

**Section I**  
**Notice of Development of Proposed Rules**  
**and Negotiated Rulemaking**

**DEPARTMENT OF EDUCATION**

**State Board of Education**

- RULE NOS.:**      **RULE TITLES:**  
 6A-10.019      Required Annual Calendar for Schools and Colleges  
 6A-10.0315      Common Placement Testing and Instruction  
 6A-10.0318      Postsecondary Preparatory Instruction Curriculum and Postsecondary Readiness Competencies  
 6A-10.0319      Developmental Education Competencies

**PURPOSE AND EFFECT:** The purpose of this rule development is to align Rules 6A-10.019, 6A-10.0315, and 6A-10.0319, F.A.C., with changes in House Bill 7069 and to align Rule 6A-10.0318, F.A.C., with the changes to Rule 6A-10.0315, F.A.C. The effect are rules aligned with Florida Statutes.

**SUBJECT AREA TO BE ADDRESSED:** Changes to the statutory provisions resulting from House Bill 7069 passed during the 2015 Legislative session requiring these rules be revised.

**RULEMAKING AUTHORITY:** 1008.30(4)(a) FS.

**LAW IMPLEMENTED:** 1008.30(4)(a) FS.

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

**DATE AND TIMES:** February 10, 2016, 10:00 a.m. – 12:00 p.m. and 1:15 p.m. – 3:00 p.m.

**PLACE:** Ocala Hilton, 3600 SW 36th Ocala, Florida 34474

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Chris Mullin, Ph.D., Executive Vice Chancellor, Division of Florida Colleges, 325 West Gaines Street, Tallahassee, FL 32399-0400, (850)245-0407

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

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Retirement**

- RULE NO.:**      **RULE TITLE:**  
 60S-11.004      Benefits  
**PURPOSE AND EFFECT:** The amendment of form DP-PAYT, DROP Selected Payout Method, to require an account number and add a section on page two which clearly indicates the rollover amount to the custodian.  
**SUBJECT AREA TO BE ADDRESSED:** Form DP-PAYT, DROP Selected Payout Method.  
**RULEMAKING AUTHORITY:** 121.031, 121.091(13)(k) FS.

**LAW IMPLEMENTED:** 121.091, 121.131 FS.

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

**DATE AND TIME:** February 11, 2016, 10:00 a.m.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Garry Green, Bureau Chief, Department of Management Services, Division of Retirement, 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee, FL, (850)488-5706

**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 NOS.:**      **RULE TITLES:**  
 60S-4.008      Benefits Payable Upon Death  
 60S-4.009      Benefits Payable After Termination

**PURPOSE AND EFFECT:** The amendments of form FST-11G, Application of Beneficiary for Benefit Payment, and form REF-PAYT, Refund Payout Selection, to require an account number and add a section on page two which clearly indicates the rollover amount to the custodian.

**SUBJECT AREA TO BE ADDRESSED:** Form FST-11G, Application of Beneficiary for Benefit Payment, and form REF-PAYT, Refund Payout Selection.

**RULEMAKING AUTHORITY:** 121.031, 121.052(14) FS.

**LAW IMPLEMENTED:** 61.1301, 112.18, 112.181, 121.021, 121.052(5), 121.055, 121.091 FS.

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

**DATE AND TIME:** February 11, 2016, 10:00 a.m.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Garry Green, Bureau Chief, Department of Management Services, Division of Retirement, 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee, FL, (850)488-5706

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

## Section II Proposed Rules

### STATE BOARD OF ADMINISTRATION

#### Florida Prepaid College Board

RULE NO.:       RULE TITLE:

19B-4.001       Application

**PURPOSE AND EFFECT:** The purpose and effect of this rule development is to update and reflect changes to the Master Contract for the Florida Prepaid College Plan.

**SUMMARY:** This rule is amended to incorporate the revisions to the Master Contract, which is incorporated by reference. The changes to the Master Contract include adding the defined terms “Parent,” and “Personal Learning Scholarship Account” and the addition of language to provide the rights and restrictions for Personal Learning Scholarship Account funds to be contributed to a Florida Prepaid College Plan.

**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 a discussion of the proposed rule at the Board Meeting, the Board, based upon the expertise and experience of its members and recommendation by Counsel, determined that a SERC was not necessary and that the rules will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact.

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

**RULEMAKING AUTHORITY:** 1009.971(1), (4), (6). FS.

**LAW IMPLEMENTED:** 1009.971, 1009.981(1)(c), and 1009.981(2) FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 days before the workshop/meeting by contacting: Michael Frick, Director of Operations, 1801 Hermitage Blvd., Suite 210, Tallahassee, FL, (850)488-8514, michael.frick@myfloridaprepaid.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Michael Frick, Director of Operations, 1801 Hermitage Blvd., Suite 210, Tallahassee, FL, (850)488-8514, michael.frick@myfloridaprepaid.com

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

19B-4.001 Application.

(1)(a) Rule Chapters 19B-4 through 19B-13 and 19B-15, F.A.C., apply to advance payment contracts for the prepayment of the Registration Fee, Local Fees, Tuition Differential Fees and/or Dormitory Fees under the Stanley G. Tate Florida Prepaid College Program. See the Master Contract, which is incorporated by reference in subsection (2), for defined terms.

(b) Applications for advance payment contracts purchased through the Board’s direct support organization, The Florida Prepaid College Foundation, Inc., for Purchasers participating in employer participation programs or by Purchasers pursuant to a court order will be accepted by the Board at any time. The Board may permit other Purchasers of advance payment contracts to submit an Application to the Board outside the Open Enrollment Period to be processed for data collection and administrative purposes, but the Application will not be accepted by the Board until the beginning of the next succeeding open enrollment period.

(c) The Plan prices associated with Applications submitted to the Board during the Open Enrollment Period shall be the Plan prices applicable to advance payment contracts for the Open Enrollment Period. The Plan prices associated with Applications received by the Board outside the Open Enrollment Period, except for those purchased through the Board’s direct support organization, The Florida Prepaid College Foundation, Inc., for Purchasers participating in employer participation programs or by Purchasers pursuant to a court order, shall be the Plan prices applicable to advance payment contracts for the next succeeding Open Enrollment Period.

(2) The Florida Prepaid College Plan Master Contract, Form No. FPCB 2015a-02, [\[Insert DoS Reference Website Link\]](https://www.flrules.org/gateway/reference.asp?No=Ref04374), <https://www.flrules.org/gateway/reference.asp?No=Ref04374> is hereby incorporated by reference.

(3) The Board may only require that applicants provide the following information to enroll in the Program:

- (a) For the Account Owner, Survivor, Parent and Beneficiary: 1.Full legal name and salutation;
- 2. Social Security Number;
- 3. Date of birth;
- 4. Full mailing address;
- 5. Two telephone numbers;
- 6. Two e-mail addresses.

(b) Age, grade, and projected enrollment year of the Beneficiary.

(c) The Plan type and payment option of Florida Prepaid College Plan(s) selected for enrollment.

(d) Proof of, or information used to verify proof of the Parent’s or Beneficiary’s Florida residency as defined in the Master Contract, which is incorporated by reference in subsection (2).

(e) Marketing information:

- 1. How did you hear about the Program?
- 2. Annual Family Income;
- 3. Purchaser’s relationship to the Beneficiary;
- 4. Beneficiary gender;
- 5. Beneficiary race.

(f) A Florida 529 Savings Plan Account Number for the same Beneficiary to apply a discount on the Application Fee, if offered and applicable.

(g) Information required for the processing of a one-time and recurring automatic withdrawal authorization.

(4) A copy of the Master Contract and Application may be obtained from the Board by submitting a request to: P. O. Box 6448, Tallahassee, Florida 32314-6448.

Rulemaking Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.98 FS. History—New 3-29-89, Amended 2-6-90, 3-19-92, Formerly 4G- 4.001, Amended 12-5-93, 5-31-95, 6-20-96, 10-20-96, 12-16-97, 2-18-99, 6-6-99, 2-8-00, 5-21-00, 1-3-01, 10-9-01, 11-27-02, 10-1-03, 1-29-04, 12-28-04, 6-2-05, 12-20-05, 1-1-07, 11-27-07, 12-17-07, 11-18-08, 1-28-09, 4-5-09, 10-26-09, 10-18-10, 12-5-11, 11-5-12, 10-7-13, 8-24-14,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Florida Prepaid College Board  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Prepaid College Board  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2015  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 9, 2015

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

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

PURPOSE AND EFFECT: The purpose and effect of this rule revision is to reflect modifications to the Participation

Agreement and Terms and Conditions for the Florida College Savings Program.

