufficient data to demonstrate such reasonable assurances that the proposed use meets the conditions for issuance in Rule 40D-2.301, F.A.C., and the criteria in the WUP Applicant's Handbook Part B, (\_\_\_\_\_)

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-03676>).

(4) through (7) No change.

Rulemaking Authority 373.044, 373.103, 373.113, 373.171 FS. Law Implemented 373.103, 373.171, 373.219, 373.223, 373.227, 373.236, 373.250 FS. History—New 10-5-74, Amended 12-31-74, 10-24-76, 1-6-82, 3-11-82, Formerly 16J-2.13, Amended 10-1-89, 7-28-98, 1-1-03, 1-1-07, 2-13-08, 12-30-08, 6-30-10, 1-1-13, 5-19-14,\_\_\_\_\_.

40D-2.331 Modification of Permits.

(1) A permittee may seek modification of any of the terms and conditions of an unexpired permit except when the sole purpose is to modify the expiration date. Notwithstanding, a permittee may seek modification for the sole purpose of modifying the expiration date if it is pursuant to subsection 40D-2.321(5), F.A.C, or when a public water supply permittee achieves demonstrable savings attributable to implementation of a water conservation plan pursuant to Sections 2.4.8.6 and 2.4.8.7 of the Applicant's Handbook. A permit expiration date may also be modified upon request and documentation by the permittee, if the modification application is deemed by the District to be substantial, as described in the WUP Applicant's Handbook Part B Section 1.4.11 resulting in the modification application to (\_\_\_\_\_)

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-03676>), be processed as a renewal application with modification. A request for modification shall be reviewed in accordance with the rules in effect at the time the modification is filed.

(2) through (3) No change.

Rulemaking Authority 373.044, 373.113, 373.149, 373.171, 373.216, 373.249 FS. Law Implemented 373.079(4)(a), 373.083(5), 373.171, 373.219, 373.236, 373.239 FS. History—New 10-5-74, Formerly 16J-2.14(1), Amended 10-1-89, 2-10-93, 7-29-93, 1-1-07, 8-23-07, 7-1-09, 11-2-09, 7-10-13, 5-19-14,\_\_\_\_\_.

40D-2.351 Transfer of Permits.

(1) through (3) No change.

(4) Applications for partial transfers of permits shall be made in accordance with the WUP Applicant's Handbook Part B, (\_\_\_/\_\_\_) (5/14), (\_\_\_\_\_)

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-03676>), Section 1.4.9.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.219 FS. History—New 10-1-89, Amended 2-10-93, 3-30-93, 2-1-05, 10-19-05, 11-25-07, 8-30-09, 10-14-12, 5-19-14,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Melissa Knight Nodhturft, Staff Attorney

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 27, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 9, 2015

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NO.: 61D-4.002  
 RULE TITLE: Evaluating a Permit Application for a Pari-Mutuel Facility

PURPOSE AND EFFECT: The purpose and effect of the rule is to comply with the final order dated March 25, 2015, entered by Administrative Law Judge W. David Watkins in case number 14-6129RX, which held that the existing rule was vague.

SUMMARY: The rule amendment provides clarity to the Division's process of evaluating permit applications for pari-mutuel facilities in compliance with the final order dated March 25, 2015, entered by Administrative Law Judge W. David Watkins in case number 14-6129RX, which held that the existing rule was vague.

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 economic review conducted by the agency.

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

RULEMAKING AUTHORITY: 550.0251(3), 550.054(8)(b), 550.1815(5) FS.

LAW IMPLEMENTED: 550.0251, 550.054, 550.0951, 550.155, 550.1815 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bryan A. Barber, bryan.barber@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61D-4.002 Evaluating a Permit Application for a Pari-Mutuel Facility.

An applicant for a Florida Pari-Mutuel Facility permit shall submit a Form DBPR PMW-3010, Permit Application; <https://www.flrules.org/gateway/reference.asp?NO=Ref-01552>, a Form DBPR PMW-3030, Personal History Record; <https://www.flrules.org/gateway/reference.asp?NO=Ref-01553>, and a Form DBPR PMW-3195, Request for Release of Information and Authorization to Release Information; <https://www.flrules.org/gateway/reference.asp?NO=Ref-01555>, all of which are effective 9-12-12 and adopted herein by reference. The forms can be obtained at [www.myfloridalicense.com/dbpr/pmw](http://www.myfloridalicense.com/dbpr/pmw) or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1037.

(1) In evaluating a permit application, the division shall deny any application where the applicant fails to establish ~~take into consideration~~ the following criteria:

(a) ~~Financial profitability potential profitability and financial soundness of the prospective permitholder as derived from the assets and liabilities of the applicant; the existence of any judgment or current litigation, whether civil, criminal, or administrative; the type of pari-mutuel activity to be conducted and desired period of operation; and net income projected over three years of operation with the permit. If the applicant is able to show any profitability as outlined in this subsection, the Division will review the following criteria in paragraph (b).~~

(b) ~~That the issuance of the permit will The ability to preserve and protect the pari-mutuel revenues of the state and to ensure the integrity of the wagering pool; by generating an increase of total state revenue.~~

(c) ~~The holdings, transactions, and investments of the applicant connected to previous business ventures;~~

(d) ~~The existence of any judgment or current litigation, whether civil, criminal, or administrative, involving the applicant.~~

(2) After initial approval of the permit and the source of financing, the terms and parties of any subsequent financing shall be disclosed by the applicant or the permitholder, to the division within 30 days.

(3) A pari-mutuel wagering permitholder who transfers an ownership or equity interest in its permit to another licensed pari-mutuel wagering permitholder or who transfers a permit to an entity exclusively composed of ownership interests that have been approved under the provisions of Sections 550.054 and 550.1815, F.S., must file with the division Form DBPR PMW-3040, Permit Transfer Application From One Existing Permitholder to Another Existing Permitholder, effective 9-12-12, adopted herein by reference, <https://www.flrules.org/gateway/reference.asp?NO=Ref-01554>, which can be obtained at [www.myfloridalicense.com/dbpr/pmw](http://www.myfloridalicense.com/dbpr/pmw) or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1037.

