

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Board of Professional Engineers

RULE NO.: RULE TITLE:
61G15-35.003 Qualification Program for Special
Inspectors of Threshold Buildings
PURPOSE AND EFFECT: The purpose of the amendment is
to update the required certifications, by referencing the list in
a different rule.
SUBJECT AREA TO BE ADDRESSED: Update required
certifications.
RULEMAKING AUTHORITY: 471.008, 471.033(2) FS.
LAW IMPLEMENTED: 471.015(7), 471.033 FS.
IF REQUESTED IN WRITING AND NOT DEEMED
UNNECESSARY BY THE AGENCY HEAD, A RULE
DEVELOPMENT WORKSHOP WILL BE NOTICED IN
THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE
REGISTER.
THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE DEVELOPMENT AND A COPY OF
THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Zana
Raybon, Executive Director, Board of Professional
Engineers, 2639 North Monroe Street, Suite B-112,
Tallahassee, FL 32303, (850)521-0500
THE PRELIMINARY TEXT OF THE PROPOSED RULE
DEVELOPMENT IS AVAILABLE AT NO CHARGE
FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: RULE TITLE:
64B14-2.002 Biennial Renewal Fee
PURPOSE AND EFFECT: The Board proposes the rule
amendment to reduce the Biennial Renewal Fee.
SUBJECT AREA TO BE ADDRESSED: Biennial renewal
fees.
RULEMAKING AUTHORITY: 456.025, 456.036, 468.802,
468.806 FS.
LAW IMPLEMENTED: 436.025, 456.036, 468.806 FS.
IF REQUESTED IN WRITING AND NOT DEEMED
UNNECESSARY BY THE AGENCY HEAD, A RULE
DEVELOPMENT WORKSHOP WILL BE NOTICED IN
THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE
REGISTER.
THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE DEVELOPMENT AND A COPY OF

THE PRELIMINARY DRAFT, IF AVAILABLE, IS:
Anthony Spivey, Executive Director, Board of Orthotists and
Prosthetists/MQA, 4052 Bald Cypress Way, Bin #C07,
Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: RULE TITLE:
64B14-2.015 Retired Status Fee.
PURPOSE AND EFFECT: The Board proposes the rule
amendment to reduce the application, examination, and initial
licensure fees.
SUBJECT AREA TO BE ADDRESSED: Application,
examination and initial licensure fees.
RULEMAKING AUTHORITY: 456.013(2), 468.803(2)(a)
FS.
LAW IMPLEMENTED: 456.013(2), 468.803(2)(a), (5)(a),
(b), (c), (d), (e) FS.
IF REQUESTED IN WRITING AND NOT DEEMED
UNNECESSARY BY THE AGENCY HEAD, A RULE
DEVELOPMENT WORKSHOP WILL BE NOTICED IN
THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE
REGISTER.
THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE DEVELOPMENT AND A COPY OF
THE PRELIMINARY DRAFT, IF AVAILABLE, IS:
Anthony Spivey, Executive Director, Board of Orthotists and
Prosthetists/MQA, 4052 Bald Cypress Way, Bin #C07,
Tallahassee, Florida 32399-3257
THE PRELIMINARY TEXT OF THE PROPOSED RULE
DEVELOPMENT IS AVAILABLE AT NO CHARGE
FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:
64B16-26.203 Licensure by Examination; Application
PURPOSE AND EFFECT: The Board proposes the rule
amendment to update the rule and revise the incorporated
form.
SUBJECT AREA TO BE ADDRESSED: Licensure by
Examination; Application.
RULEMAKING AUTHORITY: 456.033, 465.005 FS.
LAW IMPLEMENTED: 456.013(1), (7), 456.025(3),
456.033, 465.007, 465.022 FS.
IF REQUESTED IN WRITING AND NOT DEEMED
UNNECESSARY BY THE AGENCY HEAD, A RULE
DEVELOPMENT WORKSHOP WILL BE NOTICED IN

THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allison Dudley, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254

