

## Section I

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

#### DEPARTMENT OF STATE

#### Division of Library and Information Services

RULE NO.:           RULE TITLE:

1B-32.003           Maintenance of Agency Final Orders

PURPOSE AND EFFECT: This new rule will provide standards and guidelines on how to transmit agency final orders to the Division of Administrative Hearings and implements other changes to sections 119.021, 120.53, and 120.533, Florida Statutes, made by Ch. 2015-155, Laws of Fla.

SUBJECT AREA TO BE ADDRESSED: Guidelines and standards on transmitting final orders to the Division of Administrative Hearings.

RULEMAKING AUTHORITY: 120.533, FS.

LAW IMPLEMENTED: 119.021, 120.53, 120.533, 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: Carlos A. Rey, Florida Department of State, Assistant General Counsel, 500 S. Bronough St., Tallahassee, FL 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

1B-32.003: Maintenance of Agency Final Orders

(1) Pursuant to section 120.53, Florida Statutes, agencies are required to transmit final orders rendered on or after July 1, 2015 to a centralized electronic database. The Division of Administrative Hearings (DOAH) has been designated as the centralized electronic database of agency final orders. It is the responsibility of each agency to create an account and submit their final orders to the centralized database.

(2) The final orders that must be filed with DOAH are set forth in section 120.53(2), Florida Statutes.

(3) To be filed in DOAH's centralized electronic database, a final order must meet the following criteria:

(a) It shall be electronically transmitted to DOAH pursuant to subsection (4) below no later than 90 days after being rendered.

(b) It shall be submitted in an ADA-compliant and text searchable PDF format, with a maximum file size of 25 MB.

(c) It must be secured with a digital signature, as defined by section 668.003, Florida Statutes, and retain metadata sufficient to establish that the electronic order filed is a true copy of the original final order and has not been modified.

(4) Agency final orders must be electronically transmitted to the DOAH through its eALJ portal (<https://www.doah.state.fl.us/eALJ/Login.aspx?ReturnUrl=%2feALJ%2f>).

(5) Each filing agency must follow the instructions provided on the DOAH eALJ website to register for electronic filing and to file final orders. Each agency must designate at least one person who has authority to file through the eALJ portal on behalf of the agency, prior to or upon submitting the Electronic Filing Registration form provided at <https://www.doah.state.fl.us/eALJ/Registration.aspx>. The designated person must obtain access by contacting DOAH's Clerk.

(6) Only those persons designated by a filing agency under this rule may file final orders with DOAH through the eALJ portal.

(7) Each filing agency shall be responsible for ensuring proper training for each person it designates and for ensuring the security of access through its designated persons. Within 48 hours of a designated person separating from a filing agency or otherwise ceasing to be a designated person under this rule, the filing agency shall notify DOAH and have that designated person's access to the database cancelled.

(8) DOAH shall be responsible for continued maintenance and update of the list of designated persons for each filing agency and for the ongoing security of access to the electronic database.

(9) In final orders where personal, privileged, or private information has been deemed confidential by law and, therefore, not subject to a public records request or generally available for viewing by the public, the agency that has redacted the final order prior to transmitting it to DOAH shall retain an original, unredacted copy.

Rulemaking Authority 120.53, FS. Law Implemented 119.021, 120.53, 120.533, FS. History – New xx-xx-xx

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Food Safety**

RULE NO.: RULE TITLE:  
 5K-4.002 Adoption of Federal Regulations and Other Standards

PURPOSE AND EFFECT: The purpose of this rule development is to update federal regulations previously adopted by reference in this rule section and used by this agency to facilitate the regulation and inspection of agriculture based food establishments. Updated and included for adoption are the relevant sections of the Code of Federal Regulations, Title 21, Parts 170 - 190. These sections address the ingredients and additives “generally recognized as safe” (or GRAS) for human consumption and the regulation of dietary supplements. The effect of this proposed rule is to provide uniformity and consistency with both our regulated industry that is already operating on the current versions of the federal code language and with our federal partners with which we have ongoing cooperative agreements for inspection services.

SUBJECT AREA TO BE ADDRESSED: Update the relevant Codes of Federal Regulation which are the national codes for food safety regulation.

RULEMAKING AUTHORITY: Sections 500.09, 500.13, 570.07(23) FS.

LAW IMPLEMENTED: Sections 500.02, 500.03, 500.04, 500.09, 500.10, 500.11, 500.171, 500.172, 500.177 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: Daniel S. Hixson, Food Safety Rules Coordinator, Division of Food Safety, 3125 Conner Boulevard MS C-18, Tallahassee, Florida, 32399-1650, telephone number (850)245-5588.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5K-4.002 Adoption of Federal Regulations and Other Standards.

(1) The following materials are hereby incorporated and adopted as rules under the Florida Food Act, Chapter 500, F.S. Copies of all referenced materials documents are available for examination at the Florida Department of Agriculture and Consumer Services, Division of Food Safety, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Suite H, Tallahassee, Florida 32399-1650 or online as indicated.

(a) through (c) No change.

(d) Code of Federal Regulations Title 21 – Food and Drugs, Part 1, Part 2, Sections 2.5, 2.25-2.125, Parts 7, 70, 73-74, 100, Part 101, (excluding subsection 101.9(g)(2)), Parts 102-109, Part 110 (except for 110.80(b)(3)(i) is amended to required refrigerated foods to be maintained at a temperature of 41 degrees Fahrenheit (5 degrees Celsius) or below and 110.80(b)(3)(iii) is amended to require that hot foods to be maintained at a temperature of 135 degrees Fahrenheit (57 degrees Celsius) or above), Part 111 – ~~190 469~~ and Part 1240, revised as of April 1, 2014, <http://www.flrules.org/Gateway/reference.asp?No=Ref-04645>.

(e) No change.

(2) through (4) No change.

Rulemaking Authority 500.09, 500.12(1)(f), 500.12(5)(d), 500.12(6), 500.459, 570.07(23), (24) FS. Law Implemented 500.02, 500.03, 500.032, 500.04, 500.09, 500.10, 500.11, 500.12, 500.121, 500.13, 500.147, 500.166, 500.169, 500.172, 500.459, 570.07(2), (6), (9), (16), (18), (24), 570.0725 FS. History—Revised 3-1-72, Amended 12-31-74, 1-18-83, 6-17-85, Formerly 5E-6.02, Amended 7-25-88, 4-13-92, Formerly 5E-6.002, Amended 8-8-95, 9-9-96, 12-10-96, 4-10-97, 9-8-97, 11-15-99, 2-5-04, 3-1-09, 2-25-15, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: RULE TITLE:  
 64B8-31.003 Application for Licensure and Licensure Requirements for Anesthesiologist Assistants

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to incorporate the revised application form into the rule and to delete the language requiring prevention of medical errors education at the time of initial licensure.

SUBJECT AREA TO BE ADDRESSED: The incorporation of the revised physician assistant licensure application form into the rule and the deletion of language requiring prevention of medical errors education at the time of initial licensure.

RULEMAKING AUTHORITY: 456.048, 458.309, 458.3475 FS.

LAW IMPLEMENTED: 456.013(7), 456.048, 456.0635, 458.3475 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: Claudia Kemp, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

## Section II Proposed Rules

### DEPARTMENT OF HEALTH

#### Board of Osteopathic Medicine

RULE NO.: RULE TITLE:  
64B15-7.003 Application for Licensure and Licensure Requirements for Anesthesiologist Assistants

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to incorporate the revised application form into the rule and to delete the language requiring prevention of medical errors education at the time of initial licensure.

SUBJECT AREA TO BE ADDRESSED: The incorporation of the revised physician assistant licensure application form into the rule and the deletion of language requiring prevention of medical errors education at the time of initial licensure.

RULEMAKING AUTHORITY: 456.048, 459.005, 459.023 FS.

LAW IMPLEMENTED: 456.013(7), 456.048, 456.0635, 459.023 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: Kama Monroe, J.D., Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

### DEPARTMENT OF MANAGEMENT SERVICES

#### Division of Retirement

RULE NO.: RULE TITLE:  
60S-3.003 Retirement Contributions for Regular, Special Risk, Elected Officer, Special Risk Administrative Support and Senior Management Service Classes of the Pension and Investment Plans of the Florida Retirement System; Contributions for the Retiree Health Insurance Subsidy; and Contributions for the Deferred Retirement Option Program

PURPOSE AND EFFECT: Amendment of the contribution rates

SUMMARY: To amend the contribution rates

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: 121.031, 112.363(7) FS.

LAW IMPLEMENTED: 112.363, 121.052, 121.055, 121.071, 121.091, 121.122, 121.030, 121.70, 121.71, 121.72 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Friday, August 12, 2016 at 10 a.m.

PLACE: 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee, Florida 32311

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Garry Green, Chief, Bureau of Research and Member Communications, Department of Management Services, Division of Retirement, 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee FL 32311, 850-414-6349

THE FULL TEXT OF THE PROPOSED RULE IS:

60S-3.003 Retirement Contributions for Regular, Special Risk, Elected Officer, Special Risk Administrative Support and Senior Management Service Classes of the Pension and Investment Plans of the Florida Retirement System; Contributions for the Retiree Health Insurance Subsidy; and Contributions for the Deferred Retirement Option Program.

The following tables state the required retirement and Retiree Health Insurance Subsidy contribution rates for members of the Florida Retirement System and their employers in terms of percentages of members' gross compensation as defined in Rule 60S-6.001, F.A.C.; however, effective July 1, 1990, retirement contributions shall not be made on fiscal year compensation in excess of the Internal Revenue Code (IRC) section 401(a)(17) maximum as provided in the definition of Compensation in Rule 60S-6.001, F.A.C. Contribution rates for both members and employers have changed since they were originally established and these changes are reflected in these tables. Employer contribution rates for the Florida Retirement System Investment Plan are effective on and after July 1, 2002. Changes in the contribution rates are always effective with the first salary paid on or after the beginning date of a change. Contributions are required to be made or deducted as may be appropriate, each pay period.

Effective July 1, 2002, contribution rates represent a blended rate actuarially determined to combine the Pension Plan and Investment Plan rates, by class, (including the Investment Plan disability rates), reduced by application of funds from the surplus in the Florida Retirement System Trust Fund.

Retirement contributions for Regular Class members are as follows:

**SEE PUBLISHED PROPOSED RULE FOR TABLE**

(6) No change.

(7) In addition to the above retirement contributions, contributions for the following shall be made for all active members, reemployed retired members initially reemployed prior to July 1, 2010, and for all Deferred Retirement Option Program participants of state-administered retirement systems.

Reemployed retirees initially reemployed in a regularly established position on or after July 1, 2010, shall only be subject to the additional contributions as provided in paragraph (a):

(a) Retiree Health Insurance Subsidy:

**SEE PUBLISHED PROPOSED RULE FOR TABLE**

Rulemaking Authority 112.363(7), 121.031 FS. Law Implemented 112.363, 121.052, 121.055, 121.071, 121.091, 121.122, 121.30, 121.70, 121.71, 121.72 FS. History—New 1-1-72, Amended 10-20-72, 12-31-74, 7-1-79, 8-26-81, 10-12-82, 11-6-84, 9-24-85, Formerly 22B-3.03, Amended 1-12-87, 5-18-88, 2-7-89, 5-15-91, Formerly 22B-3.003, Amended 8-4-94, 3-12-96, 12-12-96, 2-24-99, 8-13-03, 4-5-12, 3-25-13, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Elizabeth Stevens, Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppell, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 16, 2016

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Retirement**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
60S-4.0035	Retirement Application and Effective Retirement Date
60S-4.008	Benefits Payable Upon Death
60S-4.009	Benefits Payable After Termination
60S-4.010	Retirement Benefit Payment Options
60S-4.011	Designation of Beneficiary

**PURPOSE AND EFFECT:** Amend forms including FST-11B, TR-11, FR-11, PR-13, FR-13, SVF-2, SRF-2, SRF-3, FRS-M81, JA-1, FST-12, and BEN-001. Create new form for Investment Plan members in the Special Risk Class. Amend birth verification documents and to require a marriage certificate at the time of application for members choosing option 3 or 4.

**SUMMARY:** To create a new beneficiary designation form for Special Risk Class members in the Investment Plan. To amend forms, including FST-11B, SVF-2, SRF-2, and the SRF-3 to address additional information for Special Risk members, forms TR-11, FR-11, PR-13, JA-1, FST-12, BEN-001 and the FR-13 to include contact information for beneficiaries, and form FRS-M81 to provide clarification and expand the explanation of the termination requirements for members seeking a refund of their employee contributions. To update rule language, including language pertinent to SB 7012 which provides death benefits to the surviving spouse or children at 100% of the member's salary. To update rule language to amend documentation accepted for proof of birth verification. To require the submission of a marriage certificate the time of

application for retirement if a member is choosing option 3 or 4 and naming their spouse as their beneficiary.

**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:** 121.031, 121.4501(8), 121.052(14) FS.

**LAW IMPLEMENTED:** 121.055, 121.021, 121.091, 121.4501(16), 121.591(2), 121.052, 121.031(2) FS.

**IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**

**DATE AND TIME:** Friday August 12, 2016 at 10:00 a.m.

**PLACE:** 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee FL 32311

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Garry Green, Chief, Bureau of Research and Member Communications, Department of Management Services, Division of Retirement, 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee FL 32311, (850)414-6349

**THE FULL TEXT OF THE PROPOSED RULE IS:**

60S-4.0035 Retirement Application and Effective Retirement Date.