Rulemaking Authority 550.0251(3), 550.054(8)(b), 550.1815(5) FS. Law Implemented 550.0251, 550.054, 550.0951, 550.155, 550.1815 FS. History—New 10-20-96, Amended 12-15-97, 3-4-07, 9-12-12,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jonathan Zachem, Director, Division of Pari-Mutuel Wagering

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 17, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 24, 2014

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Mental Health Program**

RULE NO.: RULE TITLE:

65E-9.003 Licensure

PURPOSE AND EFFECT: The purpose of the proposed rule is to add language incorporating the licensing fee, and include provisions increasing the length of time a license is active from one year to two years. The effect will be the simplification of the regulatory process and a decrease in the administrative burden for entities licensed to operate a residential treatment center.

SUMMARY: Section 394.875, F.S., directs the Department, in consultation with the agency, to adopt rules governing a residential treatment center for children and adolescents which specify licensure standards. The anticipated revisions to the licensure rule will update the licensing fees to cover the agency's costs associated with the licensing process, pursuant to Section 408.805, F.S. To align with Section 408.808(1), F.S., anticipated revisions will increase the length of time a license is active from one to two years. Lastly, removal of language duplicative of language found in statute simplifies the regulatory process.

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: Preliminary staff analysis of this rule amendment indicates a minimal change in current regulatory cost 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: 394.875(8) FS.

LAW IMPLEMENTED: 394.875 FS.

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

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: Denise Barber, SAMH Program Information Unit, 1317 Winewood Boulevard, Building 6, Tallahassee, Florida 32399-0700, (850)717-4286, Denise.Barber@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Krystle Cacci, Policy Analyst, (850)717-4437, krystle.cacci@myflfamilies.com

THE FULL TEXT OF THE PROPOSED RULE IS:

65E-9.003 Licensure.

(1) An entity ~~operating that holds itself out to be or acts as~~ a residential treatment center, including therapeutic group homes, shall first obtain a license annually and maintain active licensure from the Agency ~~agency~~, unless specifically excluded from being licensed under the provisions of Section 394.875(5), F.S. Compliance with Chapter 394, Part I, 408, Part II, and Subsection 409.1678(3), F.S. shall be a condition

of licensure. Application for licensure shall be made to the Agency on AHCA Form 3180-5004, February 2015, Health Care Licensing Application Residential Treatment Center for Children and Adolescents, which is incorporated by reference and available online at <http://ahca.myflorida.com/MCHQ/Health Facility Regulation/Hospital Outpatient/rct.shtml>.

(2) Buildings that are separated from one another in which a similar level of residential care and treatment is provided may be licensed as one facility under the following circumstances:

(a) Such buildings are not separated by another building, part of a building, or buildings used for other purposes; and

(b) Such buildings are not separated by obstructions that impede the rapid movement of staff between them.

(3) License fee. An application fee of \$240 per bed shall ~~accompany be submitted with the an~~ initial license application, change of ownership licensed operator application, and license with the annual renewal application. ~~The fee is \$115 per bed annually.~~ For capacity changes effective during the license period, a \$25 license reprint fee applies. ~~increases.~~ In addition, the application fee for capacity increases shall be the per bed fee for each additional bed to be added to the license. ~~A per bed fee is not required for a capacity reduction unless the agency must make an on site visit to the facility.~~ All fees are non-refundable. The fee shall be reasonably calculated annually and adjusted by the agency to cover the cost of regulation.

(4) Accredited Programs. Programs accredited by The Joint Commission (TJC), Commission on Accreditation of Rehabilitation Facilities, (CARF), Council on Accreditation (COA), or National Committee for Quality Assurance (NCQA) 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, nor compliance with the provisions of these rules.

(5)(4) Initial license – New construction, new operation, or reapplication of an expired license. ~~change of licensed operator. Applicants for an initial license shall submit AHCA Form 3180 5004, “Residential Treatment Centers for Children and Adolescents,” dated June 2008 which is incorporated by reference and may be obtained from the agency. The application must be submitted to the agency at least 60 days prior to the date the facility would be available for inspection.~~



The applicant shall provide all the information required by Chapter 408, Part II, Sections 394.875, and 394.876, F.S., and Chapter 59A-35, F.A.C. any other information determined to be needed by the agency. The application shall be under oath and must be accompanied by the appropriate license fee in order to be accepted and considered timely. The following additional documentation information shall be submitted with the application:

(a) Proof of compliance with Sections 394.4572 and 408.809, F.S. The name and mailing address of the applicant, and each person or entity controlling five percent or more interest in the corporation.

(b) Proof of liability insurance coverage from an authorized insurer in an amount no less than \$300,000 per occurrence with a minimal annual aggregate of no less than \$1,000,000. The name, address, and federal employer identification number or taxpayer identification number of the applicant and each person or entity controlling five percent or more interest in the corporation.

(c) HIV/AIDS affidavit assuring required facility staff will be trained (see Section 381.0035, F.S.). The licensed name by which the provider is to be known.

(d) 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. The total number of beds or capacity requested, as applicable.

(e) Copy of a satisfactory sanitation inspection report completed within the last 365 days by the local county public health unit. The street address, mailing address, telephone number, facsimile number, and any e-mail address of the provider for which application is made.

(f) Proof that the business registration is active with the Florida Department of State, Division of Corporations. The name of the administrator and financial officer. The name and telephone number of a contact person should be provided for questions regarding the application.

(g) Proof of the right to occupy the premises. Proof may be a warranty deed, lease agreement, quit claim deed, or similar document that confirms the applicant's right to operate at the street address on the application form. The following additional documentation shall be submitted with the application:

1. Fiscal information including a current balance sheet and a statement of operations projecting revenues, expenses, taxes, extraordinary items, and other credits and charges for the first six months of operation to determine the ability of the applicant to carry out its financial responsibilities;

2. Proof of liability insurance coverage from an authorized insurer in an amount no less than \$300,000 per occurrence with a minimal annual aggregate of no less than \$1,000,000;

3. Affidavit of compliance with Section 394.4572, F.S.

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

5. 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.

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

7. Proof of the right to occupy the premises. Proof may be a warranty deed, lease agreement, quit claim deed, or similar document that confirms the applicant's right to operate at the street address on the application form.

8. Proof that the corporation is active with the Florida Department of State, Division of Corporations. Proof may be a copy of a current certificate of status issued by the Division of Corporations or a copy of the corporation's completed annual report form and a copy of both sides of the cancelled check submitted for payment of the corporation's renewal fee.