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

**FLORIDA HOUSING FINANCE CORPORATION**

RULE NOS.:	RULE TITLES:
67-21.001	Purpose and Intent
67-21.002	Definitions
67-21.0025	Miscellaneous Criteria
67-21.003	Application and Selection Process for Developments
67-21.004	Federal Set-Aside Requirements for MMRB Loans
67-21.0045	Determination of Method of Bond Sale
67-21.006	MMRB Development Requirements
67-21.007	MMRB Fees
67-21.008	Terms and Conditions of MMRB Loans
67-21.009	Interest Rate on Mortgage Loans
67-21.010	Issuance of Revenue Bonds
67-21.013	Non-Credit Enhanced Multifamily Mortgage Revenue Bonds
67-21.014	MMRB Credit Underwriting Procedures
67-21.015	Use of Bonds with Other Affordable Housing Finance Programs
67-21.017	Transfer of Ownership of a MMRB Development
67-21.018	Refundings and Troubled Development Review
67-21.019	Issuance of Bonds for Section 501(c)(3) Entities
67-21.025	HC Fees
67-21.026	HC Credit Underwriting Procedures
67-21.027	HC General Program Procedures and Requirements
67-21.028	HC with Tax-Exempt Bond-Financed Developments
67-21.029	HC Extended Use Agreement
67-21.030	Sale or Transfer of a Housing Credit Development
67-21.031	Qualified Contracts

PURPOSE AND EFFECT: The purpose of this rule chapter is to establish the procedures by which the Corporation shall (1) administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under

the Multifamily Mortgage Revenue Bond (MMRB) Program authorized by Section 142 of the Code and Section 420.509, F.S., and (2) administer the Application process, determine Non-Competitive Housing Credit amounts and implement the provisions of the Non-Competitive Housing Credit process authorized by Section 42 of the Code and Section 420.5099, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The rule development workshop will be held to receive comments and suggestions from interested persons relative to the development of the Non-Competitive Application and the program requirements for MMRB and Non-Competitive Housing Credits, as specified in Rule Chapter 67-21, Florida Administrative Code (F.A.C.).

RULEMAKING AUTHORITY: 420.507, 420.508 FS.

LAW IMPLEMENTED: 420.509, 420.5099 FS.

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

DATE AND TIME: Tuesday, April 19, 2016, 2:00 p.m., Eastern Time

PLACE: Florida Housing Finance Corporation, 227 N. Bronough Street, 6th Floor, Seltzer Room, Tallahassee, Florida

The workshop will be accessible via telephone and call-in information is posted on the Florida Housing website <http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2016RuleDev/>.

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: Jean Salmonsens at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ken Reecy, Director of Multifamily Programs.

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

**FLORIDA HOUSING FINANCE CORPORATION**

RULE NOS.:	RULE TITLES:
67-48.001	Purpose and Intent
67-48.002	Definitions
67-48.004	Selection Procedures for Developments
67-48.005	Applicant Administrative Appeal Procedures (Repealed)
67-48.007	Fees
67-48.0072	Credit Underwriting and Loan Procedures
67-48.0075	Miscellaneous Criteria
67-48.009	SAIL General Program Procedures and Restrictions
67-48.0095	Additional SAIL Selection Procedures
67-48.010	Terms and Conditions of SAIL Loans
67-48.0105	Sale, Transfer or Refinancing of a SAIL Development
67-48.013	SAIL Construction Disbursements and Permanent Loan Servicing
67-48.014	HOME General Program Procedures and Restrictions
67-48.015	Match Contribution Requirement for HOME Allocation
67-48.017	Eligible HOME Activities
67-48.018	Eligible HOME Applicants
67-48.019	Eligible and Ineligible HOME Development Costs
67-48.020	Terms and Conditions of Loans for HOME Rental Developments
67-48.0205	Sale, Transfer or Refinancing of a HOME Development
67-48.022	HOME Disbursements Procedures and Loan Servicing
67-48.023	Housing Credits General Program Procedures and Requirements
67-48.025	Qualified Allocation Plan
67-48.027	Tax-Exempt Bond-Financed Developments
67-48.028	Carryover Allocation Provisions
67-48.029	Extended Use Agreement
67-48.030	Sale or Transfer of a Housing Credit Development
67-48.031	Qualified Contracts
67-48.040	EHCL General Program Procedures and Restrictions
67-48.041	Terms and Conditions of EHCL Loans

**PURPOSE AND EFFECT:** The purpose of this rule chapter is to establish the procedures by which the Corporation shall (1) determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the State Apartment Incentive Loan (SAIL) and Elderly Housing Community Loan (EHCL) Programs authorized by Section 420.5087, Florida Statutes, and the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, Florida Statutes; and (2) determine Housing Credit (HC) amounts and implement the provisions of the Housing Credit Program authorized by

Section 42 of the Code and Section 420.5099, Florida Statutes.