SUMMARY: This rule is amended to incorporate by reference the revised Florida 529 Savings Plan Participation Agreement and Terms and Conditions, which includes changes to the Participation Agreement relating to investment directions, specifically referencing the federal standard for the number of times per calendar year that an Account Owner may rebalance the Account with the Internal Revenue Code reference for automatic updating. Several items in the Terms and Conditions have been revised, including, inter alia, incorporating “Business Day,” “Parent,” “Request,” and “Trade Date” as defined terms, revisions to the Processing Time and Application Fee sections and incorporating the same changes made in the Participation Agreement.

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 a discussion of the proposed rule at the Board Meeting, the Board, based upon the expertise and experience of its members and recommendation by Counsel, determined that a SERC was not necessary and that the rules will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact.

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

RULEMAKING AUTHORITY: 1009.971(1), (4), (6). FS.

LAW IMPLEMENTED: 1009.971, 1009.981(1)(c), and 1009.981(2) FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Michael Frick, Director of Operations, 1801 Hermitage Blvd., Suite 210, Tallahassee, FL, (850)488-8514, michael.frick@myfloridaprepaid.com. If you are hearing or

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael Frick, Director of Operations, 1801 Hermitage Blvd., Suite 210, Tallahassee, FL, (850)488-8514, michael.frick@myfloridaprepaid.com

THE FULL TEXT OF THE PROPOSED RULE IS:

19B-16.003 Participation Agreement.

The Participation Agreement, Form No. FPCB 20154-05, [Insert DoS Reference Website Link], <http://www.flrules.org/Gateway/reference.asp?No=Ref02640> is hereby incorporated by reference. The Terms and Conditions, applicable to the Participation Agreement, Form No. FPCB 20154a-06, [Insert DoS Reference Website Link], <http://www.flrules.org/Gateway/reference.asp?No=Ref03229> is hereby incorporated by reference.

Rulemaking Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.971, 1009.981 FS. History—New 11-27-02, Amended 12-28-04, 6-2-05, 7- 13-06, 12-4-07, 5-29-08, 6-3-09, 6-22-10, 10-24-12, 5-8-13, 10-7-13, \_\_\_\_\_ .

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Prepaid College Board  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Prepaid College Board  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2015  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 9, 2015

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE NO.: 19B-17.001  
 RULE TITLE: Florida ABLE, INC.; Requirements; Use of Board Property

PURPOSE AND EFFECT: The purpose and effect of this rule is to update rules to reflect the creation of Florida ABLE, Inc.

SUMMARY: The proposed rule provides restrictions on and oversight to the resource sharing between Florida ABLE, Inc. and Florida Prepaid College Board, including requiring a written operating contract between the entities and written requests to the Executive Director of the Florida Prepaid College Board for resource requests.

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: Based on statutory and existing relationship between Florida ABLE, Inc. and the Florida Prepaid College Board, a SERC is not necessary and the rules do not require ratification by the Legislature.

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: 1009.986(10) FS.

LAW IMPLEMENTED: 1009.986 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Michael Frick, Director of Operations, 1801 Hermitage Blvd., Suite 210, Tallahassee, FL 32308, (850)488-8514, michael.frick@myfloridaprepaid.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael Frick, Director of Operations, 1801 Hermitage Blvd., Suite 210, Tallahassee, FL 32308, (850)488-8514, michael.frick@myfloridaprepaid.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

19B-17.001 Florida ABLE, Inc.; Requirements; Use of Board Property.

(1) Florida ABLE, Inc., a not-for-profit corporation established pursuant to Section 1009.986, F.S., shall:

(a) Submit its articles of incorporation and by-laws, and any amendments thereto, after approval by the Florida ABLE, Inc., Board, to the Florida Prepaid College Board for approval.

(b) Submit its annual budget to the Florida Prepaid College Board not later than June 30 of each year.

(c) With the exception of those public records described in Sections 1009.987, F.S., allow inspection and copying of all other documents, papers, letters or other records of Florida ABLE, Inc., that are made or received in conjunction with the business of the corporation in accordance with the

requirements of the Florida Public Records Law, Section 119.07, F.S.

(d) Allow the Florida Prepaid College Board, its employees or designees, or other state agencies as provided by law to audit Florida ABLE, Inc., through the use of an independent certified public accountant and shall provide any supplemental data requested upon reasonable notice at the corporation's offices during normal business hours.

(2) To be eligible to use the Florida Prepaid College Board's property (except money), facilities and personal services, Florida ABLE, Inc., shall make a written request to the Executive Director of the Florida Prepaid College Board specifying the property, facilities and personal services which Florida ABLE, Inc., requests that it be allowed to use.  
Rulemaking Authority 1009.986(10) FS. Law Implemented 1009.986 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Florida Prepaid College Board  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Prepaid College Board  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD:  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 2, 2015

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE NOS.:      RULE TITLES:  
 19B-18.001      Application of Rule Chapter; Definitions  
 19B-18.002      Application for Participation in the Program  
 19B-18.003      Participation Agreement  
 19B-18.005      Account and Administration Fee

PURPOSE AND EFFECT: The purpose and effect of these rule developments is to create the initial administrative rules for the Florida ABLE Program.

SUMMARY: The initial rules for the Florida ABLE Program include definitions as authorized by statute and incorporated into the Participation Agreement and Terms and Conditions; what information can be collected from an applicant for an ABLE Account; the Participation Agreement and Terms and Conditions that are incorporated by reference into the rule; and the factors that may be considered when evaluating the amount to be charged for the Account Fee and Administration Fee.

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 a discussion of the proposed rule at the Board Meeting, the Board, based upon the expertise and experience of its members and recommendation by Counsel, determined that a SERC was not necessary and that the rules will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact.

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

RULEMAKING AUTHORITY: 1009.971(1), (4) and 1009.986(10) FS.

LAW IMPLEMENTED: 1009.986 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 hours before the workshop/meeting by contacting: Michael Frick, Director of Operations, 1801 Hermitage Blvd., Suite 210, Tallahassee, FL 32308, (850)488-8514, michael.frick@myfloridaprepaid.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael Frick, Director of Operations, 1801 Hermitage Blvd., Suite 210, Tallahassee, FL 32308, (850)488-8514, michael.frick@myfloridaprepaid.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

19B-18.001 Application of Rule Chapter; Definitions.

(1) These rules apply to participants of the Florida ABLE Program, a Qualified ABLE Program that allows persons to make contributions to an Account established for the purpose of paying the Qualified Disability Expenses of a Beneficiary.

(2) For the purposes of the Florida ABLE Program and Rule Chapter 19B-18, F.A.C., defined terms and other definitions are set forth in the Participation Agreement and Terms and Conditions, which are incorporated by reference in Rule 19B-18.003, F.A.C.

Rulemaking Authority 1009.971(1) and (4) FS; 1009.986(10) FS. Law Implemented 1009.986 FS. History–New

19B-18.002 Application for Participation in the Program.

(1) The Program may only require that applicants provide the following information:

(a) For the Beneficiary, Administrator, and Authorized Signatory:

1. Full legal name, including salutation and suffix;
2. Social Security Number;
3. Date of birth;
4. Two mailing addresses;
5. Two telephone numbers;
6. Two e-mail addresses;
7. Relationship to Beneficiary; and
8. Contact preferences.

(b) The Future Contribution Allocation.

(c) The source and amount of any initial contribution and Rollover Contribution.

(d) Marketing Information for the Beneficiary, Administrator, and Authorized Signatory:

1. How did you hear about the Program?
2. Annual Family or Household Income;
3. Gender;
4. Race;
5. Primary language;
6. Level of education; and
7. Types of federal and state benefits currently received or applied for.

(e) Information required for the processing of a one-time and recurring automatic contribution authorization.

(f) Information required to determine basis of Beneficiary’s eligibility for an ABLE Account.

(g) Information required by the Participation Agreement and Terms and Conditions.

(h) Information required by the Secretary of the Treasury or Commissioner of Social Security.

(2) A copy of the Participation Agreement, Terms and Conditions, and Application may be obtained from the Board by submitting a request for these documents to: P. O. Box 6448, Tallahassee, Florida 32314-6448.

Rulemaking Authority 1009.971(1) and (4) FS; 1009.986(10) FS. Law Implemented 1009.986 FS. History–New

19B-18.003 Participation Agreement.