(h)9- Facilities that would be considered a community residential home under Chapter 419, F.S., who are being licensed for the first time or existing facilities that have changed location or ownership shall provide a completed, "Community Residential Home Affidavit of Compliance with Chapter 419 Form," dated February 2010 August 2006 which is incorporated by reference and may be obtained from the agency's website

[http://ahca.myflorida.com/MCHQ/Health\\_Facility\\_Regulation/Hospital\\_Outpatient/forms/CommResHome\\_AffidavitofComplianceWithCh419.pdf](http://ahca.myflorida.com/MCHQ/Health_Facility_Regulation/Hospital_Outpatient/forms/CommResHome_AffidavitofComplianceWithCh419.pdf).

[http://ahca.myflorida.com/MCHQ/Long\\_Term\\_Care/Assisted\\_living/afc/CRH\\_InterimAffidavit%20afc\\_3.pdf](http://ahca.myflorida.com/MCHQ/Long_Term_Care/Assisted_living/afc/CRH_InterimAffidavit%20afc_3.pdf). All For all other residential treatment centers, being licensed for the first time or who have changed location or ownership shall provide a report or letter from the zoning authority dated within the last six months indicating the street location is zoned appropriately for its use.

10. A copy of the center's occupational license.

(5) Accredited Programs. Programs accredited by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO), CARF The Rehabilitation Accreditation Commission, Council on Accreditation (COA), or National Committee for Quality Assurance (NCQA) 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, the AHCA, county public health unit, local fire authority having jurisdiction and fire marshal, and compliance with the provisions of these rules.

~~(6) New Programs. A newly developing program may be provided a 90 day probationary license when the application has been verified for compliance with applicable statutes and rules. 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 requirements of applicable statutes and rules. When it is determined that the facility is endangering the health and safety of persons receiving services, the probationary license will be cancelled by the AHCA.~~

~~(6)(7) Renewal License Renewal. An applicant for license renewal must submit a complete application package that meets the requirements of Section 408.806, F.S. and Rule 59A-35.060, F.A.C. The following additional documentation shall be submitted with the application:~~

~~(a) All applications, fees, and supporting materials for licensure shall be provided to the AHCA 60 days before the expiration of the existing license.~~

~~(b) All applicants shall submit an application AHCA Form 3180 5004, dated 1/2008, "Residential Treatment Centers for Children and Adolescents Application", which is incorporated by reference, which is provided by AHCA. The application is available on the agency's web site at [http://www.acha.myflorida.com/MCHQ/Health\\_Facility\\_Regulation/Hospital\\_Outpatient/index.shtml](http://www.acha.myflorida.com/MCHQ/Health_Facility_Regulation/Hospital_Outpatient/index.shtml). The application shall include all information required by Sections 394.875 and 394.876, F.S., and any other information determined to be needed by the agency;~~

~~(c) The information required by paragraphs (4)(a) through (g) of this section; and~~

~~(d) For accredited facilities accredited by an accrediting organization listed in Rule 65E-9.003(4), provide a copies of any correspondence to or from the accrediting organization that have not been submitted previously to the agency since the current accreditation was awarded. A copy of the current accreditation report. The accreditation report shall include any citations to which the accrediting organization requires a response, the facility's response to each citation and the accreditation award letter, accreditation certificate, and 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.~~

~~(8) Failure to apply for the renewal of a license prior to the expiration date renders the license null and void and the former licensee may not be issued another license until the corporation applies for a new initial license and meets all current qualifications for licensure, including zoning, construction standards, and fire safety standards, where applicable.~~

~~(7)(9)(a) Change of ownership. An applicant for initial licensure due to a change of licensed operator must submit a complete application package at least 60 days prior to the date of the anticipated change of licensed operator.~~

~~(a)(b) An applicant for initial licensure due to a change of ownership must submit a complete application package that meets the requirements of Sections 408.806 and 408.807, F.S. and Rule 59A-35.060 and 59A-35.070, F.A.C. The transferor shall be responsible and liable for:~~

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

~~(c) The information required by paragraphs (5)(a) through (h) of this section shall be submitted with the application~~

~~(d) 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.~~

~~1. The lawful operation of the facility until the date the transferee is licensed by the agency.~~

~~2. All penalties imposed against the facility for violations occurring before the date of the transfer of ownership unless the penalty imposed is a moratorium on admissions or denial of the license. The moratorium on admissions or denial of the license remains in effect after the transfer of ownership, unless the agency has approved the transferee's corrective action plan or the conditions that created the moratorium or denial have been corrected, and may result in denial of license to the transferee in accordance with Chapter 120, F.S.~~

~~3. Any outstanding liability to the state, unless the transferee has agreed as a condition of sale or transfer to accept the outstanding liabilities and to guarantee payment therefore; except that, if the transferee fails to meet these obligations, the transferor shall remain liable for the outstanding liability and shall honor such liability by payment to the state prior to issuance of the new license or by executing such documents of indebtedness as the state shall require as a condition of this licensing process.~~

~~a. The transferor of a facility, the license of which is denied pending an administrative hearing, shall, as a part of the written transfer of licensed operator contract, advise the transferee that a plan of correction shall be submitted by the transferee and approved by the agency at least seven (7) days before the transfer of licensed operator and that failure to correct the condition which resulted in the moratorium on admissions or denial of the license shall be grounds for denial of the transferee's license.~~

~~b. The transferee shall provide the agency with proof of legal right to occupy the property before a license may be issued. Proof may include copies of warranty deeds, or copies of a lease or rental agreement, contracts for deeds, quit claim deeds, or other such documentation satisfactory to the agency.~~

~~c. When the provider receives notification that the agency has determined that the application package for a change of licensed operator contains all required documentation and the required fee has been paid, a 90 day probationary license may be issued. 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 the remaining requirements.~~

~~(8)(10) For any other application or request, the applicant must submit an the application or request at least 60 days prior to the requested effective date. 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. The Agency will process the application according to the requirements of Chapter 408, Part II, F.S. and Rule 59A-35, F.A.C.~~

~~(11) Upon receipt of an application for a license, the agency shall examine the application and, within 30 days after receipt, notify the applicant of any apparent errors or omissions and request any additional information required. Requested information omitted from an application for licensure, license renewal, capacity increase, capacity decrease, or change of licensed operator must be filed with the agency within 21 days after the agency's request for omitted information, or the application shall be deemed incomplete, shall be withdrawn from further consideration, and the fees forfeited.~~

~~(9)(12) The failure to file a timely application and license fee shall result in a late fee charged to the licensee as authorized under Section 408.806 394.879(4), F.S.~~

~~(13) Within 60 days after the receipt of a complete application package, the agency shall:~~

~~(a) Approve or deny the application; or~~

~~(b) Authorize an inspection be conducted, if required by Section 394.90, F.S.~~