**SUBJECT AREA TO BE ADDRESSED:** The rule development workshop will be held to receive comments and suggestions from interested persons relative to (1) the development of program requirements for the SAIL, EHCL, HOME, and HC Programs, as specified in Rule Chapter 67-48, Florida Administrative Code and (2) amendments to the Florida Housing Finance Corporation’s 2015 Qualified Allocation Plan (QAP).

**RULEMAKING AUTHORITY:** 420.507 FS.

**LAW IMPLEMENTED:** 420.5087, 420.5089, 420.5099 FS.

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

**DATE AND TIME:** Tuesday, April 19, 2016, 2:00 p.m. Eastern Time

**PLACE:** Florida Housing Finance Corporation, 227 N. Bronough Street, 6th Floor, Seltzer Room, Tallahassee, Florida. The workshop will be accessible via telephone and call-in information is posted to the Florida Housing website <http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2016RuleDev/>.

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: Jean Salmonsens at (850)488-4197 If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Ken Reecy, Director of Multifamily Programs

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

**FLORIDA HOUSING FINANCE CORPORATION**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
67-60.001	Purpose and Intent
67-60.002	Definitions
67-60.003	Notice and Posting of Competitive Solicitations
67-60.004	Withdrawal of Competitive Solicitation or Application
67-60.005	Modification of Terms of Competitive Solicitations
67-60.006	Responsibility of Applicants
67-60.007	Evaluation of Applications
67-60.008	Right to Waive Minor Irregularities
67-60.009	Applicant Administrative Appeal Procedures
67-60.010	Funding Preferences

**PURPOSE AND EFFECT:** The purpose of this rule chapter is to establish the procedures by which the Corporation shall: (1) administer the competitive solicitation funding process to make and service mortgage loans for new construction or rehabilitation of affordable rental units under the State Apartment Incentive Loan (SAIL) Program and the Elderly Housing Community Loan (EHCL) Program authorized by Section 420.5087, F.S., and the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, F.S.; (2) administer the competitive solicitation processes to implement the provisions of the Housing Credit (HC) Program authorized by Section 42 of the IRC and Section 420.5099, F.S.; and (3) administer the competitive solicitation funding process for any other Corporation program.

**SUBJECT AREA TO BE ADDRESSED:** The rule development workshop will be held to receive comments and suggestions from interested persons relative to the procedures for the multifamily competitive solicitation funding process.

**RULEMAKING AUTHORITY:** 420.507(48) FS.

**LAW IMPLEMENTED:** 420.5087, 420.5089(2), 420.5099 FS.

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

**DATE AND TIME:** Tuesday, April 19, 2016, 2:00 p.m., Eastern Time

**PLACE:** Florida Housing Finance Corporation, 227 N. Bronough Street, 6th Floor, Seltzer Room, Tallahassee, Florida. The workshop will be accessible via telephone and call-in information is posted to the Florida Housing website <http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2016RuleDev/>.

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: Jean Salmonsens at (850)488-4197 If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Ken Reecy, Director of Multifamily Programs

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
69A-57.003	Standards of the National Fire Protection Association Adopted
69A-57.004	Occupancy Capacity of Each AFCH
69A-57.005	Evacuation Capability
69A-57.006	Fire Exit Drills

**PURPOSE AND EFFECT:** The purpose of this rulemaking is to address a Petition to Initiate Rulemaking to amend Rule 69A-57.003, F.A.C., filed by the Seminole County Department of Public Safety. As well, the State Fire Marshal's office is considering the revision of Rules 69A-57.004, 69A-57.005, and 69A-57.006, F.A.C., to more closely track the language utilized in the implementing statutes and clarify the requirements of the provisions. Lastly, the amendments will include an update to the form adopted in Rule 69A-57.006, F.A.C.

**SUBJECT AREA TO BE ADDRESSED:** Uniform Fire Safety Standards for Adult Family Care Homes

**RULEMAKING AUTHORITY:** 429.73(2), 633.104(1) FS.

**LAW IMPLEMENTED:** 429.73(2), 633.206(1)(b) 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:** Thursday, May 12, 2016, 9:30 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Casia Sinco, telephone: (850)413-3620, email: [Casia.Sinco@myfloridacfo.com](mailto:Casia.Sinco@myfloridacfo.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF**

THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Casia Sinco, Chief, Bureau of Fire Prevention, Division of State Fire Marshal, Department of Financial Services, address: 200 East Gaines Street, Tallahassee, Florida 32399-0342, telephone: (850)413-3620, email: Casia.Sinco@myfloridacfo.com

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

## Section II Proposed Rules

### STATE BOARD OF ADMINISTRATION

RULE NO.: 19-8.028  
 RULE TITLE: Reimbursement Premium Formula

PURPOSE AND EFFECT: This rule is promulgated to implement Section 215.555, Florida Statutes, regarding the Florida Hurricane Catastrophe Fund, for the 2016-2017 contract year.