(1) It shall be the responsibility of the FRS Pension Plan member, the State and County Officers' and Employees' Retirement System member, the Teachers' Retirement System member or the beneficiary of any such member in the event of the member's death, to make proper application to the Division for retirement benefits. A member may apply for retirement benefits within 6 months prior to his or her date of termination of employment. If a member terminates his or her employment and elects to defer his or her retirement to some future date, he or she may apply for deferred benefits up to 6 months prior to the date he or she desires his or her retirement to become effective.

Applications for retirement benefits may be obtained from Division's website, <http://frs.MyFlorida.com>, or by calling the Division Toll Free at (844)377-1888, if calling from outside the Tallahassee calling area or locally at (850)907-6500. Individuals with a hearing or speech impairment may call the Division via T.D.D. at the Florida Relay System by dialing 711 or (800) 955-8771. Applications are as follows:

(a) Application for normal or early retirement for FRS Pension Plan members as provided in Rules 60S-4.004 and 60S-4.005, F.A.C., respectively shall be made on Form FR-11, effective 07/16, (Rev. ~~11/10~~), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00349>, Florida Retirement System Pension Plan Application for Service Retirement, herein adopted by reference;

(b) No change.

(c) Application for normal or early retirement for members of the Teachers' Retirement System as provided in Rules 60S-4.004 and 60S-4.005, F.A.C., respectively, shall be filed with the Division on Form TR-11, effective 07/16, (Rev. 09/07), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00382>, Teachers' Retirement System Application for Service Retirement, herein incorporated by reference;

(d) Application for retirement benefits by a beneficiary of a deceased FRS Pension Plan member, State and County Officers' and Employees' Retirement System member or a Teachers' Retirement System member as provided in Rule 60S-4.008, F.A.C., shall be filed with the Division on Form FST-11b, effective 07/16, (Rev. 12/02),

<http://www.flrules.org/Gateway/reference.asp?No=Ref-00359>, Florida Retirement System Pension Plan Application of Beneficiary for Monthly Retirement Benefits, herein incorporated by reference. Application for retirement benefits by the contingent beneficiary of a deceased FRS Pension Plan member who selected an Option 2 benefit as provided in Rule 60S-4.010, F.A.C., wherein the primary beneficiary receiving the Option 2 benefit dies within the 10-year period following the member's effective date of retirement, shall be filed with the Division on Form FST-11so2 (Rev. 12/02), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00362>, Florida Retirement System Pension Plan Application for Survivor Benefits, herein adopted by reference;

(e) Application for retirement benefits by a beneficiary of a deceased FRS Investment Plan Special Risk class member as provided in Rule 60S-4.008, F.A.C., shall be filed with the Division on Form FST-11b-IP, effective 07/16, <http://www.flrules.org/Gateway/reference.asp?No=Ref->, Florida Retirement System Investment Plan Application of

Beneficiary for Monthly Retirement Benefits, herein incorporated by reference.

(f)(e) Application for disability retirement as provided in Rule 60S-4.007, F.A.C., shall be made as follows:

1. FRS Pension Plan members shall file such application for disability retirement with the Division on Form FR-13, effective 07/16 (~~Rev. 07/06~~), <http://www.flrules.org/Gateway/reference.asp?No=Ref->

~~http://www.flrules.org/Gateway/reference.asp?No=Ref-00350~~, Florida Retirement System Pension Plan Application for Disability Retirement, herein adopted by reference.

2. FRS Investment Plan members shall file such application for disability retirement with the Division on Form PR-13, effective 07/16 (~~Rev. 07/06~~), <http://www.flrules.org/Gateway/reference.asp?No=Ref->

~~http://www.flrules.org/Gateway/reference.asp?No=Ref-00367~~, Florida Retirement System Investment Plan Application for Disability Retirement, herein adopted by reference.

3. through 4. No change.

(2) Proper application for benefits provided herein, shall include proof of age for the member and for the joint annuitant.

(a) Proof of age shall be established with one of the following types of evidence (except as provided in 9 7.):

1. Copy of a birth Birth certificate Certificate;
2. No change.
3. Valid, unexpired U.S. passport;
3. – 6. renumbered as 4. – 7. No change.

8. Florida drivers license issued after January 1, 2010 that indicates compliance with the federal REAL ID Act.

9. 7. In the absence of the above, a document from two of the following categories will be required:

- a. Copy of a birth Birth certificate of child, showing age of parent;
- b. through d. No change.
- (b) through (c) No change.

(3) A copy of the marriage license if the spouse is named as beneficiary and the member selects option 3 or 4 as provided in Rule 60S-4.010, F.A.C., is required as part of a proper application for benefits under this section.

(4)(3) The Division shall establish the member’s effective retirement date as follows:

(a) through (c) No change.

(5)(4) When a member’s application for retirement benefits is received, the Division will:

(a) Acknowledge the receipt of the member’s application and advise him or her of any required information or documents that have not yet been received. Such information may include but is not limited to birthdate verification, beneficiary designation, option selection as required by Rule 60S-4.010, F.A.C., spousal acknowledgment by an FRS Pension member

applying for retirement benefits or an Investment Plan participant applying for Disability retirement as required by subsection 60S-4.010(9), F.A.C., copy of the marriage license as provided in (3), any payments due the member’s account for purchase of additional service credit or a written statement from the member that the member does not wish to claim such service credit, and final certification of earnings.

(b) Establish the effective retirement date as provided in paragraph 60S-4.0035(4) ~~(3)~~(a), F.A.C., for normal or early retirement, or as provided in paragraph 60S-4.0035(4) ~~(3)~~(b), F.A.C., for disability retirement.

(c) through (e) No change.

Rulemaking Authority 121.031, 121.4501(8) ~~(a)~~ FS. Law Implemented 112.65, 121.021, 121.091, 121.4501(16), 121.591(2) FS. History—New 11-14-91, Formerly 22B-4.0035, Amended 8-4-94, 12-12-96, 8-13-03, 4-5-12, \_\_\_\_\_.

60S-4.008 Benefits Payable Upon Death.

(1)(a) If the death of an FRS Pension Plan member occurs, other than in-line-of-duty, prior to the member becoming vested, the member’s designated beneficiary shall receive a refund of the member’s accumulated contributions, except as provided in subsection 60S-2.010(4), F.A.C., and shall make application to the Division for such refund on Form FST-11g effective

12/15,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-06736>, Florida Retirement System Pension Plan Application of Beneficiary for Benefit Payment, herein adopted by reference, which may be obtained by calling the Division Toll Free at (844)377-1888, if calling from outside the Tallahassee calling area, or locally at (850)907-6500, or if hearing or speech impaired by calling the Division via T.D.D. at the Florida Relay System by dialing 711 or (800)955-8771.

(b) No change.

(c)1. If the death of a Teachers’ Retirement System member occurs prior to the member obtaining 10 years of creditable service, the member’s designated beneficiary shall receive a refund of the member’s accumulated contributions as provided in Section 238.07, F.S., and shall make application to the Division for such refund on Form FST-11g, Florida Retirement System Pension Plan Application of Beneficiary for Benefit Payment as adopted in paragraph (a).

2. In addition, survivor benefits may be payable in accordance with Section 238.07(18), F.S. Survivors meeting the eligibility criteria for such benefits as provided in Section 238.07(18), F.S., shall make application to the Division on Form TR-11c (~~Rev. 12/02~~), <https://www.flrules.org/Gateway/reference.asp?No=Ref-00383>, Teachers’ Retirement System Application for Survivor Benefits herein incorporated by reference, which may be obtained by calling the Division Toll Free at (844) 377-1888, if calling from outside the Tallahassee calling area, or locally at

(850) 907-6500, or if hearing or speech impaired by calling the Division via T.D.D. at the Florida Relay System by dialing 711 or (800) 955-8771. An unmarried surviving dependent child of the deceased member over 18 years of age but not over 22 years of age and enrolled as a student in an accredited education institution meeting the eligibility criteria for survivor benefits under Section 238.07(18), F.S., shall also be required to submit the information in (d) following to the Division for survivor benefit eligibility determination.:

(d) An unmarried dependent child of a deceased member who is over the age 18 must submit the following documents:

a. An acceptance letter from an accredited educational institution or Form SRF-2, effective 07/16 (~~Rev. 07/99~~), [http://www.flrules.org/Gateway/reference.asp?No=Ref-~~http://www.flrules.org/Gateway/reference.asp?No=Ref-00379~~](http://www.flrules.org/Gateway/reference.asp?No=Ref-<del>http://www.flrules.org/Gateway/reference.asp?No=Ref-00379</del>), Florida Teachers<sup>2</sup> Retirement System Student Report Form, herein adopted by reference, which may be obtained by calling the Division Toll Free at (844)377-1888, if calling from outside the Tallahassee calling area, or locally at (850)907-6500, or if hearing or speech impaired by calling the Division via T.D.D. at the Florida Relay System by dialing 711 or (800)955-8771, completed by the accredited educational institution; and

b. A completed Form SRF-3, effective 07/16 (~~Rev. 07/99~~), [http://www.flrules.org/Gateway/reference.asp?No=Ref-~~http://www.flrules.org/Gateway/reference.asp?No=Ref-00380~~](http://www.flrules.org/Gateway/reference.asp?No=Ref-<del>http://www.flrules.org/Gateway/reference.asp?No=Ref-00380</del>), Florida Teachers<sup>2</sup> Retirement System Authorization for Release of Information, herein adopted by reference, which may be obtained by calling the Division Toll Free at (844)377-1888, if calling from outside the Tallahassee calling area, or locally at (850)907-6500, or if hearing or speech impaired by calling the Division via T.D.D. at the Florida Relay System by dialing 711 or (800)955-8771; and

c. A completed Form SVF-2, effective 07/16 (~~Rev. 07/99~~), [http://www.flrules.org/Gateway/reference.asp?No=Ref-~~http://www.flrules.org/Gateway/reference.asp?No=Ref-00381~~](http://www.flrules.org/Gateway/reference.asp?No=Ref-<del>http://www.flrules.org/Gateway/reference.asp?No=Ref-00381</del>), Florida Teachers<sup>2</sup> Retirement System Affidavit Attesting to Eligibility, herein adopted by reference, which may be obtained by calling the Division Toll Free at (844)377-1888, if calling from outside the Tallahassee calling area, or locally at (850)907-6500, or if hearing or speech impaired by calling the Division via T.D.D. at the Florida Relay System by dialing 711 or (800)955-8771.

(2) through (3) No change.

(4) If an FRS Pension Plan member is killed in the line of duty, except as provided in (5) for certain Special Risk Class members, the following shall apply:

(a) For Pension Plan members except Special Risk Class members killed in the line of duty before July 1, 2013, regardless ~~Regardless~~ of the member's length of service, the surviving spouse may elect a benefit equal to one-half of the member's monthly salary, excluding overtime and lump sum

payments, at time of death for the spouse's lifetime; or if the member had completed ten or more years of creditable service, or eight or more years of creditable service as a member of the Elected Officers' Class, or seven or more years of creditable service as a member of the Senior Management Service Class the surviving spouse may elect to receive a benefit as provided in paragraph 60S-4.008(2)(b), F.A.C.

(b) through (f) No change.

(5) If an FRS Pension Plan or Investment Plan Special Risk Class member is killed in the line of duty on or after July 1, 2013, the following shall apply to benefit payments beginning on or after July 1, 2016:

(a) Regardless of the member's length of service, the surviving spouse may elect a benefit equal to 100 percent of the member's monthly salary, excluding overtime and lump sum payments, at time of death for the spouse's lifetime.

(b) If the member had any children until 18 years of age at the time of his or her death, the surviving spouse shall not be permitted to receive a refund of the member's contributions in lieu of the benefits provided in paragraph 60S-4.008(4)(a), F.A.C.

(c) If the surviving spouse is receiving a benefit as provided in paragraph 60S-4.008(5)(a), F.A.C., and dies, the benefits which would have been payable to the surviving spouse shall be paid for the use and benefit of such member's child or children until the member's youngest child reaches 18 years of age.

(d) If the member leaves no surviving spouse but is survived by a child or children under 18 years of age, the benefits shall be paid for the use and benefit of such member's child or children until the member's youngest child reaches 18 years of age.

(e) If the surviving child or children remains unmarried and a full time student, benefit may be paid after age 18 and until the youngest child reaches 25 year of age.

(f) The distribution of benefits as provided by this subsection shall supersede any other distribution that may have been provided for by the member's designation of beneficiaries.

(5) through (9) renumbered (6) through (10) No change.

Rulemaking Authority 121.031 FS. Law Implemented 61.1301, 112.18, 112.181, 121.021(14), 121.052(5), 121.055, 121.091(7) FS. History—New 1-1-72, Amended 10-20-72, 12-31-74, 7-21-75, 8-26-81, Formerly 22B-4.08, Amended 2-6-84, 1-12-87, 2-7-89, 9-5-90, 5-15-91, 11-14-91, Formerly 22B-4.008, Amended 3-18-93, 1-25-94, 8-4-94, 12-12-96, 5-10-99, 8-13-03, 4-5-12, 1-20-14, 5-12-16, \_\_\_\_\_.

60S-4.009 Benefits Payable After Termination.