~~(14) Each license issued shall indicate the name of the licensee, the type of license issued, type of service that the licensee is required or authorized to operate or offer, the effective date of the license, the expiration date of the license, the maximum capacity of the licensed premises, and any other information required or deemed necessary by the agency.~~

~~(10)(15) The license shall be displayed in a conspicuous location inside the facility.~~

~~(11)(16) Program Closure. If the licensee voluntarily closes the facility, the licensee shall notify the department and the Agency AHCA in writing at least 30 90 days prior to such closure. The program which is closing, with the assistance of the department, managing entity under contract with the department, Medicaid managed care plan and the Agency AHCA, shall attempt to relocate place all persons receiving services, with their valid lawful consent, in other programs to which respective clinical records shall be transferred at the time the resident is relocated. The licensee shall notify the Agency AHCA, and the department and the managing entity under contract with the department where the files of previously discharged residents will be stored.~~

~~(12)(17) Program Closure Following Receivership Proceedings. By accepting a license under this chapter, the licensee agrees to cooperate with the department and the AHCA in accepting the adversely affected individuals when closure of a program follows receivership proceedings as defined in Section 394.903, F.S.~~

~~(13)(18) Enforcement of these rules shall be in accordance with Sections 394.879 and 394.902, F.S.~~

~~Specific Authority 394.875(8) FS. Law Implemented 394.875, 394.903, 409.1678, FS. History—New 7-25-06, Amended 9-24-08, \_\_\_\_\_.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Krystle Cacci, Policy Analyst

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Carroll, Secretary, Florida Department of Children and Families

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 4, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 10, 2015

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### Section III

## Notice of Changes, Corrections and Withdrawals

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

#### Division of Pari-Mutuel Wagering

RULE NO.:           RULE TITLE:

61D-6.005           Procedures for Sampling of Racing Animals  
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 41 No. 67, April 7, 2015 issue of the Florida Administrative Register.

61D-6.005 Procedures for Collecting Samples from Racing Animals.

(1) through (2) No change.

(3) The owner, trainer of record, groom, or other authorized person is permitted to witness when urine, blood or other specimens are taken from their horse. Each ~~The~~ specimen shall be collected in a closed blood tube or urine container, sealed in its container, assigned a an official sample number which is affixed to the specimen container, and the correspondingly numbered information portion of the sample tag shall be detached and may be signed by the owner, trainer, groom, or the authorized person if they choose to do so. Failure of an owner, trainer of record or other authorized person to witness and/or sign the sample tag shall not preclude the division from proceeding with sample analysis. No horse shall be left unattended in the detention enclosure by the owner, trainer of record, groom, or authorized person. Said specimens shall be maintained in such a manner as to preserve the integrity of the specimen. Specimen containers shall be of the disposable type and shall not be reused.

(4) The owner, trainer of record, or other authorized person is permitted to witness when urine or other specimens are taken from their greyhound. Each ~~The~~ specimen shall be collected in a closed blood tube or urine container, sealed in its container, assigned a an official sample number which is affixed to the specimen container, and the correspondingly numbered information portion of the sample tag shall be detached and signed by the owner, trainer of record, groom, or the authorized person if they choose to do so. Failure of an owner, trainer of record or other authorized person to witness and/or sign the sample tag shall not preclude the division from proceeding with sample analysis. Said specimens shall be maintained in such a manner as to preserve the integrity of the specimen. Specimen containers shall be of the disposable type and shall not be reused.

(5) through (9) No change.

Rulemaking Authority 120.80(4)(a), 550.0251(3), 550.2415(12), (13) FS. Law Implemented 120.80(4)(a), 550.0251, 550.1155, 550.2415 FS. History—New 10-20-96, Amended 12-15-97, 11-19-01, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Division of Health Access and Tobacco**

RULE NOS.:	RULE TITLES:
64I-2.001	Definitions.
64I-2.002	Client Eligibility.
64I-2.003	Patient Selection and Referral.
64I-2.004	Volunteer Provider Eligibility.
64I-2.005	Contract Requirements.
64I-2.006	Covered Services.
64I-2.009	Annual Report.

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 41 No. 14, January 22, 2015 issue of the Florida Administrative Register.

The Volunteer Health Care Provider Program Eligibility form, DH 1032E, 12/14, has been amended to reflect the change in definition of “family,” and to make a technical change to require the DOH volunteer or employee to print their name.

The Patient Referral form, DH 1032, 12/14, has been amended to require the DOH referring person to print, in addition to sign, their name; to change the “Date Service Received” to “Date of Initial Service Received;” and to add a statement and check box underneath the Volunteer Health Care Provider’s signature to clearly indicate that the provider may provide progress notes in lieu of a signature.

The Client/Patient Eligibility and Referral Process Training Guide, DH 1032G, 12/14, has been amended to reflect the change to the definition of family; to add a statement about an applicant’s self-attestation regarding the availability of Medicaid services in their area on page 2, Section 2, Number 2; to correct the abbreviation of temporary cash assistance on page 3, Section 2, Number 2; and to make the corrections to the appendix documents (DH 1032E and 1032) identified above.

The Volunteer Health Care Provider Program contract, DH 1029, 12/14, has been amended to correct the statutory and rule references in Section I.I.; to add a paragraph to address statutory changes to Section 768.28, Florida Statutes, regarding 30-day continuation of care after a patient has been deemed ineligible for the program; to move the opt-out option for the online listing from Section II.D. to the signature page; and to remove the automatic one-year termination language from Section III.D.

In addition to the changes made to the incorporated forms, the Department is also making the following changes to the rule text.

64I-2.001 Definitions.

For the purpose of this chapter, the following definitions will apply:

(1) “Family” means one or more persons living in one dwelling place who are related by blood, marriage, law, or conception, or who are cohabitating partners. A pregnant woman and her unborn child or children are considered to be

two or more family members. If the dwelling place includes more than one family or more than one unrelated individual, the poverty guidelines are applied separately to each family or unrelated individual and not to the dwelling place as a whole. A single adult, 18 and older ~~over 18~~, living with relatives is considered to be a separate family for income determination purposes. A student, age 18-21, living at the dwelling place, shall be considered a family member.