SUMMARY: In accordance with Section 215.555(5), Florida Statutes, proposed amended Rule 19-8.028, F.A.C., Reimbursement Premium Formula, adopts the 2016-2017 reimbursement premium formula for the Florida Hurricane Catastrophe Fund. In addition, the proposed amended Rule makes editorial and grammatical corrections.

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: Upon review of the proposed changes to the rule and the incorporated documents, the State Board of Administration of Florida has determined that the rule does not meet the statutory threshold for 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: 215.555(3) FS.

LAW IMPLEMENTED: 215.555(2), (3), (4), (5), (6), (7) FS.

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

DATE AND TIME: April 29, 2016, 9:00 a.m. – 11:00 a.m., ET

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Donna Sirmons, Florida Hurricane Catastrophe Fund, 1801 Hermitage Blvd., Tallahassee, FL 32308, (850)413-1349, donna.sirmons@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Donna Sirmons at the number or email listed above.

THE FULL TEXT OF THE PROPOSED RULE IS:

19-8.028 Reimbursement Premium Formula.

(1) No change.

(2) Definitions. The terms defined below will be capitalized in this rule.

(a) through (i) No change.

(j) New Participants. The term means all Companies which are granted a certificate of authority by the Department of Financial Services after the beginning of the FHCF's Contract Year on June 1 and which write Covered Policies, or which already have a certificate of authority and begin writing Covered Policies on or after the beginning of the FHCF's Contract Year on June 1 and did not or were not required to enter into a contract on June 1 of the Contract Year. A Company that enters into an assumption agreement with Citizens that includes Covered Policies and is effective on or after June 1 and had written no other Covered Policies ~~on or~~ before June 1 is also considered a New Participant.

(k) No change.

(3) The Premium Formula.

(a) Because of the diversity of the insurers and the risks they insure which are affected by Section 215.555, F.S., the Premium Formula is adopted in this subsection and special circumstances are addressed in subsection (4), below. The Formula for determining the Actuarially Indicated Premium to be paid to the Fund, as required by Section 215.555(5)(b), F.S., is the rate times the exposure per \$1,000 of insured value and this equals the Premium to be paid in dollars. The premium rates are adopted below ~~were~~ determined by taking into account geographic location by zip code; construction type; policy deductible; type of insurance and other such factors deemed by the Board to be appropriate. The Formula

is developed by an Independent Consultant selected by the Board, as required by Section 215.555(5)(b), F.S.

~~(b) For the 2011-2012 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 2011 Ratemaking Formula Report Presented to the State Board of Administration of Florida, March 17, 2011" is hereby adopted and incorporated by reference into this rule, <http://www.flrules.org/Gateway/reference.asp?No=ref-00275>. The basic premium rates developed in accordance with the Premium Formula methodology approved by the Board on May 3, 2011, are hereby adopted and incorporated by reference in Form FHCF Rates 2011, "Florida Hurricane Catastrophe Fund Proposed 2011 Rates Presented to the State Board of Administration of Florida, March 17, 2011" is hereby adopted and incorporated by reference into this rule, <http://www.flrules.org/Gateway/reference.asp?No=ref-00276> and <http://www.flrules.org/Gateway/reference.asp?No=ref-00277>. These incorporated documents may be obtained directly from the SBA website: [www.sbafla.com/fhcf](http://www.sbafla.com/fhcf) or by contacting the SBA by mail, P. O. Box 13300, Tallahassee, FL 32317-3300, with a request for the documents.~~

~~(b)(e) For the 2012-2013 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 2012 Ratemaking Formula Report Presented to the State Board of Administration of Florida, March 22, 2012," <http://www.flrules.org/Gateway/reference.asp?No=Ref-01175>, is hereby adopted and incorporated by reference into this rule. The basic premium rates developed in accordance with the Premium Formula methodology approved by the Board on April 24, 2012, are hereby adopted and incorporated by reference in Form FHCF-Rates 2012, "Florida Hurricane Catastrophe Fund Proposed 2012 Rates Presented to the State Board of Administration of Florida, March 22, 2012," <http://www.flrules.org/Gateway/reference.asp?No=Ref-01176>, is hereby adopted and incorporated by reference into this rule. These incorporated documents may be obtained directly from the SBA website: [www.sbafla.com/fhcf](http://www.sbafla.com/fhcf) or by contacting the SBA by mail, P. O. Box 13300, Tallahassee, FL 32317-3300, with a request for the documents.~~