(1) through (2) No change.

(3) In order to receive a refund of contributions under the Florida Retirement System, an FRS member must terminate all employment relationships with all FRS participating employers for three calendar months as provided in Section

121.021(39)(c), F.S., and submit a request for refund on Form FRS-M81, effective 07/16 (Rev. 05/11), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00358>, Florida Retirement System Pension Plan Request for Refund, herein adopted by reference, to the division. Form FRS-M81 may be completed and submitted online from the Refund Application page of the member's Online Services account accessible from the Division's website ([www.frs.MyFlorida.com](http://www.frs.MyFlorida.com)) or may be obtained from the Forms page of the Division's website, [www.frs.MyFlorida.com](http://www.frs.MyFlorida.com), or by calling the Division Toll Free at (844)377-1888, if calling from outside the Tallahassee calling area, or locally at (850)907-6500, or if hearing or speech impaired by calling the Division via T.D.D. at the Florida Relay System by dialing 711 or (800)955-8771. The division shall acknowledge the receipt of the FRS-M81 and send the member Form REF-PAYT, effective 12/15, <http://www.flrules.org/Gateway/reference.asp?No=Ref-06737>, Florida Retirement System (FRS) Pension Plan Refund Payout Selection, herein adopted by reference, which may be obtained by calling the Division Toll Free at (844)377-1888, if calling from outside the Tallahassee calling area, or locally at (850)907-6500, or if hearing or speech impaired by calling the Division via T.D.D. at the Florida Relay System by dialing 711 or (800)922-8771. The member shall complete and return Form REF-PAYT to the division, indicating his or her refund payout selection. By obtaining a refund of contributions a member waives all rights under the Florida Retirement System to the service credit represented by the refunded contributions, except the right to purchase his or her prior service credit in accordance with Rule 60S-2.004, F.A.C. No refund of employee contributions shall be made until the employer has reported the employee's termination through the payroll reporting process.

(4) through (5) No change.

Rulemaking Authority 121.031, 121.052(14) FS. Law Implemented 121.021, 121.052(5)(c), 121.055, 121.091 FS. History—New 1-1-72, Amended 10-10-72, 12-31-74, 1-16-77, 8-26-81, Formerly 22B-4.09, Amended 1-12-87, 2-7-89, 11-14-91, Formerly 22B-4.009, Amended 8-4-94, 2-24-99, 4-5-12, 3-25-13, 12-15-13, 5-12-16, \_\_\_\_\_.

60S-4.010 Retirement Benefit Payment Options.

(1) through (7) No change.

(8) A member who selects Option 3 or 4 shall designate a joint annuitant to receive the benefits which continue to be payable upon his or her death. If, after benefits have commenced under Option 3 or 4, the retired member desires to change his or her designation of a joint annuitant, he or she may do so as follows:

(a) From October 1, 1979 through June 30, 1984, a retired member may change his or her designated joint annuitant only if his or her first designated joint annuitant is alive and can show evidence of good health as shall be substantiated by a statement

from a Florida licensed physician. A member desiring to change his or her designation shall file such change with the Division on Form JA-1, effective 07/16 (Rev. 12/02), [http://www.flrules.org/Gateway/reference.asp?No=Ref-](http://www.flrules.org/Gateway/reference.asp?No=Ref-00364)

<http://www.flrules.org/Gateway/reference.asp?No=Ref-00364>, "Florida Retirement System Pension Plan Change of Joint Annuitant (Retired members only)" herein adopted by reference and which may be obtained by calling the Division Toll Free at (844) 377-1888, if calling from outside the Tallahassee calling area or locally at (850)907-6500. Individuals with a hearing or speech impairment may call the Division via T.D.D. at the Florida Relay System by dialing 711 or (800)955-8771. Upon receipt of the completed form, the Division shall adjust the member's monthly benefit in accordance with subparagraph 60S-4.010(8)(c)1., F.A.C. The consent of a retired member's first designated joint annuitant to any such change shall not be required. The effective date of the change will be the first day of the month following receipt of the JA-1 form by the Division.

(b) through (d) No change.

(9) through (11) No change.

Rulemaking Authority 121.031, 121.052(14) FS. Law Implemented 121.021, 121.031(2), 121.052, 121.055, 121.091(6), (11) FS. History—New 1-1-72, Amended 12-31-74, 7-1-79, 5-18-80, 8-26-81, 1-18-83, 11-6-84, 4-17-85, Formerly 22B-4.10, Amended 3-11-87, 9-5-90, 5-15-91, 9-8-92, Formerly 22B-4.010, Amended 3-12-96, 12-12-96, 2-24-99, 8-13-03, 4-5-12, 1-20-16, \_\_\_\_\_.

60S-4.011 Designation of Beneficiary.

(1) through (3) No change.

(4) A member may designate a beneficiary or beneficiaries at any time prior to retirement, as follows:

(a) through (b) No change.

(c) Such beneficiary designation shall be made on the Form BEN-001, effective 07/16 (Rev. 09/13), [http://www.flrules.org/Gateway/reference.asp?No=Ref-](http://www.flrules.org/Gateway/reference.asp?No=Ref-03976)

<http://www.flrules.org/Gateway/reference.asp?No=Ref-03976>, Florida Retirement System Pension Plan Active Member Beneficiary Designation Form, herein adopted by reference, which may be obtained from the Forms page of the Division's website, [www.frs.MyFlorida.com](http://www.frs.MyFlorida.com), or by calling the Division Toll Free at (844)377-1888, if calling from outside the Tallahassee calling area or locally at (850)907-6500. Individuals with a hearing or speech impairment may call the Division via T.D.D. at the Florida Relay System by dialing 711 or (800)955-8771.

(d) through (e) No change.

(5) Upon application for retirement, a member shall be required to complete a new designation of beneficiary on the appropriate application form as provided in subsection 60S-4.0035(1), F.A.C., as follows:



(a) A member who selects option 1 or 2, as provided in paragraphs 60S-4.010(1)(a) or (b), F.A.C., may:

1. through 2. No change.

3. Change his or her designation of beneficiary at any time on Form FST-12, effective 07/16 (~~Rev. 09/13~~), <http://www.flrules.org/Gateway/reference.asp?No=Ref-03977>, Florida Retirement System Pension Plan Retired Member and DROP Participant Beneficiary Designation Form, herein adopted by reference, which may be obtained from the Forms page of the Division's website, [www.frs.MyFlorida.com](http://www.frs.MyFlorida.com), or by calling the Division Toll Free at (844) 377-1888, if calling from outside the Tallahassee calling area or locally at (850) 907-6500. Individuals with a hearing or speech impairment may call the Division via T.D.D. at the Florida Relay System by dialing 711 or (800) 955-8771.

(b) through (c) No change.

(6) No change.

Rulemaking Authority 121.031 FS. Law Implemented 121.021, 121.091(6), (8) FS. History—New 1-1-72, Amended 12-31-74, 1-19-82, 9-9-82, Formerly 22B-4.11, Amended 2-7-89, 9-5-90, 5-15-91, 11-14-91, 9-8-92, Formerly 22B-4.011, Amended 3-12-96, 2-24-99, 8-13-03, 4-5-12, 5-1-14, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Elizabeth Stevens, Director  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppell, Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 12, 2016  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 19, 2016, June 16, 2016

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Retirement**

RULE NO.: RULE TITLE:

60S-11.002 Participation

PURPOSE AND EFFECT: To amend forms to include contact information for beneficiaries. To amend documentation accepted for proof of birth verification. To require the submission of a marriage certificate the time of application under option 3 or 4.

SUMMARY: Amendment of forms including DP-11 and DT-11 to include contact information for beneficiaries to assist with reaching these beneficiaries upon a member or retiree's death. To amend documentation accepted for proof of birth verification. To require the submission of a marriage certificate the time of application for retirement if a member is choosing option 3 or 4 and naming their spouse as their beneficiary.

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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: 121.031, 121.091(13) FS.

LAW IMPLEMENTED: 121.021, 121.091 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Friday August 12, 2016 at 10 a.m.

PLACE: 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee FL 32311

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Garry Green, Chief, Bureau of Research and Member Communications, Department of Management Services, Division of Retirement, 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee FL 32311, 850-414-6349

THE FULL TEXT OF THE PROPOSED RULE IS:

60S-11.002 Participation.

(1) through (2) No change.

(3) APPLICATION TO PARTICIPATE –

(a) Member's Responsibility – It shall be the responsibility of the eligible member to make proper application to the Division to participate in DROP. To qualify for DROP, the member shall submit to the Division:

1. No change.

2. Form DP-11, effective 08/16, (~~Rev. 11/10~~) [http://www.flrules.org/Gateway/reference.asp?No=Ref-](http://www.flrules.org/Gateway/reference.asp?No=Ref-00389)

<http://www.flrules.org/Gateway/reference.asp?No=Ref-00389>, Florida Retirement System Pension Plan Application for Service Retirement and the Deferred Retirement Option Program (DROP); or Form DS-11 (Rev. 07/06) <http://www.flrules.org/Gateway/reference.asp?No=Ref-00400>, State and County Officers' and Employees' Retirement System Application for Service Retirement and the Deferred Retirement Option Program (DROP); or Form DT-11, effective

08/16, (Rev. \_\_\_\_\_ 07/06)  
<http://www.flrules.org/Gateway/reference.asp?No=Ref->  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-00401>,  
 Teachers' Retirement System Application for Service Retirement and the Deferred Retirement Option Program (DROP). All such forms are herein adopted by reference and may be obtained from the Forms page of the Division's website, www.frs.MyFlorida.com, or by calling the Division Toll Free at (844) 377-1888, if calling from outside the Tallahassee calling area or locally at (850) 607-6500. Individuals with a hearing or speech impairment may call the Division via T.D.D. at the Florida Relay System by dialing 711 or (800) 955-8771. Such application will be accepted by the Division up to 6 months in advance of the intended DROP begin date, and shall establish the member's effective date of retirement and DROP begin date. The effective date of retirement and the DROP begin date shall both be the first day of the month that the member indicates on his or her application as the date he or she wishes his or her DROP participation to begin, provided the Division receives the member's application no later than the close of business on the last day of the month in which the DROP begin date occurs. If a member fails to apply for DROP by the last day of the month in which his or her intended DROP begin date occurs, the effective date of retirement and the DROP begin date shall be the first day of the month in which the Division receives the member's application, provided the application is received within the 12-month election as provided in subsection 60S-11.002(2), F.A.C.

(b) Division's Responsibility – When the Division receives a member's application for DROP the Division will:

1. Acknowledge receipt of the member's application and advise him or her of any required information or documents that have not yet been received. Such information may include, but is not limited to, birth date verification as required by subsection 60S-4.0035(2), F.A.C., beneficiary designation as required by subsection 60S-11.004(2), F.A.C., option selection as required by Rule 60S-4.010, F.A.C., spousal acknowledgment if option 1 or 2 is selected as required by subsection 60S-4.010(9), F.A.C., marriage certificate if option 3 or 4 is selected as required in subsection 60S-4.0035(3), F.A.C., any payments due the member's account for purchase of additional service credit or a written statement from the member that the member does not wish to claim such service credit, and certification of final salary and accumulated annual leave payments as defined in Rule 60S-6.001, F.A.C.

2. through 3. No change.

Rulemaking Authority 121.031, 121.091(13) FS. Law Implemented 121.021, 121.091, 1012.01 FS. History—New 9-16-03, Amended 4-5-12, 3-25-13, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Elizabeth Stevens, Director  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppell, Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 12, 2016  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 16, 2016

**DEPARTMENT OF MANAGEMENT SERVICES**

**IFAS Supplemental Benefit Program**

RULE NO.: RULE TITLE:

60W-4.002 Statements of Policy

PURPOSE AND EFFECT: Amendment of forms to include contact information for beneficiaries. To amend documentation accepted for birth verification. To require the submission of a marriage certificate for option 3 or 4.

SUMMARY: To amend forms, including the IF-11 form to include contact information for beneficiaries to assist with reaching these beneficiaries upon a member or retiree's death. To amend documentation accepted for proof of birth verification. To require the submission of a marriage certificate the time of application for retirement if a member is choosing option 3 or 4 and naming their spouse as their beneficiary.

**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: 121.40(13) FS.

LAW IMPLEMENTED: 121.40 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Friday August 12, 2016 at 10 a.m.

PLACE: 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee FL 32311

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Garry Green, Chief, Bureau of Research and Member Communications, Department of Management Services, Division of Retirement, 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee FL 32311, 850-414-6349

THE FULL TEXT OF THE PROPOSED RULE IS:

60W-4.002 Statements of Policy.

(1) No change.

(2) It shall be the responsibility of the participant or his or her surviving joint annuitant to make proper application for supplemental benefits to the Division through the Institute on Form IF-11, effective 08/16 (Rev 07/06), <http://www.flrules.org/Gateway/reference.asp?No=Ref-01852>, Florida Retirement System Application for Institute of Food and Agricultural Sciences (IFAS) Supplemental Retirement, herein adopted by reference, which may be obtained by calling the Division of Retirement ~~Division's Bureau of Retirement Calculations~~ toll free at (844)377-1888 (888)738-2252, if calling from outside the Tallahassee calling area or locally at (850)907-6500 (850)488-6491, or if hearing or speech impaired by calling the Division via T.D.D. at the Florida Relay System by dialing 711 or (800)955-8771. Such application shall give notice of the date on which he or she will be eligible to begin receiving a supplemental benefit as provided in subsection 60W-4.002(4), F.A.C. The Institute shall forward to the Division the participant's application and other required documents when completed but no earlier than 6 months prior to the date the participant or joint annuitant becomes eligible to receive a supplemental benefit.