(2) "Gross family income" means the sum of income available to a family at the time of application. Gross family income shall be based on all income earned or received in the last four (4) weeks. Income shall not include Supplemental Security Income (SSI), income from trusts fully funded by SSI payments, and Temporary Cash Assistance (TCA). Gross family income shall include ~~but not be limited to the following:~~ wages and salary, child support, alimony, unemployment compensation, worker's compensation, ~~veteran's pension~~, social security, pensions and annuities, dividends and interest on savings, stocks, and bonds, income from estates and trusts, net rental income or royalties, net income from self-employment, and cash contributions received from any other source.

~~(3) "Net family income" means gross family income minus the standard work related, child care, and child support deductions as used in determining presumptive eligibility for Medicaid.~~

(3) "Poverty guidelines or federal poverty level" as used in this chapter and its incorporated materials means the poverty guidelines, as published in Vol. 80, No. 14 of the Federal Register on January 22, 2015, by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902(2), which are incorporated by reference and available at \_\_\_\_\_.

(4) through (5) No change.

Rulemaking Authority 766.1115(11) FS. Law Implemented 766.1115 FS. History—New 1-20-93, Formerly 10D-122.002, Amended 4-11-06, Formerly 64F-11.001, Amended \_\_\_\_\_.

64I-2.002 Client Eligibility.

(1) through (4) No change.

~~(5) The governmental contractor or provider shall use net family income to determine eligibility.~~

(6) renumbered as (5) No change.

Rulemaking Authority 766.1115(11) FS. Law Implemented 766.1115 FS. History—New 1-20-93, Formerly 10D-122.003, Amended 4-11-06, Formerly 64F-11.002, Amended \_\_\_\_\_.

64I-2.003 Patient Selection and Referral.

Rulemaking Authority 766.1115(11) FS. Law Implemented 766.1115 FS. History—New 1-20-93, Formerly 10D-122.004, Amended 4-11-06, Formerly 64F-11.003, Repealed \_\_\_\_\_.

64I-2.004 Volunteer Provider Eligibility.

(1) In order to participate in this program, a health care provider shall comply with the following:

(a) through (e) No change.

(f) Accept for treatment only patients that have been qualified ~~qualified~~ as eligible and who have a completed referral form, which is incorporated in Rule 64I-2.002(5)(6).

(2) No change.

Rulemaking Authority 766.1115(11) FS. Law Implemented 766.1115 FS. History—New 1-20-93, Formerly 10D-122.005, Amended 4-11-06, Formerly 64F-11.004, Amended \_\_\_\_\_.

64I-2.005 Contract Requirements.

Rulemaking Authority 766.1115(11) FS. Law Implemented 766.1115 FS. History—New 1-20-93, Formerly 10D-122.006 Amended 4-11-06, Formerly 64F-11.005, Repealed \_\_\_\_\_.

64I-2.006 Covered Services.

Rulemaking Authority 766.1115(10) FS. Law Implemented 766.1115 FS. History—New 1-20-93, Formerly 10D-122.007, Amended 4-11-06, Formerly 64F-11.006, Repealed \_\_\_\_\_.

64I-2.009 Annual Report.

Each governmental contractor and provider, by August 31 of each year, shall submit to the Department of Health information required to prepare the annual report to the Legislature as specified in Section 766.1115, F.S., including, ~~but not limited to,~~ participating clinics and organizations, the number of providers, the number of patients, the number of patient visits, and the value of services and donations rendered from July 1 to June 30.

Rulemaking Authority 766.1115(11) FS. Law Implemented 766.1115 FS. History—New 1-20-93, Formerly 10D-122.012, Amended 4-11-06, Formerly 64F-11.009, Amended \_\_\_\_\_.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Accounting and Auditing**

RULE NOS.:      RULE TITLES:

69I-20.001      Registration

69I-20.0021     Procedures for Filing Claim

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 41 No. 70, April 10, 2015 issue of the Florida Administrative Register.

SUMMMARY: These rules are being amended to clarify the statutory requirements under Section 717.135, Florida Statutes, for filing claims; remove unnecessary language; and repeal an obsolete form.

The remainder of the proposed rule reads as previously published.

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-1.004 General Sanitation and Safety Requirements

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

On April 6, 2015, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), F.A.C., Section 5-203.13, 2009 FDA Food Code, paragraph 61C-1.004(2)(a), F.A.C., subsection 61C-4.010(7), F.A.C., subsection 61C-4.010(6), F.A.C., and Section 6-402.11, 2009 FDA Food Code from Taco Bus St. Pete located in St. Petersburg. The above referenced F.A.C. addresses the requirement that at least one service sink be provided for the cleaning of mops or similar cleaning tools and the disposal of mop water; and at least one accessible bathroom be provided for use by customers and employees. They are requesting to utilize the mopsink and bathroom facilities located within an adjacent establishment under the same ownership for use by both customers and employees.

The Petition for this variance was published in Vol. 41, No. 68, F.A.R., on April 8, 2015. The Order for this Petition was signed and approved on April 15, 2015. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that the mop sink and bathroom facilities within Taco Bus (SEA6216684) are maintained in a clean and sanitary manner, all sinks are provided with hot and cold running water under pressure and are available during all hours of operation. The Petitioner shall also ensure that all handwash sinks used by employees are provided with a handwash sign, soap and approved hand drying devices. The Petitioner shall also ensure

directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the ownership of Taco Bus changes (Taco Bus St. Pete LLC), a signed agreement for use of the facilities is required immediately.

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

NOTICE IS HEREBY GIVEN that on April 23, 2015, the Board of Medicine received a petition for waiver or variance filed by Mohammed Hadi, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner’s medical school. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: André Ourso, J.D., M.P.H., Executive Director, Board of Medicine, at the above address or telephone: (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

NOTICE IS HEREBY GIVEN that on April 23, 2015, the Board of Medicine, received a petition for waiver or variance filed by Ziad Mattar, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner’s medical school. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: André Ourso, J.D., M.P.H., Executive Director, Board of Medicine, at the above address or telephone: (850)245-4131.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-21.003 Application and Selection Process for Developments

NOTICE IS HEREBY GIVEN that on April 23, 2015, the Florida Housing Finance Corporation received a petition for SP Crossings, LLC, from paragraph 67-21.003(8)(j), F.A.C., in which the Petitioner is requesting an increase in the total number of units from 344 to 290 and a decrease in the Total Set-Aside Percentage from 100% to approximately 84%.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kate Flemming, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. The Petition has also been posted on Florida Housing's website at [floridahousing.org](http://floridahousing.org). Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Library and Information Services

The Department of State, Division of Library and Information Services announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 20, 2015, 10:00 a.m., Eastern until conclusion

PLACE: Room 307, R.A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399 or by phone

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Library Services and Technology Act (LSTA) Advisory Council will review federal fiscal year 2015 grant applications for LSTA funds.