~~(c)(e) For the 2013-2014 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 2013 Ratemaking Formula Report Presented to the State Board of Administration of Florida, March 21, 2013," as approved on April 23, 2013, <http://www.flrules.org/Gateway/reference.asp?No=ref-02750>, is hereby adopted and incorporated by reference into this rule. The basic premium rates developed in accordance with the Premium Formula methodology approved by the~~

Board on April 23, 2013, are hereby adopted and incorporated by reference in Form FHCF-Rates 2013, "Florida Hurricane Catastrophe Fund Proposed 2013 Rates Presented to the State Board of Administration of Florida, March 21, 2013," as approved on April 23, 2013, <http://www.flrules.org/Gateway/reference.asp?No=ref-02751>, hereby adopted and incorporated by reference into this rule. These incorporated documents may be obtained directly from the SBA website: [www.sbafla.com/fhcf](http://www.sbafla.com/fhcf) or by contacting the SBA by mail, P. O. Box 13300, Tallahassee, FL 32317-3300, with a request for the documents.

~~(d)(e) For the 2014-2015 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 2014 Ratemaking Formula Report Presented to the State Board of Administration of Florida, March 20, 2014," <http://www.flrules.org/Gateway/reference.asp?No=ref-04160>, is hereby adopted and incorporated by reference into this rule. The basic premium rates developed in accordance with the Premium Formula methodology approved by the Board on April 22, 2014, are hereby adopted and incorporated by reference in Form FHCF-Rates 2014, "Florida Hurricane Catastrophe Fund Proposed 2014 Rates Presented to the State Board of Administration of Florida, March 20, 2014," <http://www.flrules.org/Gateway/reference.asp?No=ref-04161>, hereby adopted and incorporated by reference into this rule. These incorporated documents may be obtained directly from the SBA website: [www.sbafla.com/fhcf](http://www.sbafla.com/fhcf) or by contacting the SBA by mail, P. O. Box 13300, Tallahassee, FL 32317-3300, with a request for the documents.~~

~~(e)(e) For the 2015-2016 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 2015 Ratemaking Formula Report Presented to the State Board of Administration of Florida, March 24, 2015," <http://www.flrules.org/Gateway/reference.asp?No=ref-05418>, is hereby adopted and incorporated by reference into this rule. The basic premium rates developed in accordance with the Premium Formula methodology approved by the Board on April 14, 2015, are hereby adopted and incorporated by reference in Form FHCF-Rates 2015, "Florida Hurricane Catastrophe Fund Proposed 2015 Rates Presented to the State Board of Administration of Florida, March 24, 2015," <http://www.flrules.org/Gateway/reference.asp?No=ref-05419>, hereby adopted and incorporated by reference into this rule. These incorporated documents may be obtained directly from the SBA website: [www.sbafla.com/fhcf](http://www.sbafla.com/fhcf) or by contacting the SBA by mail, P. O. Box 13300, Tallahassee, FL 32317-3300, with a request for the documents.~~

(f) For the 2016/2017 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 2016 Ratemaking Formula Report Presented to the State Board of Administration of Florida, March 15, 2016," <http://www.flrules.org/Gateway/reference.asp?No=ref-XXXXX>, and approved by the Board on March 29, 2016, is hereby adopted and incorporated by reference into this rule. The premium rates are developed in accordance with the Premium Formula methodology approved by the Board.

(4)(a) Special Circumstances.

1. Allocation of Premium. Premiums paid to the FHCF with reference to property covered by Quota Share Primary Insurance Arrangements, as that phrase is defined in Section 627.351(6)(c)2.a.(I), F.S., will be allocated by the FHCF between the insurer and Citizens in accordance with the percentages specified in the Quota Share Primary Insurance Arrangement for the purposes of premium billing, calculating retentions and determining reimbursement payments.