The Participation Agreement, Form No. FPCB 2015-07, [Insert DoS Reference Website Link], is hereby incorporated by reference. The Terms and Conditions, applicable to the Participation Agreement, Form No. FPCB 2015-08, [Insert DoS Reference Website Link], is hereby incorporated by reference.

Rulemaking Authority 1009.971(1) and (4) FS; 1009.986(10) FS. Law Implemented 1009.986 FS. History–New

19B-18.005 Account and Investment Administration Fees.

Florida ABLE, Inc., will determine the amounts of the Account Fee and the Investment Administration Fee periodically and may consider factors including, but not limited to, the total amount invested in the Program by all Beneficiaries, the amounts of the fees that the Program must pay for investment management services, trustee services, records administration services, marketing services, and customer services and the annual budget of the Program.

Rulemaking Authority 1009.971(1) and (4) FS; 1009.986(10) FS. Law Implemented 1009.986 FS. History–New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Florida Prepaid College Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Prepaid College Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2015

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

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Mental Health Program**

RULE NOS.:	RULE TITLES:
65E-14.001	Applicability
65E-14.003	Audits of SAMH-Funded Entities
65E-14.005	Matching
65E-14.017	Cost Principles
65E-14.021	Schedule of Covered Services

PURPOSE AND EFFECT: The purpose of this rulemaking is to amend select rules in Chapter 65E-14, F.A.C., to addresses budgeting, accounting and auditing standards applicable to community substance abuse and mental health service funds.

The effect of this rulemaking will be to more closely align the SAMH financial regulations to recently revised legislative appropriations classifications and national standards for accounting and auditing.

SUMMARY: This rulemaking amends select rules in Chapter 65E-14, F.A.C., to 1) reflect changes to budget entity and program-specific language adopted in the Fiscal Year 2015-16 General Appropriations Act; 2) replace references incorporating various Office of Management and Budget Circulars with a reference incorporating 2 C.F.R. §§200.0-.521, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, (January 1, 2014), also known as “The Super-Circular”; and 3) incorporate a simplified version of Form CF-MH 1045, Program Description.

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: Agency staff analysis of this amendment has identified these changes as technical in nature with insufficient impact on direct or indirect regulatory compliance to warrant legislative ratification.

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

RULEMAKING AUTHORITY: 394.74, 394.78(1), (3), (5), 394.9082(11), 397.321(5), 402.73 FS.

LAW IMPLEMENTED: 394.74, 394.76, 394.77, 394.78(1), (3), (5), 394.9082, 397.321(10), 397.481, 402.73(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jimmers Micallef, jimmers.micallef@myflfamilies.com

THE FULL TEXT OF THE PROPOSED RULE IS:

65E-14.001 Applicability.

(1) This Chapter applies to all SAMH-Funded Entities as defined in paragraph (2)(r) of this rule when providing services using community substance abuse and mental health funds appropriated by the Legislature to the Department of Children and Families through the Community Substance Abuse and Mental Health Services budget entity substance abuse and/or mental health budget entities.

(2) Definitions.

(a) through (c) No change.

(d) "Audit" means a single or program-specific audit in accordance with 2 C.F.R. §§200.0-.521, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, (January 1, 2014), herein incorporated by reference, OMB Circular A 133 <http://www.flrules.org/Gateway/reference.asp?No=Ref-04200>, as specified in subsection 65E-14.003(1), F.A.C. and Section 215.97, F.S. Copies of this incorporated document may be

obtained from the Office of Substance Abuse and Mental Health, 1317 Winewood Blvd., Building 6, Tallahassee, Florida 32399-0700 and are also available at <https://www.federalregister.gov/a/2013-30465>.

(e) through (x) No change.

Rulemaking Authority 394.74, 394.78(1), 394.9082(11), 397.321(5) FS. Law Implemented 394.74, 394.77, 394.9082, 397.481 FS. History—New 2-23-83, Amended 2-25-85, Formerly 10E-14.01, Amended 7-29-96, Formerly 10E-14.001, Amended 7-1-03, 12-14-03, 1-2-05, 7-27-14, \_\_\_\_\_.

65E-14.003 Audits of SAMH-Funded Entities.

(1) SAMH-Funded Entities shall engage an independent auditor to perform an annual single program or program-specific audit in accordance with Section 215.97, F.S., and 2 C.F.R. §§200.0-.521, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, (January 1, 2014), OMB Circular A 133 Audits of States, Local Governments, and Non Profit Organizations (revised to show changes published in the Federal Register June 27, 2003 and June 26, 2007), <https://www.flrules.org/gateway/reference.asp?NO=Ref-04200XXXXX>, which is herein incorporated by reference, copies of which may be obtained from the Office of Substance Abuse and Mental Health, 1317 Winewood Blvd., Building 6, Tallahassee, Florida 32399-0700. When a financial audit is required to be performed by an independent auditor pursuant to 2 C.F.R. §§200.0-.521, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, (January 1, 2014), OMB Circular A 133, the audit package shall contain the documents listed in paragraphs (1)(a)-(d), which are hereby incorporated by reference. Copies of these documents may be obtained from the Office of Substance Abuse and Mental Health, 1317 Winewood Blvd., Building 6, Tallahassee, Florida 32399-0700.

(a) through (d) No change.

(2) No change.

(3) When 2 C.F.R. §§200.0-.521, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, (January 1, 2014), OMB Circular A 133 does not require an audit by an independent auditor, the SAMH-Funded Entity's chief financial officer shall prepare the schedules required in subsection (1) of this rule. If no chief financial officer exists, the entity's executive director shall prepare the required schedules.

(4) through (6) No change.

Rulemaking Authority 394.74, 394.78(1), (3), (5), 394.9082(11) FS. Law Implemented 394.74, 394.76(5), 394.77, 394.78(3), 394.9082 FS. History—New 2-23-83, Amended 2-25-85, Formerly 10E-14.03, Amended 7-29-96, Formerly 10E-14.003, Amended 7-1-03, 12-14-03, 7-27-14, \_\_\_\_\_.

65E-14.005 Matching.

This rule contains standards for Service Providers to satisfy State requirements for matching.

- (1) No change.
- (2) Unallowable for Matching. The following costs and expenditures may not be used to satisfy the match requirement.
  - (a) through (d) No change.
  - (e) Unallowable costs specified in 2 C.F.R. §§200.0-.521, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, (January 1, 2014) as the OMB Circulars incorporated by Rule 65E-14.017, F.A.C.; and
  - (f) No change.
- (3) through (8) No change.

Rulemaking Authority 394.74, 394.9082(11) FS. Law Implemented 394.74, 394.76, 394.9082 FS. History—New 2-23-83, Amended 2-25-85, Formerly 10E-14.05, 10E-14.005, Amended 7-1-03, 12-14-03, 1-2-05, 7-27-14,\_\_\_\_\_.

65E-14.017 Cost Principles.

- (1) through (2) No change.
- (3) All SAMH-Funded Entities shall use the accounting standards established by 2 C.F.R. §§200.0-.521, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, (January 1, 2014) the Office of Management and Budget (OMB) circulars incorporated by subsection (4) of this rule to account for the expenditure of funds.

(4) General Principles.

The following documents are hereby incorporated by reference, copies of which may be obtained from the Office of Substance Abuse and Mental Health, 1317 Winewood Blvd., Building 6, Tallahassee, Florida 32399-0700:

- (a) ~~OMB Circular A 110; Uniform Administrative Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations, revised November 19, 1993 as further amended September 30, 1999~~ <https://www.flrules.org/Gateway/reference.asp?No=Ref-04214>;
- (b) ~~OMB Circular A 122; Cost Principles for Non Profit Organizations, revised May 10, 2004~~ <https://www.flrules.org/Gateway/reference.asp?No=Ref-04199>;
- (c) ~~OMB Circular A 133, Audits of States, Local Governments, and Non Profit Organizations, revised to show changes published in the Federal Register June 27, 2003 and June 26, 2007~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-04200>; and
- (d) ~~OMB Circular A 87, Cost Principles for State, Local and Indian Tribal Governments, revised May 10, 2004~~

~~<https://www.flrules.org/gateway/reference.asp?NO=Ref-04197>.~~

(4)(5) All SAMH-Funded Entities contracting directly with the department shall also report actual expenditure data on a monthly basis to the department according to the reporting requirements and templates included in the terms of each entity’s contract.