The public can join by conference call using the following: dial-in number: 1(888)670-3525, access code: 5981801679.

For the procedure on making a public comment during an in-person meeting, please refer to the Department of State's Public Comment Policy.

A copy of the agenda may be obtained by contacting: Marian Deeney at (850)245-6620 or [marian.deeney@dos.myflorida.com](mailto:marian.deeney@dos.myflorida.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 5 days before the workshop/meeting by contacting: Marian Deeney at (850)245-6620 or [marian.deeney@dos.myflorida.com](mailto:marian.deeney@dos.myflorida.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Marian Deeney at (850)245-6620 or [marian.deeney@dos.myflorida.com](mailto:marian.deeney@dos.myflorida.com).

DEPARTMENT OF STATE

Division of Library and Information Services

The Department of State Division of Library and Information Services announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 3, 2015, 1:00 p.m., Eastern until conclusion

PLACE: Room 307, R.A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399 or by phone

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Division of Library and Information Services' Senior Managers will review federal fiscal year 2015 grant applications for Library Services and Technology Act funds. The public can join by conference call using the following: dial-in number: 1(888)670-3525, access code: 5981801679.

For the procedure on making a public comment during an in-person meeting, please refer to the Department of State's Public Comment Policy.

A copy of the agenda may be obtained by contacting: Marian Deeney at (850)245-6620 or [marian.deeney@dos.myflorida.com](mailto:marian.deeney@dos.myflorida.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 5 days before the workshop/meeting by contacting: Marian Deeney at (850)245-6620 or [marian.deeney@dos.myflorida.com](mailto:marian.deeney@dos.myflorida.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Marian Deeney at (850)245-6620 or [marian.deeney@dos.myflorida.com](mailto:marian.deeney@dos.myflorida.com).

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agriculture Center & Horse Park Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 7, 2015, 4:00 p.m.

PLACE: Florida Agriculture Center & Horse Park Authority, 11008 S. Highway 475, Ocala, Florida 34480

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
This is a meeting of the Executive Committee to discuss general business.

A copy of the agenda may be obtained by contacting: EllenMarie Ettenger at (352)307-6699 or email: events@flhorsepark.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 2 days before the workshop/meeting by contacting: EllenMarie Ettenger at (352)307-6699 or email: events@flhorsepark.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).

**DEPARTMENT OF EDUCATION**

The Florida Rehabilitation Council for the Blind announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Wednesday, May 6, 2015, 5:30 p.m.

**PLACE:** Telephone number: 1(888)670-3525, participant code: 1242528392, then #

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
This meeting is to discuss the development of a Steering Committee and the further development of the Children's Camp.

A copy of the agenda may be obtained by contacting: Alise Fields, The Division of Blind Services, 325 W. Gaines Street, Room 1114, Tallahassee, FL 32399, (850)245-0392, alise.fields@dbs.fldoe.org.

For more information, you may contact: Alise Fields, The Division of Blind Services, 325 W. Gaines Street, Room 1114, Tallahassee, FL 32399, (850)245-0392, alise.fields@dbs.fldoe.org.

**DEPARTMENT OF TRANSPORTATION**

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

**DATE AND TIME:** May 4, 2015, 1:00 p.m.

**PLACE:** FDOT District Office, Chipley, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
Access Management Review Committee Meetings.

A copy of the agenda may be obtained by contacting: Kim Weaver, (850)330-1438.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Kim Weaver, (850)330-1438. 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: Kim Weaver, (850)330-1438.

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

The Department of Highway Safety and Motor Vehicles announces a public meeting to which all persons are invited.

**DATE AND TIME:** May 12, 2015, 8:00 a.m. – 12:00 Noon, ET

**PLACE:** 2900 Apalachee Parkway, Tallahassee, Florida 32399, Conference Room A427; GoTo Meeting call-in information is also provided below

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
The Motorist Modernization Advisory Board is meeting to receive an update on Phase 1 of the Motorist Modernization project. System functionality and requirements will also be presented to the group for consideration and input.

**Agenda:**

1. Roll Call
2. Overview of the Motorist Modernization Project
3. Approval of the Advisory Board Charter
4. Motorist Modernization Project Update
5. System Functionality and Requirements Discussion
6. Comments and Questions
7. Adjournment

Please join the meeting from your computer, tablet or smartphone: <https://global.gotomeeting.com/join/178355757>. You can also dial in using your phone; United States (toll-free) 1(877)309-2070, United States +1(312)757-3119, access code: 178-355-757

A copy of the agenda may be obtained by contacting: the agenda is included above.

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 Terrence Samuel, 2900 Apalachee Parkway, Room D312, Tallahassee, FL 32399, (850)617-2100, terrencesamuel@flhsmv.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**STATE BOARD OF ADMINISTRATION**

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

**DATE AND TIME:** Monday, May 18, 2015, 9:30 a.m. – 12:00 Noon, ET

**PLACE:** Hermitage Room, First Floor, The Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida 32308



**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 General business of the Audit Committee.

A copy of the agenda may be obtained by contacting: Ann Spangler, (850)488-4406, ann.spangler@sbafla.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: James Linn, (850)488-4406, james.linn@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**WATER MANAGEMENT DISTRICTS**

Suwannee River Water Management District

The Suwannee River Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 14, 2015, 9:00 a.m.

PLACE: Putnam Lodge, 15487 Northwest Highway 19, Cross City, FL 32628

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 Governing Board Meeting to consider District business and conduct public hearings on regulatory and real estate matters, a workshop may follow the board meeting. On Friday, May 15, 2015, at 9:00 a.m., the Governing Board members will leave Putnam Lodge and travel to site visits at Steinhatchee Sink, Steinhatchee Rise and Steinhatchee Falls.

A copy of the agenda may be obtained by contacting: Robin Lamm at (386)362-1001 or 1(800)226-1066 (Florida only) or on the District's website: www.mysuwanneeriver.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 2 days before the workshop/meeting by contacting: Robin Lamm. 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.

**WATER MANAGEMENT DISTRICTS**

Southwest Florida Water Management District

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 5, 2015, 8:00 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 Public meeting to identify, evaluate and select District lands to be recommended to the District's Governing Board for consideration as potential surplus property.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, ext. 4703; TDD (FL only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Cheryl.hill@watermatters.org, 1(800)423-1476 (FL only) or (352)796-7211, ext. 4452 (Ad Order EXE0424).