(3) through (4) No change.

(5) Proper application for benefits provided under this chapter shall include proof of age for the participant and for the joint annuitant. Once the birthdate of the participant and joint annuitant has been verified and the supplemental benefit commences, evidence of a different birthdate will not be accepted. Proof of age shall be established with one of the following types of evidence (except as provided in (i) (f)).

(a) Copy of a birth ~~Birth~~ certificate,

(b) No change.

(c) Valid, unexpired U.S. passport,

(c) through (e) renumbered as (d) through (f) No change.

(g) Letter from the Social Security Administration stating the date of birth it has established for the payment of benefits;

(h) Florida drivers license issued after January 1, 2010 that indicates compliance with the federal REAL ID Act.

(i) (f) In the absence of the above, a document from two of the following categories will be required:

1. through 4. No change.

(j) (g) No change.

(6) A copy of the marriage license if the spouse is named as beneficiary and the member selects option 3 or 4 as provided in Rule 60S-4.010, F.A.C., is required as part of a proper application for benefits under this section.

(6) through (9) renumbered as (7) through (10) No change. Rulemaking Authority 121.40(13) FS. Law Implemented 112.3173, 121.40 FS. History--New 2-4-86, Amended 9-5-90, Formerly 22Q-4.002, Amended 8-4-94, 3-31-13, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elizabeth Stevens, Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppell, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 16, 2016

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: RULE TITLE:

64B5-2.014 Licensure Requirements for Applicants from Accredited Schools or Colleges

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the incorporated forms and to clarify the name of the commission through which the licensure examination is given.

SUMMARY: The incorporated forms will be updated and the name of the commission through which the examination is given will be clarified.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 466.004 FS.

LAW IMPLEMENTED: 456.033, 466.006, 466.007, 466.028 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: Jennifer Wenhold, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.014 Licensure Requirements for Applicants from Accredited Schools or Colleges.

Any person who has graduated, or expects to graduate prior to the examination, or is in their final year of a dental or dental hygiene program and has completed all the coursework necessary to prepare the student to perform the clinical and diagnostic procedures required to pass the examinations, from a school or college accredited by the Commission on Accreditation of the American Dental Association or its successor agency, or any other dental or dental hygiene program accredited by an accrediting entity recognized by the United States Department of Education, may seek licensure as a dentist or dental hygienist in the following manner:

(1) *Dental Hygiene Candidates:*

(a) Successfully complete the practical or clinical dental hygiene examination developed by American Board of Dental Examiners, Inc., (ADEX), as specified in Rule 64B5-2.0135, F.A.C., through the Commission on Dental Competency Assessments (CDCA) ~~North East Regional Board of Dental Examiners, Inc.;~~

(b) No change.

(c) Submit a completed application for licensure, Dental Hygiene Licensure Application, Form DH-MQA 1210 (Rev 05/16 8/12), incorporated herein by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-02013> or available on the Department of Health’s website at <http://floridasdentistry.gov> ~~<http://www.doh.state.fl.us/mqa/dentistry>~~. An applicant is eligible for licensure upon receipt of a completed application, passing scores from the ADEX clinical examination, National Board Dental Hygiene Examination, and successful completion of the written examination on the laws and rules of Florida regulating the practice of dentistry and dental hygiene.

Applicants must comply with all time requirements for passing the examinations as specified in Rule 64B5-2.0135, F.A.C.

(2) *Dental Candidates:*

(a) Successfully complete the American Dental Licensing Examination (ADLEX) produced by the American Board of Dental Examiners, Inc., as specified in Rule 64B5-2.013, F.A.C., through the Commission on Dental Competency Assessments (CDCA) ~~North East Regional Board of Dental Examiners, Inc.~~, which includes the Diagnostic Skills Examination. Candidates who have completed the ADLEX after October 1, 2011 in another jurisdiction other than Florida and whose scores are over 365 days old are subject to additional application requirements as mandated in Section 466.006(4)(b)3., F.S. Additionally, all Candidates who submit ADLEX scores from another jurisdiction other than Florida are subject to post licensure requirements as mandated in Section 466.006(6), F.S.

(b) No change.

(c) Submit a completed application for licensure, Dental Licensure Application, DH-MQA 1182 (Rev. 05/16 8/12), incorporated herein by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-02014> or available on the Department of Health’s website at <http://www.floridasdentistry.gov> ~~<http://www.doh.state.fl.us/mqa/dentistry>~~. An applicant is eligible for licensure upon receipt of a completed application, passing scores from the ADLEX clinical examination, Diagnostic Skills Examination, National Board Dental Examination and successful completion of the written examination on the laws and rules of Florida regulating the practice of dentistry and dental hygiene. Applicants must comply with all time requirements for passing the examinations as specified in Rule 64B5-2.013, F.A.C.

(3) No change.

Rulemaking Authority 466.004 FS. Law Implemented 456.033, 466.006, 466.007, 466.028 FS. History—New 10-8-79, Amended 4-1-80, 4-20-81, 3-16-82, 5-2-84, 9-4-84, Formerly 21G-2.14, Amended 12-31-86, 10-8-87, 11-16-89, 10-18-90, Formerly 21G-2.014, 61F5-2.014, Amended 9-24-96, Formerly 59Q-2.014, Amended 8-20-97, 3-16-06, 12-26-06, 4-26-10, 3-18-12, 8-5-12, 12-11-12, .

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 20, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 22, 2016

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: 64B5-2.0142      RULE TITLE: Application for Health Access Dental License

**PURPOSE AND EFFECT:** The Board proposes the rule amendment to update the incorporated form and to clarify the web address from which the form may be obtained.

**SUMMARY:** The incorporated form will be updated and the web address from which the form may be obtained will be clarified.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

**RULEMAKING AUTHORITY:** 466.004 FS.

**LAW IMPLEMENTED:** 466.0067 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:** Jennifer Wenhold, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

**THE FULL TEXT OF THE PROPOSED RULE IS:**

64B5-2.0142 Application for Health Access Dental License.

Any person wishing to be issued a Health Access Dental License shall apply to the Board of Dentistry. The application shall be made on the Application for Health Access Dental License form #DH-MQA 1154 (Rev. 05/16 8/42), available at

<http://www.flrules.org/Gateway/reference.asp?No=Ref-02023>, hereby adopted and incorporated by reference, and can be obtained at ~~<http://www.floridasdentistry.gov>~~ ~~from the Board of Dentistry's~~ ~~website~~ ~~at~~ <http://www.doh.state.fl.us/mqa/dentistry/>.  
Rulemaking Authority 466.004 FS. Law Implemented 466.0067 FS. History--New 2-12-12, Amended 12-11-12,

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Board of Dentistry

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

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** May 20, 2016

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** June 22, 2016

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: 64B5-2.0144      RULE TITLE: Licensure Requirements for Dental Hygiene Applicants from Unaccredited Dental Schools or Colleges

**PURPOSE AND EFFECT:** The Board proposes the rule amendment to update the incorporated form, clarify the web address from which the form may be obtained, and clarify the name of the commission through which the licensure examination is given.

**SUMMARY:** The incorporated form will be updated, the web address from which the form may be obtained will be clarified, and the name of the commission through which the licensure examination is given will be clarified.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 466.004, 466.007 FS.

LAW IMPLEMENTED: 466.007 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: Jennifer Wenhold, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.0144 Licensure Requirements for Dental Hygiene Applicants from Unaccredited Dental Schools or Colleges.

Applicants for licensure as dental hygienists who have graduated from an unaccredited dental school or college may seek licensure in the following manner:

(1) Submit the following: A completed credentials application, Application for Credentials Review for Graduates From Non-Accredited Dental Colleges or Schools, Form DH-MQA 1253, 10/11, and incorporated herein by reference. Application for Credentials Review for Graduates From Non-Accredited Dental Colleges or Schools, Form DH-MQA 1253, 10/11 can be obtained at <http://www.flrules.org/Gateway/reference.asp?No=Ref-01037> or at <http://floridasdentistry.gov> ~~the Board of Dentistry website at <http://www.doh.state.fl.us/mqa/dentistry>.~~

(2) through (9) No change.

(10) Upon approval of the credentials, the applicant shall apply for licensure in the following manner:

(a) Successfully complete the Florida practical or clinical examination developed by the American Board of Dental Examiners, Inc., (ADEX), as specified in Rule 64B5-2.0135, F.A.C., through the Commission on Dental Competency Assessments (CDCA) North East Regional Board of Dental Examiners, Inc. (NERB); and,

(b) Submit a complete application, Dental Hygiene Licensure Application, Form DH-MQA 1210 (Rev. 05/16 8/12), incorporated herein by reference. Dental Hygiene Licensure Application, Form DH-MQA 1210 (Rev. 05/16 8/12), is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-02046> or <http://floridasdentistry.gov> ~~on the Department of Health's website at <http://www.doh.state.fl.us/mqa/dentistry>.~~ An applicant is eligible for licensure upon receipt of a completed application, passing scores from the ADEX dental hygiene examination, the National Board Dental Hygiene or National

Board Dental Examination, and successful completion of the written laws and rules of Florida regulating the practice of dentistry and dental hygiene. Applicants must comply with all time requirements for passing the examinations as specified in Rule 64B5-2.0135, F.A.C.

Rulemaking Authority 466.004, 466.007 FS. Law Implemented 466.007 FS. History--New 1-18-95, Formerly 59Q-2.0144, Amended 8-19-97, 8-20-97, 5-20-01, 12-21-06, 5-8-08, 4-26-10, 3-18-12, 12-11-12, 12-15-14, 4-17-16,

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 20, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 22, 2016

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: RULE TITLE:

64B5-2.0146 Licensure Requirements for Applicants from Non-Accredited Schools or Colleges

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the incorporated form, clarify the web address from which the form may be obtained, and clarify the name of the commission through which the licensure examination is given.

SUMMARY: The incorporated form will be updated, the web address from which the form may be obtained will be clarified, and the name of the commission through which the licensure examination is given will be clarified.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 466.004(4), 466.006(3) FS.

LAW IMPLEMENTED: 466.006 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: Jennifer Wenhold, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.0146 Licensure Requirements for Applicants from Non-Accredited Schools or Colleges.

Prior to applying to take the American Dental Licensing Examination (ADLEX), as specified in Rule 64B5-2.013, F.A.C., complete and submit Application for Credentials Review For Graduates From Non-Accredited Dental Colleges or Schools, Form DH-MQA 1254, (10-11), incorporated herein by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-02022> or the Department of Health's website at <http://floridasdentistry.gov> <http://www.doh.state.fl.us/mqa/dentistry>.

(1) through (3) No change.

(4) After approval to sit for the ADLEX examination, the applicant shall successfully complete the practical or clinical examination which is the American Dental Licensing Examination (ADLEX) produced by the American Board of Dental Examiners and the Diagnostic Skills Examination, as specified in Rule 64B5-2.013, F.A.C., through the Commission on Dental Competency Assessments (CDCA) North East Regional Board of Dental Examiners, Inc. (NERB). Candidates who have completed the ADLEX after October 1, 2011 in another jurisdiction other than Florida are subject to additional requirements as stated in Section 466.006, F.S.

(5) After completion of the ADLEX examination, applicants shall submit Dental Licensure Application, Form DH-MQA 1182 (Rev. 05/16 8/12), incorporated herein by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-02019> or the Department of Health's website at <http://floridasdentistry.gov> <http://www.doh.state.fl.us/mqa/dentistry>.

Rulemaking Authority 466.004(4), 466.006(3) FS. Law Implemented 466.006 FS. History—New 10-15-92, Formerly 21G-2.0146, 61F5-2.0146, Amended 9-24-96, Formerly 59Q-2.0146, Amended 8-19-97,

5-20-01, 6-7-05, 12-26-06, 6-30-09, 3-18-12, 12-11-12, 2-25-15,

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 20, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 22, 2016

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: RULE TITLE:

64B5-7.005 Teaching Permits

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the incorporated form and clarify the web address from which the form may be obtained.

SUMMARY: The incorporated form will be updated and the web address from which the form may be obtained will be clarified.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 466.002(6), 466.004(4) FS.

LAW IMPLEMENTED: 466.002(6) 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: Jennifer Wenhold, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-7.005 Teaching Permits.

(1) through (4) No change.

(5) An applicant for a teaching permit shall submit Application for Teaching Permit, form DH-MQA 1225 (05/16 2/43), incorporated herein by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-03426> or on the Department of Health's website at <http://floridasdentistry.gov> ~~<http://www.doh.state.fl.us/Mqa/dentistry>~~.

Rulemaking Authority 466.002(6), 466.004(4) FS. Law Implemented 466.002(6) FS. History—New 4-30-80, Amended 1-13-81, Formerly 21G-7.05, Amended 1-29-89, Formerly 21G-7.005, 61F5-7.005, Amended 10-16-96, 3-16-97, Formerly 59Q-7.005, Amended 11-10-98, 8-3-00, 1-12-04, 9-11-06, 11-19-12, 9-17-13, .