Rulemaking Authority 394.78(1), 394.9082(11) FS. Law Implemented 394.74, 394.77, 394.78(1), 394.9082 FS. History—New 2-23-83, Amended 2-25-85, Formerly 10E-14.17, Amended 7-29-96, Formerly 10E-14.017, Amended 9-17-97, 7-1-03, 7-27-14,\_\_\_\_\_.

65E-14.021 Schedule of Covered Services.

This rule provides guidelines and requirements applicable to service providers under direct contract with the department or service providers under subcontracts with a Managing Entity.

- (1) through (3) No change.
- (4) The descriptions, applicable programs, measurements standards, and data elements for SAMH Covered Services are as follows:
  - (a) Aftercare.
    - 1. No change.
    - 2. Programs – Community Adult Mental Health, Children’s Mental Health, Adult Substance Abuse, and Community Children’s Substance Abuse.
    - 3. through 4. No change.
  - (b) Assessment.
    - 1. No change.
    - 2. Programs – Community Adult Mental Health, Children’s Mental Health, Adult Substance Abuse, and Community Children’s Substance Abuse.
    - 3. through 4. No change.
  - (c) Case Management.
    - 1. No change.
    - 2. Programs – Community Adult Mental Health, Children’s Mental Health, Adult Substance Abuse, and Community Children’s Substance Abuse.
    - 3. through 4. No change.
  - (d) Comprehensive Community Service Team.
    - 1. No change.
    - 2. Programs – Community Adult Mental Health, Children’s Mental Health, Adult Substance Abuse, and Community Children’s Substance Abuse.
    - 3. through 4. No change.
  - (e) Crisis Stabilization.
    - 1. No change.
    - 2. Programs – Community Adult Mental Health and Children’s Mental Health.
    - 3. through 4. No change.
  - (f) Crisis Support/Emergency.
    - 1. No change.

2. Programs – Community Adult Mental Health, Children’s Mental Health, Adult Substance Abuse, and Community Children’s Substance Abuse.

3. through 4. No change.

(g) Day Care.

1. Description – Day care services, in a non-residential group setting, provide for the care of children of persons who are participating in mental health or substance abuse services. In a residential setting, day care services provide for the residential and care-related costs of a child living with a parent receiving residential services. This covered service must be provided in conjunction with another Covered Service provided to a person 18 years of age or older.

2. Programs – Community Adult Mental Health and Community Adult Substance Abuse.

3. through 4. No change.

(h) Day Treatment.

1. No change.

2. Programs – Community Adult Mental Health, Children’s Mental Health, Adult Substance Abuse, and Community Children’s Substance Abuse.

3. through 4. No change.

(i) Drop-in/Self-Help Centers.

1. Description – These centers are intended to provide a range of opportunities for persons with severe and persistent mental illness to independently develop, operate, and participate in social, recreational, and networking activities. This covered service may not be provided to a person less than 18 years old.

2. Programs – Community Adult Mental Health.

3. through 4. No change.

(j) Florida Assertive Community Treatment (FACT) Team.

1. Description – A FACT team is comprised of slots for participants with a severe and persistent mental illness. Participants are enrolled on a weekly basis. For a provider to identify themselves as a FACT team, the provider must demonstrate adherence to assertive community treatment principles. FACT Teams provide non-residential services that are available twenty-four hours per day, seven days per week. Rehabilitative, support and therapeutic services are provided in the community, by a multidisciplinary team. This covered service may not be provided to a person less than 18 years old.

2. Programs – Community Adult Mental Health and Community Adult Substance Abuse.

3. through 4. No change.

(k) Incidental Expenses.

1. No change.

2. Programs – Community Adult Mental Health, Children’s Mental Health, Adult Substance Abuse, and Community Children’s Substance Abuse.

3. through 4. No change.

(l) Information and Referral.

1. No change.

2. Programs – Community Adult Mental Health, Children’s Mental Health, Adult Substance Abuse, and Community Children’s Substance Abuse.

3. through 4. No change.

(m) In-Home and On-Site.

1. No change.

2. Programs – Community Adult Mental Health, Children’s Mental Health, Adult Substance Abuse, and Community Children’s Substance Abuse.

3. through 4. No change.

(n) Inpatient.

1. No change.

2. Programs – Community Adult Mental Health and Children’s Mental Health.

3. through 4. No change.

(o) Intensive Case Management.

1. No change.

2. Programs – Community Adult Mental Health and Children’s Mental Health.

3. through 4. No change.

(p) Intervention.

1. No change.

2. Programs – Community Adult Mental Health, Children’s Mental Health, Adult Substance Abuse, and Community Children’s Substance Abuse.

3. through 4. No change.

(q) Medical Services.

1. No change.

2. Programs – Community Adult Mental Health, Children’s Mental Health, Adult Substance Abuse, and Community Children’s Substance Abuse.

3. through 4. No change.

(r) Medication-Assisted Treatment.

1. No change.

2. Programs – Community Adult Substance Abuse, Children’s Substance Abuse.

3. through 4. No change.

(s) Mental Health Clubhouse Services.

1. Description – Structured, evidence-based services designed to both strengthen and/or regain the individual’s interpersonal skills, provide psycho-social therapy toward rehabilitation, develop the environmental supports necessary to help the individual thrive in the community and meet employment and other life goals and promote recovery from mental illness. Services are typically provided in a community-based program with trained staff and members working as teams to address the individual’s life goals and to perform the tasks necessary for the operations of the program.

The emphasis is on a holistic approach focusing on the individual's strengths and abilities while challenging the individual to pursue those life goals. This service would include, but not be limited to, clubhouses certified under the International Center for Clubhouse Development. This covered service may not be provided to a person less than 18 years old.

- 2. Programs – Community Adult Mental Health.
- 3. through 4. No change.
- (t) Outpatient.
  - 1. No change.
  - 2. Programs – Community Adult Mental Health, Children's Mental Health, Adult Substance Abuse, and Community Children's Substance Abuse.
  - 3. through 4. No change.
- (u) Outreach.
  - 1. No change.
  - 2. Programs – Community Adult Mental Health, Children's Mental Health, Adult Substance Abuse, and Community Children's Substance Abuse.
  - 3. through 4. No change.
- (v) Prevention – Indicated.
  - 1. No change.
  - 2. Programs – Community Adult Mental Health, Children's Mental Health, Adult Substance Abuse, and Community Children's Substance Abuse.
  - 3. through 4. No change.
- (w) Prevention – Selective.
  - 1. No change.
  - 2. Programs – Community Adult Mental Health, Children's Mental Health, Adult Substance Abuse, and Community Children's Substance Abuse.
  - 3. through 4. No change.
- (x) Prevention – Universal Direct.
  - 1. No change.
  - 2. Programs – Community Adult Mental Health, Children's Mental Health, Adult Substance Abuse, and Community Children's Substance Abuse.
  - 3. through 4. No change.
- (y) Prevention – Universal Indirect
  - 1. No change.
  - 2. Programs – Community Adult Mental Health, Children's Mental Health, Adult Substance Abuse, and Community Children's Substance Abuse.
  - 3. through 4. No change.
- (z) Recovery Support.
  - 1. No change.
  - 2. Programs – Community Adult Mental Health, Children's Mental Health, Adult Substance Abuse, and Community Children's Substance Abuse.
  - 3. through 4. No change.

- (aa) Residential Level I.
  - 1. No change.
  - 2. Programs – Community Adult Mental Health, Children's Mental Health, Adult Substance Abuse, and Community Children's Substance Abuse.
  - 3. through 4. No change.
- (bb) Residential Level II.
  - 1. No change.
  - 2. Programs – Community Adult Mental Health, Children's Mental Health, Adult Substance Abuse, and Community Children's Substance Abuse.
  - 3. through 4. No change.
- (cc) Residential Level III.
  - 1. No change.
  - 2. Programs – Community Adult Mental Health, Children's Mental Health, Adult Substance Abuse, and Community Children's Substance Abuse.
  - 3. through 4. No change.
- (dd) Residential Level IV.
  - 1. No change.
  - 2. Programs – Community Adult Mental Health, Children's Mental Health, Adult Substance Abuse, and Community Children's Substance Abuse.
  - 3. through 4. No change.
- (ee) Respite Services.
  - 1. No change.
  - 2. Programs – Community Adult Mental Health, Children's Mental Health, Adult Substance Abuse, and Community Children's Substance Abuse.
  - 3. through 4. No change.
- (ff) Room and Board with Supervision Level I.
  - 1. No change.
  - 2. Programs – Community Adult Mental Health, Children's Mental Health, Adult Substance Abuse, and Community Children's Substance Abuse.
  - 3. through 4. No change.
- (gg) Room and Board with Supervision Level II.
  - 1. No change.
  - 2. Programs – Community Adult Mental Health, Children's Mental Health, Adult Substance Abuse, and Community Children's Substance Abuse.
  - 3. through 4. No change.
- (hh) Room and Board with Supervision Level III.
  - 1. No change.
  - 2. Programs – Community Adult Mental Health, Children's Mental Health, Adult Substance Abuse, and Community Children's Substance Abuse.
  - 3. through 4. No change.
- (ii) Short-term Residential Treatment.
  - 1. Description – These individualized, stabilizing acute and immediately sub-acute care services provide short and

intermediate duration intensive mental health residential and habilitative services on a twenty-four hours per day, seven days per week basis. These services shall meet the needs of individuals who are experiencing an acute or immediately sub-acute crisis and who, in the absence of a suitable alternative, would require hospitalization. This covered service may not be provided to a person less than 18 years old.