2. Special Rating Circumstances. The Premium Formula for policies that, based upon sound actuarial principles, require individual ratemaking and which are not excluded by rule will be based on the use of computer modeling for each individual Company for which it is applicable, i.e., portfolio modeling. The Independent Consultant will recommend guidelines for individual company portfolio reporting and modeling to estimate individual company FHCF expected losses. Individual company FHCF expected losses for portfolio modeling exposures will be loaded for investments and expenses on the same basis as the FHCF premium rates used for non-portfolio modeling exposures, but will also include a loading for the additional cost of individual company modeling. The minimum exposure threshold for FHCF portfolio modeling rating will be sufficient to generate estimated FHCF premium greater than the cost of modeling and other considerations and will be calculated by the Independent Consultant for the separate coverage levels of 45%, 75%, and 90% using the premium rates established pursuant to subsection (3) herein. The methodology used by the Independent Consultant will be based on sound actuarial principles to establish greater actuarial equity in the premium structure.

(b) Forfeiture or Surrender of Certificates of Authority; Insurers Which Do Not Have Exposure For Covered Policies For an Entire Contract Year.

1. through 2. No change.

3. Any insurer which has forfeited its certificate of authority or which has discontinued writing in accordance with an order issued by the Department of Financial Services effective prior to June 1 of a Contract Year shall not be required to execute a Reimbursement Contract for that

upcoming Contract Year with the Board provided that the insurer has no exposure to hurricane loss after May 31 June 1.

(c) New Participants.

1. through 2. No change.

3. This subparagraph applies to Companies writing new business on or after June 1 but prior to December 1 of the Contract Year.

a. through c. No change.

4. This subparagraph applies to Companies writing new business on or after December 1 but up to and including May 31 of the Contract Year. All New Participants writing new business during this period shall pay a Premium of \$1,000 to provide consideration for the Reimbursement Contract. The Company shall pay no other Premium for the remainder of the Contract Year. The Company shall not report its exposure data for this period to the Board. The Premium shall be paid upon signing the Reimbursement Contract.

(5) All the forms adopted and incorporated by reference in this rule may be obtained directly from the SBA website at [www.sbafla.com/fhcf](http://www.sbafla.com/fhcf), or from: Administrator, the Florida Hurricane Catastrophe Fund Administrator, Paragon Strategic Solutions Inc., at 8200 Tower, 5600 West 83rd Street, Suite 1100, Minneapolis, MN 55437.

Rulemaking Authority 215.555(3) FS. Law Implemented 215.555(2), (3), (4), (5), (6), (7) FS. History—New 9-20-99, Amended 7-3-00, 9-17-01, 7-17-02, 7-2-03, 7-29-04, 7-17-05, 7-6-06, 7-17-07, 6-16-08, 8-2-09, 7-8-10, 7-3-11, 6-25-12, 6-18-13, 6-10-14, 6-2-15, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Anne Bert, Acting FHCF Chief Operating Officer, State Board of Administration of Florida

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Trustees of the State Board of Administration of Florida

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 1, 2016

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: RULE TITLE:

64B15-14.0081 Standards for Telemedicine Practice

PURPOSE AND EFFECT: The proposed rule amendment is intended to address the prescribing of controlled substances for psychiatric disorders via telemedicine.

SUMMARY: The proposed rule amendment permits physicians to prescribe controlled substances for patients with psychiatric disorders via telemedicine.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. The rule imposes no additional regulation or costs on licensees. The Board of Osteopathic Medicine has reviewed the Board of Medicine’s petitions for waiver or variance regarding the providing of controlled substances for patients with psychiatric disorders. The petitioners have stated that prohibiting the prescribing to patients with these disorders restricts their access to these necessary medications. As such, the rule amendment makes it easier for physicians to prescribe these necessary medications to their patients. This rule amendment will not have any additional impact on licensees and their businesses or the businesses that employ them. The rule amendment will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, will not require any specialized knowledge to comply, and will not increase any direct or indirect regulatory costs. No person or interested party submitted additional information regarding the economic impact at that time.

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

**RULEMAKING AUTHORITY:** 459.015(1)(z) FS.

**LAW IMPLEMENTED:** 459.015(1)(z) 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:** Claudia Kemp, Interim Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3256

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

64B15-14.0081 Standards for Telemedicine Practice.

(1) through (3) No change.

(4) Controlled substances shall not be prescribed through the use of telemedicine except for the treatment of psychiatric disorders. This provision does not preclude physicians or physician assistants from ordering controlled substances through the use of telemedicine for patients hospitalized in a facility licensed pursuant to Chapter 395, F.S.

(5) through (9) No change.