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 20, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 22, 2016

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NOS.: RULE TITLES:

64B16-26.2032 Pharmacy Intern Registration Internship Requirements (U.S. Pharmacy Students/Graduates)

64B16-26.2033 Pharmacy Intern Registration and Internship Requirements (Foreign Pharmacy Graduates)

64B16-26.400 Pharmacy Interns; Registration; Employment

PURPOSE AND EFFECT: For Rule 64B16-26.2032, F.A.C., the Board proposes the rule amendment to update the rule and revise the incorporated forms. For Rules 64B16-26.400 and 64B16-26.2033, F.A.C., the Board proposes the rule amendments to update the rules.

SUMMARY: Rule 64B16-26.2032, F.A.C. will be updated and the incorporated forms will be revised. Rules 64B16-26.400 and 64B16-26.2033, F.A.C., will be updated.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 465.005 FS.

LAW IMPLEMENTED: 456.003(12), 456.013(1), 465.007, 465.0075, 465.013 465.002 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 64B16-26.2032, F.A.C. follows. See Florida Administrative Code for present text.)

64B16-26.2032 Application for Pharmacy Intern Registration ~~Pharmacy Intern Registration Internship Requirements (U.S. Pharmacy Students/Graduates)~~.

(1)(a) Students/Graduates of ACPE Accredited Programs. Students currently enrolled in, or graduates of, colleges or schools of pharmacy which are accredited by the Accreditation Council of Pharmaceutical Education (ACPE) shall apply for pharmacy intern registration on form DH-MQA 104, Pharmacy Intern Application for ACPE Accredited Students/Graduates and Instructions, 07/16, which is hereby incorporated by reference and which can be obtained from [http://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_](http://www.flrules.org/Gateway/reference.asp?No=Ref-_____), the Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or the Board's website at



<http://floridaspharmacy.gov/Applications/app-pharmacy-intern-us.pdf>.

(b) Graduates of non-ACPE Accredited Programs. Graduates of colleges or schools of pharmacy which are not ACPE accredited shall apply for pharmacy intern registration on form DH-MQA 102, Pharmacy Intern Application for Foreign Graduates and Instructions, 07/16, which is incorporated by reference and which can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref->, the Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or the Board's website at <http://floridaspharmacy.gov/Applications/app-pharmacy-intern-foreign.pdf>.

(2) In addition to the application required by subsection (1), an applicant for pharmacy intern registration must submit proof satisfactory to the Board of:

(a) Enrollment in an intern program at an accredited college or school of pharmacy; or

(b) Graduation from an accredited college or school of pharmacy and who is not yet licensed in the state. For purposes of this rule only, any individual who has been accepted by the Foreign Pharmacy Graduate Examination Commission to sit for the Foreign Pharmacy Graduate Equivalency Examination, or who has obtained a passing score on the Examination, shall be considered a graduate of an accredited college or school of pharmacy.

(3) Upon the receipt of proof satisfactory to the Board that the applicant meets the requirements of this rule, and unless there exists good cause for the Board's refusal to certify an applicant as set forth in Section 465.013, F.S., the Board shall certify the applicant to the Department for registration as an intern.

Rulemaking Authority 465.005, FS. Law Implemented 456.013(1), (2), (3), (13), 465.003(12), (13), 465.007(1)(c), 465.0075(1)(c)2., F.S. History New 4-1-07, Amended 7-7-10, 10-7-12,\_\_\_\_\_.

(Substantial rewording of Rule 64B16-26.2033, F.A.C. follows. See Florida Administrative Code for present text.)

64B16-26.2033 Approved Pharmacy Internship Programs. Pharmacy Intern Registration and Internship Requirements (Foreign Pharmacy Graduates).

(1) For the purpose of qualifying for licensure by examination pursuant to Section 465.007(1)(c), F.S., or for licensure by endorsement pursuant to Section 465.0075(1)(c)2., F.S., the following are determined to be "internship programs approved by the Board:"

(a) Internship programs offered by schools or colleges of pharmacy which are accredited by the Accreditation Council on Pharmacological Education (ACPE);

(b) Internships that are required to obtain the doctor of pharmacy degree from institutions which are accredited as provided by Section 465.007(1)(b)1., F.S. Documentation of

graduation from such institutions after January 1, 2001 with the doctor of pharmacy degree shall constitute satisfactory proof the applicant has satisfied the requirements of this paragraph; or

(c) Internship programs which meet all requirements of subsection (2), below.

(2) The Board will approve internship programs other than those accredited programs enumerated in paragraphs (1)(a)-(b), above, upon presentation of proof satisfactory to the Board of the following.

(a) The internship experience shall be obtained in a community pharmacy, institutional pharmacy or any Florida Board of Pharmacy approved pharmacy practice, which includes significant aspects of the practice of pharmacy as defined in Section 465.003(13), F.S., provided such pharmacy:

1. Holds a current license or permit issued by the state in which they are operating and shall have available all necessary equipment for professional services, necessary reference works, in addition to the official standards and current professional journals;

2. Is operated at all times under the supervision of a pharmacist and shall be willing to train persons desiring to obtain professional experience;

3. Demonstrates that the pharmacy fills, compounds and dispenses a sufficient number, kind and variety of prescriptions during the course of a year so as to afford to an intern a broad experience in the filling, compounding and dispensing of prescription drugs; and

4. Has a clear record as to observance of federal, state and municipal laws and ordinances covering any phase of activity in which it is engaged.

(b) Pharmacists serving as preceptors of pharmacy interns shall:

1. Willingly accept the responsibility for professional guidance and training of the intern and be able to devote time to preceptor training sessions and to instruction of the intern;

2. Hold current licensure in the state in which pharmacy is practiced;

3. Be ineligible to serve as a preceptor during any period in which the pharmacist's license to practice pharmacy is revoked, suspended, on probation, or subject to payment of an unpaid fine levied by lawful Board order, or during any period in which the pharmacist's license is the subject of ongoing disciplinary proceedings;

4. Agree to assist the school or college of pharmacy in the achievement of the educational objectives set forth and to provide a professional environment for the training of the intern; and

5. Provide documentation or evidence of the pharmacist's continued professional education and of an active involvement in a patient-oriented practice.

(c) In the event an internship program meets all the requirements set forth in subsections (a) and (b), any applicant submitting it for the purpose of qualifying for licensure must show in addition to successful completion of the internship:

- 1. Approval of the program by a state board of pharmacy; and
- 2.a. Sufficient hours to total two thousand eighty (2080) hours;  
or
- b. Licensure in another state and work performed as a pharmacist for a sufficient number of hours to total two thousand eighty (2080) hours when combined with the internship hours.

(3) All internship hours may be obtained prior to the applicant's graduation. Hours worked in excess of fifty (50) hours per week prior to the applicant's graduation or in excess of sixty (60) hours per week after an applicant's graduation will not be credited toward meeting the required internship hours.

(4) Proof of current licensure in another state and work as a pharmacist for up to two thousand eighty (2080) hours may substitute for all or part of the internship requirement. However, pursuant to section 465.007(1)(b)2., F.S., all foreign pharmacy graduates must complete five hundred (500) hours of supervised work activity within the state of Florida. The supervised work activity program experience shall be documented on form DH-MQA 1153, "Foreign Graduate Registered Intern Work Activity Manual," incorporated by reference in Rule 64B16-26.2031, F.A.C. Further, supervised work activity hours may not be credited to any applicant until said applicant has obtained the passing score on the Foreign Pharmacy Graduate Equivalency Exam as provided in Section 465.007(1)(b)2., F.S. and as defined in Rule 64B16-26.203, F.A.C.

(5) Governmental and private radiopharmacy internship programs are not approved by the Board.

(6) Proof of completion of an internship program shall consist of the program's certification that the applicant has completed the program. If additional hours are required to total two thousand eighty (2080) hours, satisfactory proof of the additional hours shall consist of the program's certification of completion of the additional hours.

Rulemaking Authority 465.005, 465.007(1)(c) FS. Law Implemented 465.003(12), (13), 465.007(1)(c), 465.0075(1)(c)2., 465.013, 465.015(1)(b), (2)(b) FS. History—New 4-1-07, Amended 7-7-10, 10-7-12, \_\_\_\_\_.

64B16-26.400 Pharmacy Interns; ~~Registration~~; Employment; Supervision.

- (1) No change.
- ~~(2) An applicant for pharmacy intern registration must submit proof of:~~
  - ~~(a) Enrollment in an intern program at an accredited college or school of pharmacy or;~~

~~(b) Graduation from an accredited college or school of pharmacy and not yet licensed in the state. For purposes of this rule only, any individual who has been accepted by the Foreign Pharmacy Graduate Examination Commission to sit for the Foreign Pharmacy Graduate Equivalency Examination shall be considered a graduate of an accredited college or school of pharmacy. The internship experience allowed under this provision shall not count toward the 500 hours internship required subsequent to passage of the Foreign Pharmacy Graduate Equivalency Examination as mandated in Section 465.007(1)(b)2., F.S., and as defined in Rule 64B16-26.203, F.A.C.~~

~~(3) Upon the receipt of proof satisfactory to the Board that the intern applicant meets the requirements of either paragraph (a) or (b) of subsection (2), and unless there exists good cause for the Board's refusal to certify an applicant as set forth in Section 465.013, F.S., the Board shall certify the applicant to the Department for registration as an intern.~~

~~(2)(4) No intern shall perform any acts relating to the filling, compounding, or dispensing of medicinal drugs unless it is done under the direct and immediate personal supervision of a person actively licensed to practice pharmacy in this state.~~

Rulemaking Specific Authority 465.005, FS. Law Implemented 465.013, 465.015(1)(b), (2)(b), FS. History—Amended 8-20-63, 5-19-72, 8-18-73, Repromulgated 12-18-74, Amended 11-10-80, 4-30-85, Formerly 21S-1.21, Amended 10-20-88, Formerly 21S-1.021, Amended 7-31-91, 1-10-93, Formerly 21S-26.400, 61F10-26.400, 59X-26.400, Amended 3-10-05, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Pharmacy  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 2016  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 3, 2016

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.:       RULE TITLE:

64B16-26.204   Licensure by Endorsement

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the rule and revise the incorporated form.  
SUMMARY: The rule will be updated and the incorporated forms will be revised.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in

the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 465.005, 465.0075 FS.

LAW IMPLEMENTED: 456.013(1), 465.007, 465.0075, 465.022 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-26.204 Pharmacist Licensure by Endorsement; Application.

~~An applicant for licensure by endorsement must be at least 18 years of age and a recipient of a degree from a school or college of pharmacy accredited by an accrediting agency recognized and approved by the United States Office of Education.~~

(1)(a) U.S. Graduates. All applications for licensure by endorsement for pharmacists who received a degree from a school or college of pharmacy accredited by an accrediting agency recognized and approved by the United States Department of Education shall be made on board approved form DOH/MQA 100, 07/16, effective June 2010. Pharmacist Licensure by Endorsement Application and Instructions (U.S. Graduates and territories), which is hereby incorporated by reference, and which can be obtained from [http://www.flrules.org/Gateway/reference.asp?No=Ref-](http://www.flrules.org/Gateway/reference.asp?No=Ref-the Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or the Board's website at http://floridaspharmacy.gov/Applications/app-pharmacist-endorse-uspr-grad.pdf) the Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or the Board's website at <http://floridaspharmacy.gov/Applications/app-pharmacist-endorse-uspr-grad.pdf>.

(b) Foreign Graduates. All applications for licensure by endorsement for pharmacists graduated from a pharmacy program of a school or college of pharmacy located outside of the United States shall be made on board approved form DOH/MQA 1196, 07/16, Pharmacist Licensure by Endorsement Application and Instructions (Foreign Graduates), which is hereby incorporated by reference, and which can be obtained from [http://www.flrules.org/Gateway/reference.asp?No=Ref-](http://www.flrules.org/Gateway/reference.asp?No=Ref-the Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or the Board's website at http://floridaspharmacy.gov/Applications/app-pharmacist-endorse-foreign-grad-2013.pdf) the Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or the Board's website at <http://floridaspharmacy.gov/Applications/app-pharmacist-endorse-foreign-grad-2013.pdf>, or (850) 488-0595 to request a form or download the form from the board's website at <http://www.doh.state.fl.us/mqa/pharmacy>.

(2) The application must be accompanied with a non-refundable application fee and initial licensure fee as set forth in Rules 64B16-26.1001 and 64B16-26.1002, F.A.C., and in addition.