- 2. Programs – Community Adult Mental Health.
  - 3. through 4. No change.
- (jj) Substance Abuse Inpatient Detoxification.
  - 1. No change.
  - 2. Programs – Community ~~Adult~~ Substance Abuse, ~~Children’s Substance Abuse.~~
    - 3. through 4. No change.
- (kk) Substance Abuse Outpatient Detoxification.
  - 1. No change.
  - 2. Programs – Community ~~Adult~~ Substance Abuse, ~~Children’s Substance Abuse.~~
    - 3. through 4. No change.
- (ll) Supported Employment.
  - 1. No change.
  - 2. Programs – Community ~~Adult~~ Mental Health, ~~Children’s Mental Health, Adult Substance Abuse,~~ and Community ~~Children’s~~ Substance Abuse.
    - 3. through 4. No change.
- (mm) Supportive Housing/Living.
  - 1. No change.
  - 2. Programs – Community ~~Adult~~ Mental Health, ~~Children’s Mental Health, Adult Substance Abuse,~~ and Community ~~Children’s~~ Substance Abuse.
    - 3. through 4. No change.
- (nn) Treatment Alternatives for Safer Communities (TASC).
  - 1. No change.
  - 2. Programs – Community ~~Adult~~ Substance Abuse, ~~Children’s Substance Abuse.~~
    - 3. through 4. No change.
- (5) Budgeting and Accounting for Revenues and Expenditures.
  - (a) through– (d) No Change.
  - (e) Service Provider Required Fiscal Reports.
    - 1. All service providers shall prepare and submit the following proposed fiscal reports to the department or Managing Entity, as appropriate, for approval prior to the start of the contract or subcontract period:
      - a. through b. No change.
      - c. CF-MH 1045, Oct 2015 ~~CF-MH 1045, July 2014,~~ Program Description, hereby incorporated by reference.
        - (I) through (II) No change.
        - 2. through 3. No change.
        - (6) through (8) No change.

Rulemaking Authority 394.78(1), (5), 394.9082(11), 397.321(5), 402.73 FS. Law Implemented 394.74(2)(b), (3)(d), (e), (4), 394.77, 394.78(1), (5), 394.9082, 397.321(10), 402.73(1) FS. History–New 7-1-03, Amended 12-14-03, 1-2-05, 7-27-14, 6-28-15, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Jimmers Micallef  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Carroll, Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 5, 2015  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 11/12/2015

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

**DEPARTMENT OF REVENUE**

**Property Tax Oversight Program**

RULE NOS.:	RULE TITLES:
12D-13.001	Definitions
12D-13.002	When Taxes Are Due; Notice of Publication; Discounts if Taxes Are Paid Before Certain Times
12D-13.004	Interest on Delinquent Taxes
12D-13.006	Procedure for the Correction of Errors by the Tax Collector; Correcting Erroneous or Incomplete Personal Property Assessments; Tax Certificate Corrections
12D-13.0283	Property Tax Deferral – Application; Tax Collector Responsibilities for Notification of Approval or Denial; Procedures for Undeferred Tax.
12D-13.030	Homestead Tax Deferral - Adjustment of Current Year's Income
12D-13.042	Delinquent Personal Property Taxes, Warrants, Seizure, Fees of Tax Collectors; Attachment of Personal Property in Case of Removal
12D-13.044	Sale of Personal Property After Seizure
12D-13.0455	Electronic Issuance of Tax Certificates
12D-13.060	Application for Obtaining Tax Deed by Holder of Tax Certificate; Fees
12D-13.061	Minimum Standards for Ownership and Encumbrance Reports Made in Connection with Tax Deed Applications; Fees
12D-13.062	Notices; Advertising, Mailing, Delivering and Posting of Notice of Tax Deed Sale

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph

120.54(3)(d)1., F.S., published in Vol. 41 No. 249, December 29, 2015 issue of the Florida Administrative Register.

When presented to the Governor and Cabinet for final adoption of, and approval to file and certify with, the Secretary of State under Chapter 120, F.S., the proposed changes to this rule Chapter will read as follows:

12D-13.001, Definitions.

(1) through (9) No change.

(10) “Tax certificate” as defined in paragraph 197.102(1)(f), F.S., ~~represents unpaid delinquent real property taxes, non ad valorem assessments, including special assessments, interest, and related costs and charges, issued against a specific parcel of real property.~~

(11) “Tax notice” as defined in paragraph 197.102(1)(g), F.S., ~~is the paper or electronic tax bill sent to taxpayers for payment of any taxes or special assessments or for the payment of ad valorem taxes and non ad valorem assessments collected according to Chapter 197, F.S.~~

(12) “Tax receipt” as defined in paragraph 197.102(1)(h), F.S., ~~is the paid tax notice.~~

(13) No change.

Rulemaking Authority 195.027(1), 213.06(1) FS. Law Implemented 195.027, 197.102, 197.162, 197.172, 197.3225, 197.432, 197.573, 200.069 FS. History—New 6-18-85, Formerly 12D-13.01, Amended 5-23-91, 2-25-96,\_\_\_.

12D-13.002, When Taxes Are Due; Notice of Publication; Discount Payment Periods.

(1) through (3) No change.

(4)(a) ~~Generally, tax~~ Tax payments made before delinquency are entitled to a discount at these rates:

1. through 5. No change.

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

(6)(a) The published notice ~~by publication~~ as required by Section 197.322, F.S., must be large enough to be easily seen, i.e. at least 3 by 6 inches.

(b) No change.

Rulemaking Authority 195.027(1), 213.06(1) FS. Law Implemented 193.092, 197.122, 197.162, 197.322, 197.332, 197.333, 197.343, 197.344, 197.3635, 197.374 FS. History—New 6-18-85, Formerly 12D-13.02, Amended 12-13-92, 12-25-96, 12-30-99,\_\_\_.

12D-13.004, Interest on Delinquent Taxes.

(1) through (2) No change.

(3) Delinquent personal property taxes are subject to interest at the rate required by Section 197.172, F.S. ~~of 18 percent per year, calculated monthly (one and one-half percent per month)~~ from the date of delinquency until paid or barred under Chapter 95, F.S.

Rulemaking Authority 195.027(1), 213.06(1) FS. Law Implemented 192.048, 193.122, 197.172, 197.301, 197.332, 197.374, 197.402, 197.417, 197.432 FS. History—New 6-18-85, Formerly 12D-13.04, Amended\_\_\_.

12D-13.006, Procedure for the Correction of Errors by the Tax Collector; Correcting Erroneous or Incomplete Personal Property Assessments; Tax Certificate Corrections.

(1) through (10) No change.

(11)(a) When a correction in assessment, or any other error that can be corrected, is certified to the tax collector on property on which a tax certificate has been sold and the property appraiser certifies to the tax collector that an error has been made in the assessment of the property, or any other error that may be corrected, the tax collector must shall submit a request to correct or cancel the tax certificate. ~~The request to correct or cancel shall be forwarded to the Department of Revenue for consideration. If the Department approves the request to correct or cancel the tax certificate, according to s. 197.443, F.S., the tax collector must notify the certificate holder and any affected taxing jurisdictions.~~

(11)(b) through (12) No change.

Rulemaking Authority 195.027(1), 213.06(1) FS. Law Implemented 192.048, 197.122, 197.123, 197.131, 197.162, 197.182, 197.322, 197.323, 197.344, 197.432, 197.442, 197.443, 197.444, 197.492, 197.593 FS. History—New 6-18-85, Formerly 12D-13.06, Amended 5-23-91, 12-10-92, 12-25-96, 12-31-98,\_\_\_.