Rulemaking Authority 459.015(1)(z) FS. Law Implemented 459.015(1)(z) FS. History—New 3-12-14, Amended 7-22-14, 12-9-14, \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**

Board of Osteopathic Medicine

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

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** February 26, 2016

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** March 14, 2016

**DEPARTMENT OF HEALTH**

**Division of Disease Control**

**RULE NO.:**           **RULE TITLE:**

64D-2.002           Definitions

64D-2.003           Confidentiality

64D-2.004           Testing Requirements

64D-2.006           Registration of HIV Testing Programs

**PURPOSE AND EFFECT:** The purpose is to update language, remove statutory duplication, and implement revised statute.

**SUMMARY:** Rules address activities regarding: the requirements for persons conducting HIV testing in any setting, registering as a testing site, and the confidentiality of the persons tested.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:** The agency has determined that this rule 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: This rule decreases regulation by requiring notification rather than separate, specific informed consent prior to testing for HIV. Therefore, this rulemaking will not have an adverse impact or regulatory costs in excess of \$1



million within five years as established in Section 120.541(2)(a), Florida Statute.

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

RULEMAKING AUTHORITY: 381.003(2), 381.004(9), 381.0041(10), 384.33, FS.

LAW IMPLEMENTED: 381.0011, 381.003, 381.0031(4), 381.004, 381.0041, 384.31, 456.061, 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: Marlene LaLota, HIV/AIDS Section, Florida Department of Health, Bin A09, 4052 Bald Cypress Way, Tallahassee, FL 32399-1715, telephone (850)245-4423

THE FULL TEXT OF THE PROPOSED RULE IS:

64D-2.002 Definitions.

~~Unless defined below, words and phrases used in this chapter As used in this chapter, “HIV test,” “HIV test result,” “preliminary HIV test,” “Significant exposure,” and “Test subject” have the same meaning as in Section 381.004(1), F.S., and the following words and phrases shall have the following meanings:~~

(1) No change.

~~(2) “Blood Establishment” – Any facility in Florida where blood or blood components are collected, processed, stored, tested, or distributed, or other eligible activities authorized by Title 21 Parts 211 and 600-640, Code of Federal Regulations (effective 2011), that is required to operate in a manner consistent with Title 21 Parts 211 and 600-640, C.F.R., and as defined in Section 381.06014, F.S., and meeting the requirements of 21 C.F.R. pts. Title 21 Parts 211 and 600-640 (04/01/2015) C.F.R., as are incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-####> and <https://www.flrules.org/Gateway/reference.asp?No=Ref-####> may be obtained from the Department of Health, HIV/AIDS and Hepatitis Program, 4052 Bald Cypress Way, Bin A09, Tallahassee, Florida 32399-1715, or may be found online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-02047> and <https://www.flrules.org/Gateway/reference.asp?No=Ref-02048>.~~

(3) “Confirmatory test” – A corroborative or supplemental HIV test, such as a Western Blot, licensed by the United States Food and Drug Administration (FDA) to

validate a positive preliminary HIV test; or other supplemental or corroborative tests authorized by the HIV/AIDS and Hepatitis Program in consultation with either the Centers for Disease Control and Prevention (CDC), the Association of State and Territorial Public Health Laboratory Directors, or the FDA, e.g., the immunofluorescent assay (IFA) or Multispot.

~~(4) “Department” – Florida Department of Health.~~

(5) through (10) renumbered (4) through (9) No change.

Rulemaking Authority 381.003(2), 381.004(9), 381.0041(10) FS. Law Implemented 381.0011, 381.003, 381.004 FS. History—New 11-6-85, Formerly 10D-93.62, Amended 7-12-89, 5-30-90, 1-20-92, 5-1-96, Formerly 10D-93.062, Amended 8-24-99, 1-3-13, \_\_\_\_\_.

64D-2.003 Confidentiality.

(1) Any person, including employees of the department, any county health department, contract provider, testing program authorized by the department or health care facility, and health care provider shall comply with the confidentiality provisions of Sections 381.004(2)(e) and (f), F.S., and this rule ~~in administering the HIV test, protecting the identity of the test subject, and managing records which contain laboratory reports of HIV test results or any report or notation of a laboratory report of an HIV test.~~

(2) No person, including employees of health care facilities and health care providers as defined in Rules subsections 64D-2.002(4) and (5) and (6), F.A.C., shall disclose or be compelled to disclose the identity of a test subject or his or her HIV test results, except to persons listed in Section 381.004(e)-(g), F.S., and the following persons:

~~(a) The subject of the test.~~

~~(b) Any person designated in a legally effective release executed by the test subject prior to or after the performance of the HIV test. The following releases are legally effective:~~