~~(2) The applicant must submit satisfactory proof that one of the following requirements has been met:~~

(a) Compliance with the requirements of subsections 465.007(1)(b)1. or 2. and (1)(c), F.S.;

(b) Having obtained a passing score on a licensure examination as described in subsection 465.0075(1)(b), F.S.; and

~~1.(a) Having two (2) years of active practice, as defined in Section 465.0075(1)(c)1., F.S., within the immediately preceding five (5) years and have completed . If the applicant meets the requirements of this section, proof of completion of 30 hours of Florida Board of Pharmacy, Accreditation Council for Pharmacy Education (ACPE), or other state board of pharmacy approved continuing education within obtained in the two (2) calendar years immediately preceding application; must also be submitted.~~

2. Successful completion of board-approved postgraduate training or a board-approved clinical competency examination within the year immediately preceding application; or

~~3.(b) Successful completion of an internship meeting the requirements of Section 465.007(1)(c), F.S., within the immediately preceding two (2) years immediately preceding application.~~

~~(3) Completion of a Board-approved course not less than two (2) hours on medication errors that covers the study of root-cause analysis, error reduction and prevention, and patient safety. For applicants who apply within one (1) year following receipt of their pharmacy degree, completed academic course work on medication errors will be accepted by the Board as an educational course under this section, provided such course work is no less than two (2) contact hours and that it covers the study of root cause analysis, error reduction and prevention, and patient safety as evidenced by a letter attesting to subject~~

~~matter covered from an official of the university where the course was taken.~~

~~(4) Applicants qualifying under the education requirements of Section 465.007(1)(b)2., F.S., (foreign graduates), must complete the requirements of Rule 64B16-26.2031, F.A.C., prior to certification for the examination required in subsection (6) of this rule.~~

~~(3)(5) No change.~~

~~(6) Applicants applying under the provisions of Section 465.0075, F.S., must have obtained a passing score on the licensure examination as described in subsection 64B16-26.200(1), F.A.C.~~

~~(4)(7) Applicants applying under the provisions of Section 465.0075, F.S., shall cause the National Association of Boards of Pharmacy, or other similar organization, to issue a Transfer of Pharmaceutical Licensure certificate showing examination date, examination results, states of licensure, disciplinary actions, and licensure status.~~

~~(5)(8) No change.~~

Rulemaking Authority 465.005, 465.0075 FS. Law Implemented 456.013(4)(2), 465.007, 465.0075, 465.022 FS. History—New 11-8-01, Amended 111-05, 2-18-08, 5-26-09, 10-10-10, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Pharmacy  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 2016  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 3, 2016

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Miscellaneous Businesses and Professions - Asbestos Consultants/Asbestos Consultant Examination**

RULE NO.: RULE TITLE:  
61E1-6.001 Disciplinary Guidelines.  
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. 42 No. 99, May 20, 2016 issue of the Florida Administrative Register.

61E1-6.001 Disciplinary Guidelines

(1) Whenever the Department finds a licensee guilty of violating a provision of Chapter 469 or Chapter 455, F.S., the following Disciplinary Guidelines shall be followed. *Penalties*

*imposed by the Department pursuant to Rule 61E1-6, F.A.C., may be imposed in combination or individually but may not exceed the limitations enumerated below.* The identification of violations is descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included:

(a) through(k) No change.

Statutory Violation	Description of Violation (This description is a general summary).	Penalty Range for First Violation.	Penalty Range for Any Subsequent Violations.
(1) Violation of: Section 469.009(1)(1), F.S.	Failing in any material respect to comply with the provisions of <u>Ch. 469 this chapter</u> , or violating a rule or lawful order of the department	Fine of \$500 up to \$1000, Censure, Investigative/Prosecution Costs, Reprimand, Probation, Suspension, Revocation, Deny Issuance/Renewal License.	Fine of \$1000 up to \$5000, Investigative Costs, Probation, Suspension, Revocation, Deny Issuance/Renewal License.

(m) through (s) No change.

~~(2) Aggravating/Mitigating Circumstances. The existence of aggravating or mitigating circumstances, as set forth below, will permit deviation from the guidelines upon clear and convincing evidence.~~

~~(a) Aggravating circumstances; circumstances which may justify deviating from the disciplinary guidelines include, but are not limited to:~~

- ~~1. History of previous violations of the practice act or the rules promulgated thereunder;~~
- ~~2. The magnitude and scope of the project and the damage inflicted upon the public;~~
- ~~3. Evidence of violations of professional practice acts in this or other jurisdictions which resulted in discipline by the regulatory authority;~~
- ~~4. Failure to attempt to correct the violation by the licensee;~~
- ~~5. Any other relevant aggravating circumstances;~~
- ~~6. Physical harm to public or employees.~~

~~(b) Mitigating circumstances; circumstances which may justify deviating from the disciplinary guidelines include, but are not limited to:~~

- ~~1. In cases of negligence, the minor nature of the project in question and the lack of danger to the public health, safety or welfare which resulted;~~
  - ~~2. Lack of previous disciplinary history in this or any other jurisdiction wherein the licensee practices or has practiced;~~
  - ~~3. Restitution of any damages suffered by the licensee's client;~~
  - ~~4. Remedial steps taken by the licensee to avoid similar violations in the future;~~
  - ~~5. Attempts by the licensee to correct the violation;~~
  - ~~6. Any other relevant mitigating circumstances.~~
- (2)(3) No change.

Rulemaking Authority 455.2273, 469.011,455.225(3), , FS. Law Implemented 455.2273, 469.009, 455.225(3), FS. History--new.

**DEPARTMENT OF HEALTH**

**Board of Podiatric Medicine**

RULE NO.:                   RULE TITLE:  
64B18-14.010    Citations

**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. 42 No. 94, May 13, 2016 issue of the Florida Administrative Register.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and by a discussion and vote by the Board at its July 8, 2016 meeting. The rule shall now read as follows:

64B18-14.010 Citations.

(1) Pursuant to Section 456.077, F.S., the Board sets forth below those violations for which there is no substantial threat to the public health, safety, and welfare; or, if there is a substantial threat to the public health, safety, and welfare, such potential for harm has been removed prior to the issuance of the citation. Next to each violation is the penalty to be imposed. In addition to any administrative fine imposed, the Respondent shall be required by the Department to pay the costs of investigation. ~~The form to be used is specified in rules of the Department of Health.~~

(2) No change.

(3) The following violations may be disposed of by the Department by citation with the specified penalty:

<b>VIOLATIONS</b>	<b>PENALTY</b>
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(a) CME violations Podiatrist.  
(Section 456.077(2) ~~and~~  
461.013(1)(w), F.S.)  
1. through 3. No change.

4. Failure to attend during the first biennium or within twenty four (24) months of initial licensure one full day of a meeting of the Board of Podiatric Medicine at which disciplinary hearings are conducted. Guidelines outlined in Rule 64B18-17.005, F.A.C.  
(b) No change.

(c) Practice on a delinquent license for a period of up to three months. (Sections 461.012(1)(a) ~~and~~ 461.013(1)(w), F.S.) \$500 fine for Podiatrist; \$150 fine for Podiatric X-ray Assistant

(d) through (e) No change.  
(f) Failure to provide the disclaimer required for free or discounted services. (Sections 456.062, 456.077(2) ~~and~~ 461.013(1)(w), F.S.) \$500 fine

(g) Soliciting patients. (Sections 456.072(1)(x), 456.077(2), ~~and~~ 461.013(1)(k), ~~and~~ 461.013(1)(w), F.S.) \$500 fine

(h) No change.  
(i) ~~Failure to pay the one time assessment fee of \$375.00.~~ Citation fine of \$500.00 plus payment of cost and the \$375.00 assessment fee.

(j) ~~Failure to pay required costs and fines.~~ (Section 456.077(2), F.S.) \$2,500 fine and compliance of outstanding costs and fines within sixty days

(k) ~~through (k)(4)~~ No change.

(4) through (5) No change.  
Rulemaking Authority 456.072, 456.077, 461.005 FS. Law Implemented 456.057, 456.062, 456.072, 456.077, 461.012, 461.013(7) FS. History--New 1-19-92, Formerly 21T-14.010, 61F12-14.010, Amended 3-26-95, 2-25-96, 6-17-97, Formerly 59Z-14.010, Amended 11-23-00, 8-13-02, 7-26-04, 6-14-06, 10-11-06, 10-7-07, 6-8-08, 11-10-11, \_\_\_\_\_.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony B. Spivey, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

## Section IV Emergency Rules

NONE

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

### DEPARTMENT OF HEALTH

#### Board of Nursing

The Board of Nursing hereby gives notice that on May 9, 2016, a Notice of Intent to Deny Petition for Waiver and Variance was filed. The Petition for Waiver or Variance was filed by Universal Career School, on February 22, 2016, seeking a waiver or variance from subsection 64B9-15.005(6), F.A.C., with regard to not having any test takers for one calendar year. The Notice was published in Volume 42, No. 37, of the Florida Administrative Register on February 24, 2016. The Board, at its meeting held on April 6-8, 2016, voted to deny the Petition for Waiver or Variance finding that the Petitioner did not demonstrate a substantial hardship; that application of the rule did not violate the principles of fairness; and that the purpose of the underlying statute was not met.

A copy of the Order or additional information may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin # C02, Tallahassee, Florida 32399-3252, (850)488-0595, Joe.Baker@flhealth.gov.

### DEPARTMENT OF HEALTH

#### Board of Nursing

The Board of Nursing hereby gives notice that on May 9, 2016, a Notice of Intent to Grant Petition for Waiver and Variance was filed. The Petition for Waiver or Variance was filed by St. Cloud HS Certified Nursing Assistant Program, on March 21, 2016, seeking a waiver or variance from subsection 64B9-15.005(6), F.A.C., with regard to the program's passing rate required by the rule. The Notice was published in Volume 42, No. 56, of the Florida Administrative Register on March 22, 2016. The Board, at its meeting held on April 6-8, 2016, voted to grant the Petition for Waiver or Variance finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin # C02, Tallahassee, Florida 32399-3252, (850)488-0595, Joe.Baker@flhealth.gov.

### DEPARTMENT OF HEALTH

#### Board of Nursing

The Board of Nursing hereby gives notice that on May 9, 2016, a Notice of Intent to Grant Petition for Waiver and Variance was filed. The Petition for Waiver or Variance was filed by Boca Ciega High School on February 22, 2016, seeking a waiver or variance from subsection 64B9-15.005(6), F.A.C., with regard to the program's passing rate required by the rule. The Notice was published in Volume 42, No. 37, of the Florida Administrative Register, on February 24, 2016. The Board, at its meeting held on April 6-8, 2016, voted to grant the Petition for Waiver or Variance finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin # C02, Tallahassee, Florida 32399-3252, (850)488-0595, Joe.Baker@flhealth.gov.

### DEPARTMENT OF HEALTH

#### Board of Nursing

The Board of Nursing hereby gives notice that on May 9, 2016, a Notice of Intent to Deny Petition for Waiver and Variance was filed. The Petition for Waiver or Variance was filed by FMI Career School, on February 22, 2016, seeking a waiver or variance from subsection 64B9-15.005(6), F.A.C., with regard to not having any test takers for one calendar year. The Notice was published in Volume 42, No. 37, of the Florida Administrative Register, on February 24, 2016. The Board, at its meeting held on April 6-8, 2016, voted to deny the Petition for Waiver or Variance finding that the Petitioner did not demonstrate a substantial hardship; that application of the rule did not violate the principles of fairness; and that the purpose of the underlying statute was not met.

A copy of the Order or additional information may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin # C02, Tallahassee, Florida 32399-3252, (850)488-0595, Joe.Baker@flhealth.gov.

### DEPARTMENT OF HEALTH

#### Board of Nursing

The Board of Nursing hereby gives notice that on May 9, 2016, a Notice of Intent to Dismiss Petition for Waiver and Variance was filed. The Petition for Waiver or Variance was filed by Heart To Heart Health Academy, on March 21, 2016, seeking a waiver or variance from Chapter 28-104, F.A.C., with regard to not having any test takers for one calendar year. The Notice was published in Volume 42, No. 56, of the Florida Administrative Register on March 22, 2016. The Board, at its meeting held on April 6-8, 2016, voted to dismiss the Petition for Waiver or

Variance finding that the rule cited by Petitioner does not fall within the jurisdiction of the Board of Nursing.

A copy of the Order or additional information may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin # C02, Tallahassee, Florida 32399-3252, (850)488-0595, Joe.Baker@flhealth.gov.

**DEPARTMENT OF HEALTH**

**Board of Nursing**

The Board of Nursing hereby gives notice that on May 9, 2016, a Notice of Intent to Deny Petition for Waiver and Variance was filed. The Petition for Waiver or Variance was filed by Nursing School of Excellence on March 10, 2016, seeking a waiver or variance from subsection 64B9-15.005(6), F.A.C., with regard to not having any test takers for one calendar year. The Notice was published in Volume 42, No. 50, of the Florida Administrative Register on March 14, 2016. The Board, at its meeting held on April 6-8, 2016, voted to deny the Petition for Waiver or Variance finding that the Petitioner did not demonstrate a substantial hardship; that application of the rule did not violate the principles of fairness; and that the purpose of the underlying statute was not met.

A copy of the Order or additional information may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin # C02, Tallahassee, Florida 32399-3252, (850)488-0595, Joe.Baker@flhealth.gov.

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

**RULE NO.: RULE TITLE:**

69O-191.029 Maintaining Eligibility for Certificate of Authority

The Office of Insurance Regulation hereby gives notice that the Office of Insurance Regulation filed an Order Approving Waiver from Rule 69O-191.029, F.A.C., on July 1, 2016. Petitioner, Sunshine Health Community Solutions filed a Petition for Waiver on May 6, 2016, alleging that application of Rule 69O-191.029, F.A.C., would create a substantial hardship due to the fact federal regulations would not permit it to begin operations until January 1, 2017. The Order waives application of the rule until January 1, 2017.

A copy of the Order or additional information may be obtained by contacting: Debra Seymour at Debra.Seymour@fleur.com.