12D-13.0283, Property Tax Deferral -- Application; Tax Collector Responsibilities for Notification of Approval or Denial; Procedures for Taxes, Assessments, and Interests Not Deferred.

(1) through (5) No change.

Rulemaking Authority 195.022, 195.027(1), 213.06(1) FS. Law Implemented 197.162, 196.162, 197.172, 197.2421, 197.2423, 197.252, 197.3632 FS. History—New xx-xx-xx.

12D-13.030, Homestead Tax Deferral – Adjustment of current Year’s Income.

Rulemaking Authority 195.027(1), 213.06(1) FS. Law Implemented 197.252, 197.3632 FS. History—New 6-18-85, Formerly 12D-13.30, Amended 12-13-92, Repealed .

12D-13.042, Delinquent Personal Property Taxes, Warrants, Seizure, Fees of Tax Collectors.

(1) through (3) No change.

(4)(a) Form DR-517, Tax Collector’s Warrant, incorporated by reference in Rule 12D-16.002, F.A.C., may must be used to notify the sheriff tax collector in the county where the ~~owner of the~~ tangible personal property ~~resides, if different from the county where the tangible personal property~~ is located, that the court has validated a warrant authorizing the seizure and sale of the tangible personal property to collect delinquent taxes as provided in Section 197.413, F.S.

(b) No change

Rulemaking Authority 195.022, 195.027(1), 213.06(1) FS. Law Implemented 192.053, 197.122, 197.332, 197.412, 197.413, 197.414,

197.416, 197.417, 213.05 FS. History–New 6-18-85, Formerly 12D-13.42, Amended 5-23-91, 12-13-92, 12-27-94,\_\_\_.

12D-13.044, Sale of Personal Property After Seizure.

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

(3)(b) If ~~the tax collector determines that only unreasonable bids are being offered or~~ if there are no bids, the tax collector may ~~he or she must~~ terminate the sale, readvertise, and sell the property at a later date.

(4) When the tax collector sells multiple items of property and the sale satisfies the tax lien and all costs and fees, but additional levied property exists, the tax collector may:

~~(a) Continue the sale of the excess property;~~

~~(a)(b)~~ Turn the remaining property over to the owner or last possessor of the property;

~~(b)(c)~~ Return excess property to the location where it was seized.

Rulemaking Authority 195.027(1), 213.06(1) FS. Law Implemented 30.231, 197.122, 197.416, 197.417, 197.443 FS. History–New 6-18-85, Formerly 12D-13.44, Amended 5-23-91, 12-13-92,\_\_\_.

12D-13.0455, Electronic Issuance of Tax Certificates.

Tax collectors ~~In those counties~~ having the ability ~~computer capacity~~ to issue tax certificates electronically, ~~the tax collector~~ may, in lieu of issuing individual document tax certificates for each tax certificate sold, issue a listing of tax certificates sold to each purchaser or county. An entry on the list constitutes ~~shall constitute~~ the tax certificate document and must ~~shall~~ contain the name of the purchaser, the amount of each tax certificate purchased, the property identification number and interest percentage bid.

Rulemaking Authority 195.022, 195.027(1), 213.06(1) FS. Law Implemented 193.092, 197.102, 197.122, 197.402, 197.403, 197.432 FS. History–New 5-23-91, Amended .

12D-13.060, Application for Obtaining Tax Deed by Certificate Holder; Fees.

(1) through (2) No change.

(3)(a) After receiving the ownership and encumbrance report including the abstract or title search, the tax collector must prepare and deliver a certification to the clerk on Form DR-513, and attach a certification of the names and addresses of those persons who must be notified, as required by Subsection 197.502(4), F.S.

(b) through (c) No change.

Rulemaking Authority 195.027(1), 213.06(1) FS. Law Implemented 28.24, 197.3632, 197.482, 197.502, 197.512, 197.522, 197.532, 197.542, 197.552, 197.562, 197.573, 197.582, 197.593, 197.602 FS. History–New 6-18-85, Formerly 12D-13.60, Amended 5-23-91, 12-13-92, 1-11-94, 12-25-96, 12-31-98, 1-26-04, 12-30-04,\_\_\_.

12D-13.061 Minimum Standards for Ownership and Encumbrance Reports Made in Connection with Tax Deed Applications

(1) through (2) No change.

Rulemaking Authority 195.022, 195.027(1), 213.06(1) FS. Law Implemented 197.502, ~~197.512, 197.522, 627.7843~~ FS. History–New 6-18-85, Formerly 12D-13.61, Amended 12-3-01, 12-30-04,\_\_\_\_\_.

12D-13.062, Notices; Advertising, Mailing, Delivering and Posting of Notice of Tax Deed Sale.

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

(c)1. The form of the notice and the information it contains must be substantially as follows:

NOTICE OF APPLICATION FOR TAX DEED ~~Notice of Application for Tax Deed~~

NOTICE IS HEREBY GIVEN

That

The holder of the following tax certificates has filed the said certificates for a tax deed to be issued ~~thereon~~. The certificate numbers and years of issuance, the description of the property, and the names in which it was assessed are ~~as follows~~:

\_\_\_ Certificate No./Year of Issuance/Description of Property/Name in which assessed

All of the said property is being in the \_\_\_\_\_ County of \_\_\_\_\_, State of Florida.

Unless the such certificate or certificates are shall be redeemed according to law, the property described in the such certificate or certificates will be sold to the highest bidder ~~at the courthouse door~~ on the \_\_\_\_\_ (date and time) day of \_\_\_\_\_ at \_\_\_\_\_ a.m.

~~Live auction~~ \_\_\_\_\_  ~~Electronic sale~~

Dated this \_\_\_\_\_ day of 19\_\_\_\_.

Clerk of Circuit Court, \_\_\_\_\_ County, Florida Ad No. \_\_\_\_\_

2. No change.

(2) Clerk’s Responsibilities for Delivery to the Sheriff

(a) No change

~~(b)2-~~ If the owner resides in Florida outside the county where the property land is located, the clerk must deliver an original plus ~~and~~ sufficient copies of the notice to the sheriff of the county ~~where the owner resides, and a copy to the sheriff of the county~~ in which the property is located, unless the property is assessed as non-agricultural acreage or vacant land;

(c) No change.

(3) If the notice to titleholders required by Sections 197.502(4)(a) and 197.522(1), F.S., is returned to the clerk as “undeliverable”, the clerk should ~~must~~ review the most recent property tax roll and the clerk’s court and other records containing address information to attempt to get a valid

address. If an additional address is found, notice ~~should~~ **must** be resent to the titleholder at that address.

Rulemaking Authority 195.022, 195.027(1), 213.06(1) FS. Law Implemented 197.502, 197.512, 197.522, 197.542, 197.562, 197.582 FS. History—New 6-18-85, Formerly 12D-13.62, Amended 12-3-01, 1-26-04, \_\_\_\_.

**DEPARTMENT OF REVENUE**

**Property Tax Oversight Program**

RULE NO.: RULE TITLE:

12D-16.002 Index to Forms

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 41 No. 249, December 29, 2015 issue of the Florida Administrative Register.

When presented to the Governor and Cabinet for final adoption of, and approval to file and certify with, the Secretary of State under Chapter 120, F.S., the proposed changes to the following forms will read as follows:

12D-16.002(1) Through (47)(a) No change.

(47)(b) Form DR-513, Certification of Tax Deed Application. Page 2, Part 4, Line 6, Interest accrued by tax collector, citation to rule 12D-13.060 is amended to 12D-13.060(3), F.A.C.

(47)(c) Through (48)(d) No change.

(48)(e) Form DR-517, Tax Collector’s Warrant. Page 1, add statute citations 197.412 and 197.413, F.S., to the top of the form heading. After To, remove “Deputy Tax Collector” and replace with “Sheriff.” Remove “levy on and sell” and replace with “seize” to read “This warrant requires you to seize any personal property belonging to:.” Add a sentence: The tax collector may sell the property as provided in s. 197.413, F.S.

(49) Through (61)(b) No change.