**DEPARTMENT OF ELDER AFFAIRS**

Long-Term Care Ombudsman Program

The Department of Elder Affairs, Long-Term Care Ombudsman Program announces public meetings to which all persons are invited.

DATES AND TIMES: May 12, 2015, June 9, 2015, July 14, 2015, August 11, 2015, 12:00 Noon – 1:30 p.m.

PLACE: Renaissance Senior Center, 3800 S Econlockhatchee Trail, Orlando, FL 32829

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 East Central Council LTCOP business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2323, LTCOPInformer@elderaffairs.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 72 hours before the workshop/meeting by contacting: above referenced number. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF ELDER AFFAIRS**

**Long-Term Care Ombudsman Program**

The Department of Elder Affairs, Long-Term Care Ombudsman Program announces public meetings to which all persons are invited.

**DATES AND TIMES:** May 14, 2015, June 11, 2015, July 9, 2015, August 13, 2015, September 10, 2015, October 8, 2015, November 12, 2015, December 10, 2015, 1:00 p.m. – 2:30 p.m.

**PLACE:** Government Center in Viera, 2725 Judge Fran Jamieson Way, Building C, Atlantic Room, Viera, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Brevard Council LTCOP business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2323, LTCOPInformer@elderaffairs.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 72 hours before the workshop/meeting by contacting: above referenced number. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF MANAGEMENT SERVICES**

**State Retirement Commission**

The State of Florida Retirement Commission announces hearings to which all persons are invited.

**DATES AND TIMES:** April 30, 2015, 9:00 a.m.; May 1, 2015, 9:00 a.m.

**PLACE:** The Embassy Suites Fort Lauderdale, 1100 SE 17th Street, Fort Lauderdale, Florida 33316

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by contacting: The Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950 or by telephoning (850)487-2410.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950, (850)487-2410. If you are hearing or speech impaired, please contact the agency using

the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: The Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950, (850)487-2410.

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

The Bureau of Radiation Control announces a public meeting to which all persons are invited.

**DATE AND TIME:** May 12, 2015, 10:00 a.m. – 3:00 p.m.

**PLACE:** Tampa Airport Marriott, Duval Room, 4200 George J. Bean Parkway, Tampa, Florida 33607

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

**AMENDED NOTICE:** Routine meeting of the Advisory Council on Radiation Protection to discuss and make recommendations on, or issues relating to, the following: radiation protection; radiation exposure and dose; national organizations and professional societies/associations, including their standards, recommendations, registrants and certificate holders; radiation requirements of federal agencies; radiation machines; radioactive materials including medical radioisotopes; radiation procedures and practices; radiologic technologists, radiologist assistants, specialty technologists, medical physicists, and other radiation-related personnel including their titles, duties, scopes of practice and supervision; educational programs and training courses; authorized operator/user/physicist requirements; emergency response and preparedness; radiation incidents/accidents; environmental monitoring; food irradiation; radiation therapy; fees; forms; license, certification, registration, and examination; Florida Administrative Code Chapters 64E-3 and 64E-5; Chapters 404 and 468, Part IV, F.S., including the implementation of legislation affecting these Chapters; the Bureau of Radiation Control, including its Internet site; and other business. This meeting is not a rule workshop or rule hearing concerning any ongoing rule development or promulgation for rules in Florida Administrative Code Chapter 64E-3 or Chapter 64E-5.

A copy of the agenda may be obtained by contacting: Brenda Andrews, Bureau of Radiation Control, Bin C21, 4052 Bald Cypress Way, Tallahassee, FL 32399-1741, (850)245-4266, Brenda.Andrews@FLHealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Brenda Andrews, Bureau of Radiation Control, Bin C21, 4052 Bald Cypress Way, Tallahassee, FL 32399-1741, (850)245-4266, Brenda.Andrews@FLHealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Brenda Andrews, Bureau of Radiation Control, Bin C21, 4052 Bald Cypress Way, Tallahassee, FL 32399-1741, (850)245-4266, Brenda.Andrews@FLHealth.gov.

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#### DEPARTMENT OF CHILDREN AND FAMILIES

##### Refugee Services

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

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

PLACE: Florida Department of Children and Families, 1317 Winewood Blvd., Bldg. 6, Conference Room A, Tallahassee, FL 32399-0700, conference call-in number: 1(888)670-3525, conference participation code: 4471182592#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Title: Organizational Meeting of Negotiation Team for the Primary Health Care Services for Cuban/Haitian Refugees and Entrants in Miami-Dade County (ITN# SNR15K01).

Description: As provided for in Sections 2.5 and 5.3 of this ITN which was published to the Vendor Bid System (VBS) on March 4, 2015. The VBS can be accessed at <http://vbs.dms.state.fl.us/>. The purpose of the Organizational Meeting of Negotiation Team is to enable the Department to establish the principal terms and conditions needing to be negotiated with Vendors and create successful strategies that will be used during the negotiation process.

A copy of the agenda may be obtained by contacting: Jenifer.Fonseca@myflfamilies.com.

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

For more information, you may contact: Jenifer.Fonseca@myflfamilies.com.

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#### COMMONGROUND/MGS (FDOT – DISTRICT SIX)

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

DATE AND TIME: Thursday, May 14, 2015, 2:00 p.m. – 4:00 p.m.

PLACE: 1000 Venetian Way Condominium Building (Clubhouse), 1000 Venetian Way, Miami, Florida 33139

GENERAL SUBJECT MATTER TO BE CONSIDERED: FDOT District Six will conduct a Cultural Resource Committee (CRC) meeting for the Venetian Causeway Project Development & Environment (PD&E) Study. The study will examine the potential replacement or rehabilitation of the twelve existing bridges (ten low-level fixed spans and two movable bascule drawbridges) on the Venetian Causeway. The CRC is a stakeholder group reflecting the communities, organizations, groups and individuals that will be affected by decisions regarding possible improvements to the Venetian Causeway. The purpose of the CRC is to assist with developing ideas on how to address potential impacts to the historic aspect of the project resulting from future road construction.

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

A copy of the agenda may be obtained by contacting: Mr. Dat Huynh, P.E., District Project Development Engineer, at (305)470-5217, by email: [dat.huynh@dot.state.fl.us](mailto:dat.huynh@dot.state.fl.us) or by visiting the project website: [www.fdotmiamidade.com/VenetianBridgeStudy](http://www.fdotmiamidade.com/VenetianBridgeStudy).