**Section VI**

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Administration**

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

**DATE AND TIME:** Wednesday, August 10, 2016, 5:00 p.m.

**PLACE:** Bo-Bett Farm, 7255 W Hwy 329, Reddick, FL 32686

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

A copy of the agenda may be obtained by contacting: Jennifer Barrett at (352)307-6699 or 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: Jennifer Barrett at (352)307-6699 or 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 AGRICULTURE AND CONSUMER SERVICES**

**Division of Licensing**

The Division of Licensing announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, September 8, 2016, 9:00 a.m.

**PLACE:** Embassy Suites Tampa Airport Westshore, 555 N. Westshore Blvd., Tampa, Florida 33609, (813)875-1555

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Stefannie Carter, (850)245-5500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**FLORIDA COMMISSION ON OFFENDER REVIEW**

The Florida Commission on Offender Review announces public meetings to which all persons are invited.

**DATES AND TIMES:** Wednesday, August 10, 2016, 9:00 a.m.; Thursday, August 11, 2016, 9:00 a.m.; Wednesday, August 17, 2016, 9:00 a.m.; Thursday, August 18, 2016, 9:00 a.m.; Wednesday, August 24, 2016, 9:00 a.m.; Thursday, August 25, 2016, 9:00 a.m.

**PLACE:** Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, FL 32399-2450

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

A copy of the agenda may be obtained by contacting the Florida Commission on Offender Review, (850)488-1293.

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: Florida Commission on Offender Review at [ada@fcor.state.fl.us](mailto:ada@fcor.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.

**EXECUTIVE OFFICE OF THE GOVERNOR**

The Financial Emergency Board for the City of Opa-locka announces a public meeting to which all persons are invited.

**DATE AND TIME:** July 28, 2016, 10:00 a.m., ET

**PLACE:** City Commission Chambers, 215 N. Perviz Avenue, Opa-locka, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** A meeting of the Financial Emergency Board for the City of Opa-locka to discuss the current state of the City's financial affairs and to consider action items related to the ongoing work of the Board.

A copy of the agenda may be obtained by contacting: JoAnn Osborne at [joann.osborne@eog.myflorida.com](mailto:joann.osborne@eog.myflorida.com), (850)717-9264, or Office of the Chief Inspector General, 400 S. Monroe St., 1902 The Capitol, Tallahassee, FL 32399-0001.

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: JoAnn Osborne, [joann.osborne@eog.myflorida.com](mailto:joann.osborne@eog.myflorida.com), (850)717-9264. 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).

**REGIONAL PLANNING COUNCILS**

**Northeast Florida Regional Planning Council**

The Northeast Florida Regional Council announces public meetings to which all persons are invited.

**DATE AND TIMES:** August 4, 2016, 8:30 a.m., Affordable Housing Ad-Hoc Committee; 9:00 a.m., Personnel, Budget & Finance Policy Committee; 10:00 a.m., Board of Directors

**PLACE:** 6850 Belfort Oaks Place, Jacksonville, FL 32216

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regular Board and Committee meetings.

A copy of the agenda may be obtained by calling (904)279-0880.

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 calling (904)279-0880. 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:** Tuesday, August 9, 2016, 9:00 a.m.

**PLACE:** District Headquarters, 9225 CR 49, Live Oak, FL 32060

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Governing Board Meeting, Committee Meetings and Public Hearing: Consider Suwannee River Water Management District business.

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](http://www.mysuwanneeriver.com), when published.

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.



**DEPARTMENT OF MANAGEMENT SERVICES****State Retirement Commission**

The State Retirement Commission announces a hearing to which all persons are invited.

**DATE AND TIME:** August 29, 2016, 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: Department of Management Services, 4050 Esplanade Way, Suite 160, Tallahassee, Florida, 32399-0950 or by calling (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 15 days before the workshop/meeting by contacting: Department of Management Services, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950 or by calling (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: Department of Management Services, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950 or call (850)487-2410.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION****Construction Industry Licensing Board**

The Construction Industry Licensing Board announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Tuesday, August 9, 2016, 10:00 a.m.

**PLACE:** Conference call number: 1(888)670-3525, participant code: 2938723619.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** CE/Exams/Public Awareness committee meeting of the board.

A copy of the agenda may be obtained by contacting: Amanda Wynn, Senior Management Analyst Supervisor, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, (850)487-1395.

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: Amanda Wynn, Senior Management Analyst Supervisor, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, (850)487-1395.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION****Construction Industry Licensing Board**

The Construction Industry Licensing Board announces public meetings to which all persons are invited.

**DATES AND TIMES:** Wednesday, August 10, 2016, 12:00 Noon; Thursday, August 11, 2016, 8:00 a.m.; Friday, August 12, 2016, 8:00 a.m.

**PLACE:** Hyatt Regency Jacksonville Riverfront, 225 E Coastline Drive, Jacksonville, FL 32202

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business, disciplinary and committee meetings of the board.

A copy of the agenda may be obtained by contacting: Amanda Wynn, Senior Management Analyst Supervisor, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Amanda Wynn, Senior Management Analyst Supervisor, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Amanda Wynn, Senior Management Analyst Supervisor, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, (850)487-1395.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION****Board of Accountancy**

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

**DATE AND TIME:** Friday, August 5, 2016, 10:30 a.m. until business is concluded

**PLACE:** Conference call number: 1(888)670-3525, participant code: 1368986679#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Peer Review Oversight Committee will meet to discuss drafting a paper on Peer Review and other Peer Review matters affecting the Board of Accountancy and any other issues.

A copy of the agenda may be obtained by contacting: Denise Graves, (352)313-6607.

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 Graves, (352)313-6607. 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: Denise Graves, 240 NW 76th Drive, Suite A Gainesville, FL 32607, (352)313-6607.

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION****RULE NO.: RULE TITLE:****62-304.640: Withlacoochee Basin TMDLs**

The Department of Environmental Protection announces a workshop to which all persons are invited.

**DATE AND TIME:** August 4, 2016, 10:30 a.m.**PLACE:** Alachua County Library Headquarters Meeting Room A, 401 East University Avenue, Gainesville, Florida**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To receive public comments on nutrient total maximum daily loads (TMDLs) for impaired waters in the Ocklawaha Basin, to be adopted in Rule 62-304.500, F.A.C. These nutrient TMDLs, if adopted, will constitute site specific numeric interpretations of the narrative nutrient criterion set forth in paragraph 62-302.530(47)(b), F.A.C., that would replace the otherwise applicable numeric nutrient criteria in subsection 62-302.531(2) for these particular waters. The TMDLs to be presented at the public workshop include nutrient TMDLs for Lochloosa Lake (2738A) and Cross Creek (2754). Draft reports for these TMDLs will be posted on the Department's TMDL webpage

([http://www.dep.state.fl.us/water/tmdl/draft\\_tmdl.htm](http://www.dep.state.fl.us/water/tmdl/draft_tmdl.htm)) by July 25, 2016, for public review. Written comments on these TMDLs, as well as the establishment of these nutrient TMDLs as site specific interpretations of the narrative nutrient criteria, will be accepted by the Department through August 12, 2016. These comments should be directed to: Ansel Bubel, Administrator, Watershed Evaluation and TMDL Section, Florida Department of Environmental Protection, Mail Station 3555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, [ansel.bubel@dep.state.fl.us](mailto:ansel.bubel@dep.state.fl.us).

A copy of the agenda may be obtained by contacting: Ms. Shamyah Gibson, Water Quality Evaluation and TMDL Program, MS 3555, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8556.

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 Ms. Shamyah Gibson, (850)245-8556. 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).

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION****RULE NO.: RULE TITLE:****62-304.415 Lower St. Johns River Basin TMDLs**

The Department of Environmental Protection announces a workshop to which all persons are invited.

**DATE AND TIME:** Thursday, August 4, 2016, 2:30 p.m.

PLACE: St. Johns River Water Management District, Government Services Complex, 4049 Reid Street, Palatka, FL 32177

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To receive public comments on nutrient total maximum daily loads (TMDLs) for impaired waters in the Lower St. Johns River Basin, to be adopted in Rule 62-304.415, F.A.C. These nutrient TMDLs, if adopted, constitute site specific numeric interpretations of the narrative nutrient criterion set forth in paragraph 62-302.530(47)(b), F.A.C., that would replace the otherwise applicable numeric nutrient criteria in subsection 62-302.531(2) for these particular waters. The TMDLs to be presented at the public workshop include nutrient TMDLs for Crescent Lake (WBID 2606B). Draft reports for these TMDLs will be posted on the Department's TMDL webpage ([http://www.dep.state.fl.us/water/tmdl/draft\\_tmdl.htm](http://www.dep.state.fl.us/water/tmdl/draft_tmdl.htm)) by July 27, 2016, for public review. Written comments on these TMDLs, as well as the establishment of these nutrient TMDLs as site specific interpretations of the narrative nutrient criteria, will be accepted by the Department through August 16, 2016. These comments should be directed to: Erin Rasnake, Program Administrator, Watershed Evaluation and TMDL Section, Florida Department of Environmental Protection, Mail Station #3555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or via email: [erin.rasnake@dep.state.fl.us](mailto:erin.rasnake@dep.state.fl.us).

A copy of the agenda may be obtained by contacting: Ms. Shamyah Gibson, Water Quality Evaluation and TMDL Program, MS 3555, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by calling: (850)245-8449.

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: Ms. Shamyah Gibson, telephone: (850)245-8449. 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).

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#### DEPARTMENT OF HEALTH

##### Board of Pharmacy

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

**DATE AND TIME:** Friday, July 29, 2016, 12:00 Noon

**PLACE:** Telephone conference: 1(888)670-3525, participant code: 5134896685

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review rules and corresponding applications relating to Non-Resident pharmacies and facilities.

A copy of the agenda may be obtained by contacting: The Board of Pharmacy at (850)245-4292.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Board of Pharmacy at (850)245-4292. 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 Board of Pharmacy at (850)245-4292.

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#### FISH AND WILDLIFE CONSERVATION COMMISSION

##### Freshwater Fish and Wildlife

The Fish and Wildlife Conservation Commission announces a public meeting to which all persons are invited.

**DATE AND TIME:** August 4, 2016, 6:30 p.m. – 8:30 p.m.

**PLACE:** Withlacoochee Training Center, 24059 Childs Rd., Brooksville, FL 34601-4203

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Commission will present a proposal for designation of Withlacoochee State Forest Caves as a Critical Wildlife Area by establishment order, pursuant to Chapter 68A-14.001, F.A.C. The meeting will provide the public an opportunity to provide feedback and offer suggestions on the proposal. Comments can also be sent after the meeting to [CWAcomments@myfwc.com](mailto:CWAcomments@myfwc.com) and include Withlacoochee in the subject line.

A copy of the agenda may be obtained by contacting: Jamie Clift, Florida Fish and Wildlife Conservation Commission, 620 S. Meridian St., Mail Station 2A, Tallahassee, FL 32399-1600.

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 ADA Coordinator at (850)488-6411. 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: Dr. Brad Gruver, Section Leader, Species Conservation Planning, 620 South Meridian Street, Mail Station 2A, Tallahassee, Florida 32399-1600 or (850)488-3831.

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FISH AND WILDLIFE CONSERVATION COMMISSION  
Freshwater Fish and Wildlife

The Fish and Wildlife Conservation Commission announces a public meeting to which all persons are invited.

DATE AND TIME: August 10, 2016, 5:30 p.m. – 7:30 p.m.

PLACE: Fort Myers Regional Library, Meeting Room AB, 2450 First St, Fort Myers, FL 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will present a proposal for designation of Estero Bay as a Critical Wildlife Area by establishment order, pursuant to Chapter 68A-14.001, F.A.C. The meeting will provide the public an opportunity to provide feedback and offer suggestions on the proposal. Comments can also be sent after the meeting to [CWAcomments@myfwc.com](mailto:CWAcomments@myfwc.com) and include Estero Bay in the subject line.

A copy of the agenda may be obtained by contacting: Jamie Clift, Florida Fish and Wildlife Conservation Commission, 620 S. Meridian St., Mail Station 2A, Tallahassee, FL 32399-1600. 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 ADA Coordinator at (850)488-6411. 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: Dr. Brad Gruver, Section Leader, Species Conservation Planning, 620 South Meridian Street, Mail Station 2A, Tallahassee, Florida 32399-1600 or (850)488-3831.

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FISH AND WILDLIFE CONSERVATION COMMISSION  
Freshwater Fish and Wildlife

The Fish and Wildlife Conservation Commission announces a public meeting to which all persons are invited.

DATE AND TIME: August 8, 2016, 6:30 p.m. – 8:30 p.m.

PLACE: FGCU Kapnick Center, 4820 Bayshore Drive, Naples, FL 34112

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will present a proposal for designation of Rookery Island as a Critical Wildlife Area by establishment order, pursuant to Chapter 68A-14.001, F.A.C. The meeting will provide the public an opportunity to provide feedback and offer suggestions on the proposal. Comments can also be sent after the meeting to [CWAcomments@myfwc.com](mailto:CWAcomments@myfwc.com) and include Rookery Island in the subject line.

A copy of the agenda may be obtained by contacting: Jamie Clift, Florida Fish and Wildlife Conservation Commission, 620 S. Meridian St., Mail Station 2A, Tallahassee, FL 32399-1600. 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 ADA Coordinator at (850)488-6411. 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: Dr. Brad Gruver, Section Leader, Species Conservation Planning, 620 South Meridian Street, Mail Station 2A, Tallahassee, Florida 32399-1600 or (850)488-3831.