Rulemaking Authority 195.027(1), 213.06(1) FS. Law Implemented 92.525, 95.18, 136.03, 192.001(18), 192.0105, 193.052, 193.077, 193.085, 193.092, 193.114, 193.122, 193.155, 193.1554, 193.1555, 193.1556, 193.461, 193.501, 193.503, 193.625, 193.703, 194.011, 194.032, 194.034, 194.035, 194.037, 195.002, 195.022, 195.087, 196.011, 196.015, 196.031, 196.075, 196.095, 196.101, 196.121, 196.141, 196.151, 196.173, 196.183, 196.193, 196.1961, 196.1983, 196.1995, 196.202, 196.24, 196.26, 197.182, 197.222, 197.2423, 197.2425, 197.3632, 197.3635, 197.414, 197.432, 197.472, 197.502, 197.512, 197.552, 200.065, 200.069, 213.05, 218.12, 218.125, 218.66, 218.67 FS. History—New 10-12-76, Amended 4-11-80, 9-17-80, 5-17-81, 1-18-82, 4-29-82, Formerly 12D-16.02, Amended 12-26-88, 1-9-92, 12-10-92, 1-11-94, 12-27-94, 12-28-95, 12-25-96, 12-30-97, 12-31-98, 2-3-00, 1-9-01, 12-27-01, 1-20-03, 1-26-04, 12-30-04, 1-16-06, 10-2-07, 3-30-10, 11-1-12, 9-10-15, \_\_\_\_.

**Section IV  
Emergency Rules**

NONE

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

**DEPARTMENT OF FINANCIAL SERVICES**

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that on January 22, 2016, the Department of Financial Services, Division of State Fire Marshal, received a petition for Variance or Waiver filed by Avcon, Inc. (Petitioner). The Petition requests variances relating to NFPA 495 sections 9.2.3, 9.3.1(b), and NFPA Table 9.4.1(b) Note 13.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Melissa E. Dembicer, Assistant General Counsel, Division of Legal Services, 612 Larson Building, 200 E. Gaines Street, Tallahassee, Florida 32399-0333, (850)413-5829.

Please refer all comments to: Melissa E. Dembicer, melissa.dembicer@myfloridacfo.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 public meetings to which all persons are invited.

DATE AND TIMES: Thursday, February 11, 2016, 4:30 p.m., 5:00 p.m.

PLACE: Holiday Inn and Suites; 3600 SW 38th Avenue; Ocala, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: 4:30 p.m., Sponsorship Committee Meeting; 5:00 p.m., Board of Director’s Meeting.

A copy of the agenda may be obtained by contacting: Stephanie Hagins at (352)307-6699.

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: Stephanie Hagins at (352)307-6699. 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 Food, Nutrition and Wellness

The Board of Directors of Living Healthy in Florida, Inc. announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 27, 2016, 2:00 p.m.

PLACE: Conference call number: 1(888)670-3525, participant code: 1941468940#

GENERAL SUBJECT MATTER TO BE CONSIDERED: MEETING IS NOW CANCELLED.

This meeting, published in Vol. 42, No. 6 of the Florida Administrative Register on January 11, 2016, is cancelled. The Board will reschedule at a later date.

A copy of the agenda may be obtained by contacting: Melanie Schrowang at [Melanie.Schrowang@FreshFromFlorida.com](mailto:Melanie.Schrowang@FreshFromFlorida.com) or (850)617-7400.

For more information, you may contact: Melanie Schrowang at [Melanie.Schrowang@FreshFromFlorida.com](mailto:Melanie.Schrowang@FreshFromFlorida.com) or (850)617-7400.

**DEPARTMENT OF EDUCATION**

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

DATE AND TIME: February 10, 2016, 1:00 p.m.

PLACE: CareerSource Capital Region - Town South Plaza, 2525 South Monroe Street, Suite 3A, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Sate Apprenticeship Advisory Council will hold a meeting to discuss general items relating to apprenticeship in Florida. The agenda includes follow-up actions from previous council meetings on subjects of committee structure, assignments and responsibilities. The program will include an apprenticeship update relative to apprentices and programs registered in Florida.

A copy of the agenda may be obtained by contacting: Juanita Warren at (850)245-0454 or [Juanita.Warren@fldoe.org](mailto:Juanita.Warren@fldoe.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Juanita Warren at (850)245-0454. 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: Ken Olsen, Program Director of Apprenticeship, at (850)245-9039 or [Ken.Olsen@fldoe.org](mailto:Ken.Olsen@fldoe.org).

**WATER MANAGEMENT DISTRICTS**

South Florida Water Management District

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

DATE AND TIME: Thursday, February 4, 2016, 9:00 a.m., Water Resource Advisory Commission Meeting

PLACE: 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding water resources protection, water supply and flood protection issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Tia Barnett, (561)682-6286, [tbarnett@sfwmd.gov](mailto:tbarnett@sfwmd.gov).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Brenda Low, (561)682-6805. 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: Tia Barnett, (561)682-6286.

**EXPRESSWAY AUTHORITIES**

Miami-Dade Expressway Authority "MDX"

The Miami-Dade Expressway Authority "MDX" announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, February 4, 2016, 6:30 p.m., Open House; 7:00 p.m., Formal Presentation

PLACE: Courtyard Miami at Dolphin Mall

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public hearing is being conducted to give interested parties an opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of the proposed improvements documented as part of the Dolphin Station Park-and-Ride/Transit Terminal Facility Project Environmental Impact Report (PEIR) in Miami-Dade County, Florida. The FDOT Financial Management Number is 437143-1-22-01. The Efficient Transportation Decision Making (ETDM) number is: 14241. The project proposes a park and ride transit terminal within the northwest quadrant of the Homestead Extension of the Florida's Turnpike (HEFT) and NW 12th Street intersection in Miami-Dade County. This facility will support

Miami-Dade Transit's SR 836 Express Bus Service, a potential future CSX commuter rail station, and serve other local bus routes serving the Dolphin Mall and the nearby cities of Sweetwater and Doral.

A copy of the agenda may be obtained by contacting: Tere Garcia, Public Information Officer, (786)277-9292, tgarcia@mdxway.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Tere Garcia. 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: Tere Garcia, visit the MDX website: www.mdx.com or write to Mayra Diaz, MDX Project Manager, 3790 NW 21st Street, Miami, Florida 33142.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

The Florida Board of Professional Engineers Joint Engineer/Architect Task Force Committee announces a public meeting to which all persons are invited.

DATE AND TIME: February 10, 2016, 8:30 a.m.

PLACE: Crowne Plaza Orlando Universal, 7800 Universal Boulevard, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

The Florida Board of Professional Test Equivalency Review Special Committee announces a public meeting to which all persons are invited.

DATE AND TIME: February 10, 2016, after conclusion of the FBPE Joint Engineer/Architect Task Force Committee meeting

PLACE: Crowne Plaza Orlando Universal, 7800 Universal Boulevard, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

DATE AND TIMES: February 10, 2016, 1:00 p.m. – 2:00 p.m. and 2:00 p.m. – 4:00 p.m.

PLACE: Douglas Building, Conference Room 137A, 3900 Commonwealth Boulevard, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

This is an amended notice to correct the date of the meetings and the contact person. A workshop will commence at 1:00 p.m. and continue until not later than 2:00 p.m., to present the revised Clean Water State Revolving Fund (CWSRF) Fiscal Year 2016 Intended Use Plan for public review and comment, and then, beginning at 2:00 p.m. and continuing until not later than 4:00 p.m., a public meeting will be held to discuss the issues and recommendations for management of the FY 2016 CWSRF priority list of projects to be funded with loans under Chapter 62-503, Florida Administrative Code.

A copy of the agenda may be obtained by contacting: Michael Isaacson, State Revolving Fund Program, 3900 Commonwealth Boulevard, Mail Station 3505, Tallahassee, Florida 32399-3000, (850)245-2928, michael.isaacson@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by

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

For more information, you may contact: Tim Banks, State Revolving Fund Program, 3900 Commonwealth Boulevard, Mail Station 3505, Tallahassee, Florida 32399-3000, (850)245-2969, timothy.banks@dep.state.fl.us.

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

The Probable Cause Panel of the Board of Osteopathic Medicine announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** January 29, 2016, 3:00 p.m., ET

**PLACE:** Telephone conference: 1(888)670-3525, participant pass code: 4625909332

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

This notice replaces notice ID 17017212. To review those cases on which a determination of existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Alexandra Alday at Alexandra.Alday@flhealth.gov.

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

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: Alexandra Alday at Alexandra.Alday@flhealth.gov.

**DEPARTMENT OF HEALTH**

**Board of Podiatric Medicine**

The Podiatric Medicine Disciplinary Guidelines Sub-Committee announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Wednesday, March 2, 2016, 12:00 Noon

**PLACE:** Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida 32399, telephone conference: 1(888)670-3525, participant code: 7342425515

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Rule 64B18-14.002, Florida Administrative Code.