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: Ms. Eman Gomaa, P.E., at (305)470-5219 or in writing at 1000 NW 111 Ave., Room 6111-A, Miami, FL 33172, [eman.gomaa@dot.state.fl.us](mailto:eman.gomaa@dot.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Dat Huynh, P.E., District Project Development Engineer, (305)470-5217, [dat.huynh@dot.state.fl.us](mailto:dat.huynh@dot.state.fl.us) or visit the project website: [www.fdotmiamidade.com/VenetianBridgeStudy](http://www.fdotmiamidade.com/VenetianBridgeStudy).

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#### COMMONGROUND/MGS (FDOT – DISTRICT SIX)

The Florida Department of Transportation (FDOT) District Six announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, May 13, 2015, 7:00 p.m. – 9:00 p.m., Alternatives Public Workshop; 7:30 p.m., formal presentation

PLACE: Miami Beach Botanical Garden, 2000 Convention Center Drive, Miami Beach, FL 33139

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the proposed project is to address identified structural and functional deficiencies of the twelve existing bridges (ten low-level fixed spans and two movable bascules) through potential alternatives such as replacement or rehabilitation. Graphics and aerial maps will be on display for public review, and representatives from the FDOT will be available to answer questions. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Mr. Dat Huynh, P.E., District Project Development Engineer, (305)470-5217, email: dat.huynh@dot.state.fl.us or by visiting the project website: www.fdotmiamidade.com/VenetianBridgeStudy.

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

NONE

**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**

University of North Florida

ITB 15-19 Parking Lot 10 Improvements

**NOTICE TO CONTRACTORS**

ITB 15-19 Parking Lot 10 Improvements

The University of North Florida Board of Trustees, a public body corporate, is soliciting bids to contractors for parking lot improvements in Parking Lot 10 located on the UNF campus.

The scope of work includes, but is not necessarily limited to the following: milling and resurfacing of an approximately 260 space parking lot. This project requires new and/or upgraded parking lot lighting, selective demolition and the replacement of various sidewalk, asphalt pavement, concrete pavement and curbs within the lot. Included also is a new sidewalk and the associated work along UNF drive progressing to the interior of the parking lot, signage, pavement markings, a new brick and concrete dumpster enclosure, and all other work as stipulated and included in the bid documents.

The successful contractor is responsible for understanding and complying with all applicable local, state and federal occupational safety and health regulations pertaining to the scope of work outlined in this ITB.

The preliminary schedule for this ITB:

Advertisement	April 27, 2015
Mandatory Pre-Bid Meeting	May 6, 2015, 9:00 a.m.
Deadline for questions	May 12, 2015
Response to questions	May 14, 2015
Bids due	May 18, 2015, 2:00 p.m.

Minority business participation is strongly recommended and supported by the University of North Florida.

A performance and payment bond for 100 percent of the amount of the bid will be required of the successful contractor for any project with a cost that exceeds \$100,000.

As required by §287.133, Fla. Stat., a contractor may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$15,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Contractor shall have established equal opportunity practices which conform to all laws against discrimination and prohibits discrimination based on race, creed, color, sex, age, national origin, marital status or religion; neither contractor nor any subcontractor or other person, firm or business entity with whom it would be engaged in a combined effort to perform the services has hired any person who is an officer or employee of UNF.

Full sets of bidding documents and descriptive project information may be obtained online at the UNF Procurement Services department website: [http://www.unf.edu/procurement/Bids\\_and\\_Notices.aspx](http://www.unf.edu/procurement/Bids_and_Notices.aspx).

Submit one complete copy of your bid response in full accordance with the requirements of the bid document to:

University of North Florida Procurement Services  
 Department  
 Hicks Hall, Suite 2950  
 1 UNF Drive  
 Jacksonville, Florida 32224

Sealed bids must be received no later than 2:00 p.m. Eastern Time on May 18, 2015. Facsimile (fax) or email submittals are not acceptable and will not be considered.

**EXPRESSWAY AUTHORITIES**

Miami-Dade Expressway Authority “MDX”

REQUEST FOR QUALIFICATIONS (RFQ)

MDX PROCUREMENT/contract NO.: RFQ-15-07

MDX WORK PROGRAM NO.: 83629.051

MDX PROJECT/SERVICE TITLE: CONSTRUCTION  
 ENGINEERING AND INSPECTION (CE&I) SERVICES  
 FOR Construction Services for SR 836 Interchange  
 Modifications at 87th AveNUE

The Miami-Dade Expressway Authority (“MDX” or “Authority”), requires the services of a firm (“Proposer or Consultant”) with the necessary qualifications, expertise and resources to provide Construction Engineering and Inspection (CE&I) Services for Construction Services for SR 836 Interchange Modifications at 87th Avenue. For a copy of the RFQ with information on the Scope of Services, Pre-qualification and submittal requirements, please logon to MDX’s Website: [www.mdxway.com](http://www.mdxway.com) to download the documents under “Doing Business with MDX: Vendor Login”, or call MDX’s Procurement Department at (305)637-3277 for assistance. Note: In order to download any MDX solicitation, you must first be registered as a Vendor with MDX. This can only be facilitated through MDX’s Website: [www.mdxway.com](http://www.mdxway.com) under “Doing Business with MDX: Vendor Registration”. A Pre-Proposal Conference is scheduled for May 5, 2015 at 10:00 A.M. The deadline for submitting a Proposal is May 26, 2015 by 2:00 P.M. Eastern Time.

**Section XII  
 Miscellaneous**

AGENCY FOR HEALTH CARE ADMINISTRATION  
 Certificate of Need

NOTICE OF FIXED NEED POOLS FOR COMMUNITY  
 NURSING HOME BEDS

The Agency for Health Care Administration has projected fixed bed need pools for community nursing home beds for January 2018 pursuant to the provisions of Rules 59C-1.008, 59C-1.040, F.A.C. Fixed need pool projections as published in the April 3, 2015 edition of the Florida Administrative Register, are being revised due to an error in the fixed need pool calculations. Pursuant to 59C-1.008, grace period letters of intent for these subdistricts must be received at the Agency for Health Care Administration, CON Office, 2727 Mahan Drive, Mail Stop 28, Tallahassee, Florida 32308, by 5:00 p.m., May 6, 2015. The fixed need pool is revised as follows:

Community Nursing Home Bed Need

District 7	Bed Need
Subdistrict 1	0
Subdistrict 2	67
Subdistrict 3	0
Subdistrict 4	51

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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.

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