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FISH AND WILDLIFE CONSERVATION COMMISSION  
Freshwater Fish and Wildlife

The Fish and Wildlife Conservation Commission announces a public meeting to which all persons are invited.

DATE AND TIME: August 9, 2016, 6:30 p.m. – 8:30 p.m.

PLACE: Ding Darling Education Center, 1 Wildlife Drive, Sanibel, FL 33957

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will present a proposal for designation of Pine Island Sound as a Critical Wildlife Area by establishment order, pursuant to Chapter 68A-14.001, F.A.C. The meeting will provide the public an opportunity to provide feedback and offer suggestions on the proposal. Comments can also be sent after the meeting to [CWAcomments@myfwc.com](mailto:CWAcomments@myfwc.com) and include Pine Island in the subject line.

A copy of the agenda may be obtained by contacting: Jamie Clift, Florida Fish and Wildlife Conservation Commission, 620 S. Meridian St., Mail Station 2A, Tallahassee, FL 32399-1600. 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 ADA Coordinator at (850)488-6411. 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: Dr. Brad Gruver, Section Leader, Species Conservation Planning, 620 South Meridian Street, Mail Station 2A, Tallahassee, Florida 32399-1600 or (850)488-3831.

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FISH AND WILDLIFE CONSERVATION COMMISSION  
Freshwater Fish and Wildlife

The Fish and Wildlife Conservation Commission announces a public meeting to which all persons are invited.

DATE AND TIME: August 11, 2016, 6:30 p.m. – 8:30 p.m.

PLACE: Manatee County Library 6750 US Highway 301 North Ellenton, FL 34222-3030

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will present a proposal for designation of Dot Dash Dit Islands as a Critical Wildlife Area by establishment

order, pursuant to Chapter 68A-14.001, F.A.C. The meeting will provide the public an opportunity to provide feedback and offer suggestions on the proposal. Comments can also be sent after the meeting to [CWAcomments@myfwc.com](mailto:CWAcomments@myfwc.com) and include Dot Dash Dit in the subject line.

A copy of the agenda may be obtained by contacting: Jamie Clift, Florida Fish and Wildlife Conservation Commission, 620 S. Meridian St., Mail Station 2A, Tallahassee, FL 32399-1600. 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 ADA Coordinator at (850)488-6411. 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: Dr. Brad Gruver, Section Leader, Species Conservation Planning, 620 South Meridian Street, Mail Station 2A, Tallahassee, Florida 32399-1600 or (850)488-3831.

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#### MRGMIAMI

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

DATE AND TIME: Thursday, August 4, 2016, 5:30 p.m. – 7:00 p.m.

PLACE: Sarasota Outboard Club, 1604 Ken Thompson Parkway, Sarasota, Florida 34236

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT), District One, is holding a public information meeting regarding improvements to State Road 789 at the New Pass Bridge in Sarasota County. The public meeting is from 5:30 p.m. to 7:00 p.m. on Thursday, August 4, 2016 at the Sarasota Outboard Club, 1604 Ken Thompson Parkway, Sarasota, Florida 34236. FDOT will hold this meeting to give interested persons the opportunity to talk one-on-one with staff and make comments about the project.

The project includes upgrades to the Bridge Tender house, electrical components and gates. In addition, FDOT will make sidewalk repairs. The \$2 million project begins late August and should be complete in spring 2017.

FDOT developed this meeting in compliance with Title VI of the Civil Rights Act of 1964 and related statutes. FDOT solicits public participation without regard to race, color, national origin, age, sex, religion, disability or family status. People requiring special accommodations pursuant to the Americans with Disability Act of 1990 or people that require translation services (free of charge) at the meeting should contact: Shelly Smith, (863)519-2761, [Shelly.Smith@dot.state.fl.us](mailto:Shelly.Smith@dot.state.fl.us) at least seven (7) days prior to the meeting.

A copy of the agenda may be obtained by contacting Shelly Smith.

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: Shelly Smith, (863)519-2761, [Shelly.Smith@dot.state.fl.us](mailto:Shelly.Smith@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: Lauren Hatchell, (941)708-4418, [Lauren.Hatchell@dot.state.fl.us](mailto:Lauren.Hatchell@dot.state.fl.us).

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#### ATKINS - TAMPA

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

DATE AND TIME: Thursday, July 28, 2016, 6:00 p.m. – 7:00 p.m.

PLACES: Online:  
<https://attendee.gotowebinar.com/register/200903140171165955>; viewing locations: FDOT, District Seven Executive Conference Room, 11201 N. McKinley Drive, Tampa, FL 33612; Holy Trinity Lutheran Church, 20735 Leonard Road, Lutz, FL 33558 (community viewing location)

GENERAL SUBJECT MATTER TO BE CONSIDERED: This virtual public hearing is conducted to afford affected property and business owners, interested persons and organizations the opportunity to provide comments to FDOT regarding the proposed median change to US 41 at Leonard Road, Pasco County, FPN: 254677-2. The existing full median opening will be closed and replaced with a directional median opening. Motorists traveling east on Leonard Road will no longer be able to make a left hand turn to travel north on US 41. The VPH will present two alternative routes for Leonard Road motorists to access northbound US 41. Motorists traveling northbound on US 41 will still be able to turn left at Leonard Road.

This VPH is held pursuant to Chapters 120, 335.18, and 335.199, Florida Statutes. FDOT, District Seven, will receive verbal and written comments online and at each VPH viewing location. Written comments not received at the hearing can be emailed to [david.gwynn@dot.state.fl.us](mailto:david.gwynn@dot.state.fl.us) or mailed to David Gwynn, P.E., Project Manager, FDOT, District Seven, 11201 N. McKinley Drive, MS 7-1300, Tampa, FL 33612. All comments must be emailed or postmarked by August 8, 2016 to become part of the official VPH record. Participation via webinar is also considered part of the official VPH record.

Persons who require special accommodations under the Americans with Disabilities Act of 1990, or persons who require translation services (free of charge) should contact: David Gwynn, P.E., Project Manager, at 1(800)226-7220, (813)975-6246 or [david.gwynn@dot.state.fl.us](mailto:david.gwynn@dot.state.fl.us), at least five (5)

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

Public 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: David Gwynn, P.E., Project Manager, at 1(800)226-7220, (813)975-6246, or david.gwynn@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 6 days before the workshop/meeting by contacting: David Gwynn, P.E., Project Manager, at 1(800)226-7220, (813)975-6246 or david.gwynn@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: See above.

## Section VII

### Notice of Petitions and Dispositions Regarding Declaratory Statements

#### AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

NOTICE IS HEREBY GIVEN that the Agency for Health Care Administration has received the petition for declaratory statement from Oxypros, Inc. The petition seeks the agency’s opinion as to the applicability of Section 400.93, Florida Statute as it applies to the petitioner.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Richard J. Shoop, Agency Clerk, Agency for Health Care Administration via mail at 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308, via e-mail at Richard.Shoop@ahca.myflorida.com, or via telephone at (850)412-3671

Persons other than the original parties to a pending proceeding whose substantial interests will be affected by the disposition of the declaratory statement and who desire to become parties may file a motion to intervene with the Agency. The motion should be filed with the Agency Clerk at the above address within twenty one (21) days of publication of this notice. Any petition for leave to intervene must comply with the requirements set forth in Fla. Admin. Code R. 28-105.0027.

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department

of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from John D. Hoechst, In Re: Villa Dora Management, Inc., Docket No. 2016033504, filed on July 18, 2016. The petition seeks the agency’s opinion as to the applicability of Section 718.111(11), Florida Statutes, as it applies to the petitioner.

Whether “drywall” is defined as “wall covering” under Section 718.111(11), Florida Statutes. Whether it is the unit owner or the association’s responsibility to maintain and insure the real property lying within the boundaries of the unit, of which the unit receives sole benefit of said real property.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Mary Lambert, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1031, (850)717-1430, Mary.Lambert@myfloridalicense.com.

Please refer all comments to: Robin E. Smith, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

## Section VIII

### Notice of Petitions and Dispositions Regarding the Validity of Rules

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

Jose R. Garoffalo vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 16-1948RX; Rule No.: 61D-6.008(3)

Juan Arias vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 16-2140RX; Rule No.: 61D-6.011

Planned Parenthood of Southwest and Central Florida, Inc. vs. Agency for Health Care Administration; Case No.: 16-0585RU

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

Jose R. Garoffalo vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 16-

1948RX; Rule No.: 61D-6.008(3); Settled and/or Dismissed prior to entry of RO/FO

Juan Arias vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 16-2140RX; Rule No.: 61D-6.011; Settled and/or Dismissed prior to entry of RO/FO

**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**

**NAVIGATION DISTRICTS**

**Florida Inland Navigation District**

**RFQ for Professional Economic Analysis Services**

The Florida Inland Navigation District (District) is seeking a qualified professional firm to provide an economic analyses update of the east coast marine industry and the Atlantic Intracoastal Waterway system including a portion of the Okeechobee Waterway. Firms desiring to submit a response can receive the proposed scope of work and proposal submittal forms at <http://www.aicw.org>. The contact for this project is Mr. Mark Crolsey, Executive Director of the District at 1314 Marcinski Road, Jupiter, Florida 33477, (561)627-3386, fax: (561)624-6480, [mcrosley@aicw.org](mailto:mcrosley@aicw.org). Submissions shall be received by the District in accordance with the submittal instructions on or before 4:30 p.m. local time, August 18, 2016. Submissions received after that time/date will not be considered.

**CHARLES PERRY PARTNERS, INC.**

**UF-607-Florida Innovation Hub Phase 2**

**Advertisement of Prequalification**

Charles Perry Partners, Inc. is the selected design-build firm for the University of Florida – Innovation Hub Phase 2 building located in Gainesville, Florida. The project will be

approximately 12 months and consists of a 3-story building that will be approximately 48,000 SF.

Charles Perry Partners, Inc. is currently accepting subcontractor/vendor prequalification forms for the following scopes of work.

The early release packages will include the following:

**CAST IN PLACE CONCRETE STRUCTURAL STEEL SITEWORK**

All parties interested in bidding on this project must be prequalified in order for their bid to be considered. Prequalification instructions and forms are available by logging on to <https://planroom.cppi.com>.

Username: innovation

Password: hub2prequal

**FOR EARLY RELEASE PACKAGES:** Completed prequalification forms must be filled out and emailed to [iHub2.Prequalification@cppe.com](mailto:iHub2.Prequalification@cppe.com) by August 10, 2016. Prequalified bidders will receive detailed bidding instructions, bid dates and times.

All interested parties are encouraged to attend an informational meet-n-greet at the CPPI office (8200 NW 15th Place, Gainesville, FL) at 9:00 AM on Tuesday, August 16, 2016. The agenda will include introductions, project overview, prequalification process and bid schedule.

Bids are scheduled to be due on August 24, 2016.

Construction is tentatively scheduled to start in October 2016.

The University of Florida and CPPI are committed to Small Business and Vendor Diversity and encourages participation by such. CPPI reserves the right to reject any bid if considered to be in best interest of the project. Compliance with UF Purchasing and EDA guidelines will be required.

The Department of Commerce Economic Development Administration is providing partial funding for this project. Investment Number 04-79-07090.

**Section XII**

**Miscellaneous**

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Communications**

**Draft of the Florida 700 MHz State Use Plan**

The Department of Management Services, Division of Telecommunications (Department) has written the drafted version of Florida 700 MHz State Use Plan (Plan) to administer the use of the block of Spectrum allocated by the Federal Communications Commission. The Plan provides guidance for State of Florida agencies in the use of these frequencies. The Department is requesting comments from interested parties before the final version is completed. The Department is requesting comments be submitted no later than August 10,

2016. Comments can be submitted electronically to Leon.simmonds@dms.myflorida.com.

The draft Plan has been posted on the department’s website and can be download for viewing:

State Use 700 MHz Channel Plan

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker’s Compensation

RULE NO.: RULE TITLE:

69L-7.020 Florida Workers’ Compensation Health Care Provider Reimbursement Manual

NOTICE OF RATIFICATION

Rule 69L-7.020, F.A.C., ratified by 2016-203, Laws of Florida, became effective on July 1, 2016.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No. DEO-16-122

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-122 on July 14, 2016, in response to an application submitted by Kings Creek Village Association, Inc., for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department’s Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Agency.Clerk@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No. DEO-16-120

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-120 on July 13, 2016, in response to an application submitted by Neighborhood A, Placido Bayou Homeowners Association, Inc., for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department’s Final Order rescinded Final Order DEO-16-116 and granted the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Agency.Clerk@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No. DEO-16-118

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-118 on July 15, 2016, in response to an application submitted by Symphony Isles Master Association, Inc., for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department’s Final Order denied the application for covenant revitalization after determining that it did not meet the statutory requirements as the Proposed Revived Declaration is more restrictive than the previous declaration, violating Section 720.404(3), Florida Statutes; the Association provided an insufficient attorney certification of the minutes of the meeting, violating Section 720.405(6), Florida Statutes; the Association failed to submit a copy of the proposed Articles of Incorporation and Bylaws, violating Section 720.406(1)(a), Florida Statutes; and the Association failed to submit a verified copy of the Articles of Incorporation and Bylaws, violating Section 720.406(1)(b), Florida Statutes.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or agency.clerk@deo.myflorida.com.

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.