A copy of the agenda may be obtained by contacting: Edith Rogers at edith.rogers@flhealth.gov or by visiting the Board's

website: <http://floridaspodiatricmedicine.gov/meeting-information/>.

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: Edith Rogers at edith.rogers@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Edith Rogers at edith.rogers@flhealth.gov.

**DEPARTMENT OF HEALTH**

Division of Emergency Preparedness and Community Support  
The Bureau of Preparedness and Response announces public meetings to which all persons are invited.

**DATES AND TIMES:** February 10, 2016, 8:00 a.m. – 5:00 p.m.; February 11, 2016, 8:00 a.m. – 3:00 p.m.

**PLACE:** The Florida Hotel and Conference Center, 1500 Sand Lake Rd, Orlando, FL 32809, (407)859-1500

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Public Health and Healthcare Preparedness Strategic Planning Oversight Team will discuss strategic planning changes and direction, program status for the current year and program requests for the coming year 2016-17.

A copy of the agenda may be obtained by contacting: Lela Shepard, (850)245-4040.

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: Lela Shepard. 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: Courtney Williams, (850)245-4040.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

The Fish & Wildlife Foundation of Florida announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, February 4, 2016, 3:00 p.m. – 5:00 p.m.

**PLACE:** The public may participate in the call in Suite 100, Marathon Building, 2574 Seagate Drive, Tallahassee

Please call (850)921-1144 for admittance into the Marathon Building.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Deer Tag Committee of the Fish & Wildlife Foundation of Florida will review 2016-17 grant process; overview of grant funds; review, discussion, ranking, and recommendation of all grant proposals received; and discuss other Deer Tag business. A copy of the agenda may be obtained by contacting: Ms. Marie Kokol, 2574 Seagate Drive, Suite 100, Tallahassee, FL 32302, (850)717-8703.

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: Ms. Marie Kokol, 2574 Seagate Drive, Suite 100, Tallahassee, FL 32302, (850)717-8703.

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

Division of Workforce Services

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

**DATE AND TIME:** February 3, 2016, 9:00 a.m.

**PLACE:** Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Deliberation for cases pending before the Reemployment Assistance Appeals Commission that are ready for final review and the Chairman's report. No public testimony will be taken.

A copy of the agenda may be obtained by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. 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: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

**FLORIDA HEALTH CHOICES**

Florida Health Choices, Inc. announces public meetings to which all persons are invited.

**DATES AND TIMES:** Friday, March 4, 2016, 11:00 a.m.; Friday, April 1, 2016, 11:00 a.m.; Friday, June 10, 2016, 11:00 a.m.; Friday, September 9, 2016, 11:00 a.m.; Friday, December 9, 2016, 11:00 a.m.

**PLACE:** Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Board business.

All meetings are subject to date and/or time changes so please check the website at [www.myfloridachoice.org](http://www.myfloridachoice.org) for up-to-date meeting information and materials.

A copy of the agenda may be obtained by contacting: [www.myfloridachoice.org](http://www.myfloridachoice.org), [info@myfloridachoice.org](mailto:info@myfloridachoice.org) or (850)222-0933.

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: Janet Macioch, [jmacioch@myfloridachoice.org](mailto:jmacioch@myfloridachoice.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: [www.myfloridachoice.org](http://www.myfloridachoice.org), [info@myfloridachoice.org](mailto:info@myfloridachoice.org) or (850)222-0933.

**HARDEE COUNTY ECONOMIC DEVELOPMENT AUTHORITY**

The Hardee County Economic Development Authority announces a public meeting to which all persons are invited.

**DATE AND TIME:** February 8, 2016, 8:30 a.m.

**PLACE:** 412 W. Orange Street, Room 102, Wauchula, FL 33873

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Cycle 12 Grant Applications Received.

A copy of the agenda may be obtained by contacting: Sandy Meeks, (863)773-9430.

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: Sandy Meeks, (863)773-9430. 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: Sandy Meeks, (863)773-9430.

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

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that on November 19, 2015 the Office of Financial Regulation has received the petition for declaratory statement from Consumer Credit Counseling Services of Greater Atlanta, Inc. dba ClearPoint Credit Counseling Solutions. The petition seeks the agency’s opinion as to the applicability of Chapter 560, Florida Statutes, as it applies to the petitioner.

The petition seeks a declaratory statement from the Office on whether Petitioner’s business activities (of assisting consumers with Debt Management Plans [DMP], where consumers enter into DMP agreements with Petitioner, and through an ancillary function funds are disbursed to Creditors) fall within Florida’s money transmitting licensing statute Chapter 560, Florida Statutes.

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

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

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

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

NONE

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

NONE

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

NONE

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

NONE

**Section XI**  
**Notices Regarding Bids, Proposals and**  
**Purchasing**

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

REQUEST FOR PROPOSALS

Southwest Florida Local Emergency Planning Committee  
(SWFLEPC)

RFP Title: Consulting Services – Ethylene Oxide Tabletop Exercise

Purpose: The purpose of this document is to provide interested parties with information to enable them to prepare and submit a proposal for consulting services for conducting an “Ethylene Oxide Tabletop Exercise” for the Southwest Florida Local Emergency Planning Committee (SWFLEPC).

Deadline for Proposal Submissions: 2:00 p.m. ET February 29, 2016. LATE, FAXED, OR UNSIGNED PROPOSALS WILL BE REJECTED.

Submit Proposal to this Address: SOUTHWEST FLORIDA LOCAL EMERGENCY PLANNING COMMITTEE, 1400 Colonial Boulevard, Suite #1, Fort Myers, FL 33907

Special Instructions:

- Place the Signature Affidavit as the first page of your proposal
- Submit one complete original printed copy of your entire proposal, as detailed in Section 2 of this RFP
- Submit one complete electronic copy of your entire proposal, as detailed in Section 2 of this RFP. This electronic copy shall be in Microsoft Word (2007 or 2010 version) or Adobe PDF format, and shall be

provided on a Compact Disc (CD) or Digital Video Disc (DVD).

Direct All Inquiries To:

NAME: Nichole Gwinnett

TITLE: Planner I/Grants Coordinator

PHONE: (239)938-1813, ext. 232

FAX: (239)938-1817

EMAIL: ngwinnett@swfrpc.org

WEBSITE: <http://swfrpc.org/lepc.html>

## Section XII Miscellaneous

### DEPARTMENT OF TRANSPORTATION

Proposed Site Approval Order for Port Canaveral Heliport  
The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

Port Canaveral Heliport, a private airport, in Brevard County, at Latitude 28° 24' 18.92" and Longitude 80° 37' 07.21", to be owned and operated by Florida Biplanes Inc., 475 Manor Drive Hangar #5 Merritt Island, FL 32952.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting Aaron N. Smith, State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450; (850)414-4514; aviation.fdot@dot.state.fl.us; website: <http://www.dot.state.fl.us/aviation>.

**ADMINISTRATIVE HEARING RIGHTS:** Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

AGENCY FOR HEALTH CARE ADMINISTRATION  
Certificate of Need

### EXEMPTION

The Agency for Health Care Administration approved the following exemption on January 25, 2016 pursuant to Section 408.036(3), Florida Statutes:

ID # E160003 District: 9-3 (Okeechobee County)

Facility/Project: Okeechobee Health Care Facility

Applicant: Okeechobee Healthcare Facility, LLC

Project Description: Add 18 community nursing home beds

Proposed Project Cost: \$1,829,588

### DEPARTMENT OF HEALTH

#### Notice of Emergency Action

On January 25, 2016, the State Surgeon General issued an Order of Emergency Restriction of Certification with regard to the certification of Roger Wilson, P.M.D., Certification #: PMD 512772. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2015). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

### DEPARTMENT OF HEALTH

#### Board of Medicine

#### Notice of Emergency Action

On January 25, 2016, the State Surgeon General issued an Order of Emergency Restriction of License with regard to the license of Norbert M. Falasco, M.D., License #: ME 43769. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2015). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

### DEPARTMENT OF HEALTH

#### Board of Nursing

#### Order of Emergency Action

On January 25, 2016, the State Surgeon General issued an Order of Emergency Restriction of Certification with regard to the certification of Matthew R. Wells, C.N.A., Certification #: CNA 120792. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2015). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On January 25, 2016, State Surgeon General issued an Order of Emergency Restriction of License with regard to the license of Jeremy D. Degroff, R.N., License #: RN 3398292. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2015). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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**Section XIII**

**Index to Rules Filed During Preceding  
Week**

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

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