~~1. A specific release that states the test subject’s HIV test results can be disclosed to a named third party, except that third party payers need not be specifically identified.~~

~~2. A general release that states the test subject’s medical record can be disclosed to a named third party, except that third party payers need not be specifically identified, provided the general release is preceded by the test subject’s express written authorization.~~

~~a. The prior written authorization shall state that the test subject’s HIV test results can be disclosed to third party payers, who need not be specifically identified, and to other persons to whom the test subject subsequently issues a general release of medical information.~~

~~b. Health care providers and health care facilities shall not honor a general release without this express prior written authorization if the material to be released would disclose the identity of a test subject or his or her HIV test result.~~

~~3. A hospital can honor a general release without prior written authorization, provided the hospital first obtains the test subject's written informed consent in accordance with Rule 64D 2.004, F.A.C., and releases the information in accordance with Section 395.3025, F.S. The informed consent shall include a statement to the effect that the test subject's HIV test results can be released to anyone to whom the test subject gives written permission to see or to copy his or her medical record.~~

~~(c) Any medical personnel who experience a significant exposure during the course of employment or in the performance of professional duties, or non-medical personnel who experience a significant exposure while providing emergency assistance.~~

~~(d) An authorized agent or employee of a health care facility or health care provider if:~~

~~1. The health care facility or health care provider itself is authorized to know or obtain the identity of a test subject or his or her HIV test result; and~~

~~2. The agent or employee has a "need to know" as defined in subparagraph 64D 2.003(2)(d)3., F.A.C., and performs one of the following functions:~~

~~a. Participates in or administers the business operations of a health care provider or health care facility;~~

~~b. Provides or participates in providing patient care; or~~

~~c. Handles or processes specimens of body fluids, blood, blood components, organs, skin, semen, or other human tissue or body part.~~

~~(a)3. No change.~~

~~1.a. No change.~~

~~(I) through (III) renumbered a. through c. No change.~~

~~d.(IV) Supervisors responsible for the activities described in sub-subparagraph 2. below 64D-2.003(2)(d)3.b., F.A.C.~~

~~2.b. No change.~~

~~(I) through (II) renumbered a. through b. No change.~~

~~3e. No change.~~

~~(I) through (II) renumbered a. through b. No change.~~

~~€ Health care providers involved in the care or treatment of a test subject and consulting between or among themselves or with health care facilities to determine diagnosis or treatment of a test subject. This is not an exception to Section 395.3025, F.S., which requires hospitals to obtain written authorization before furnishing patient records to anyone other than the patient.~~

~~(b)4- A health care provider involved in the delivery of a child can note the mother's HIV test results on the child's medical record.~~

~~2. For the purpose of paragraph 64D 2.003(2)(e), F.A.C., health care providers shall include licensed health care professionals employed by or associated with state, county or~~

~~municipal detention facilities when such health care professionals are acting exclusively for the purpose of providing diagnosis or treatment of persons in the care, custody, or control of such facilities.~~

~~(f) The department, in accordance with rules for reporting and controlling the spread of disease, as otherwise provided by state law.~~

~~(g) A health care facility or health care provider which procures, processes, distributes, or uses:~~

~~1. A human body part from a deceased person, with respect to medical information regarding the person; or~~

~~2. Semen provided prior to July 6, 1988, for the purpose of artificial insemination.~~

~~(h) Health care facility staff committees for the purposes of conducting program monitoring, program evaluation or service reviews. Health care facility staff committees include medical review committees as defined in Section 766.101, F.S.~~

~~(i) Authorized medical or epidemiological researchers who can not further disclose any identifying characteristics or information.~~

~~(c)(j) Those persons authorized under Section 796.08(3), F.S., to receive HIV test results of convicted prostitutes tested pursuant to Section 796.08(3), F.S. Authorized persons include:~~

~~1. Medical personnel which includes those involved in the diagnosis or treatment of the person tested.~~

~~2. Appropriate state agencies which include those diagnosing, treating or making payment or administrative determinations related to HIV testing.~~

~~3. Courts of appropriate jurisdiction in the case, including appellate courts, and any persons so ordered by the court, including probation officers if treatment and counseling are conditions of release from probation, community control, or incarceration.~~

~~(d)(k) Pursuant to Sections 960.003(2)(5), F.S., and Section 775.0877(2), F.S., the victim of a criminal offense involving the transmission of body fluids from one person to another shall, upon request, obtain the HIV test results of the person charged with or convicted of the criminal offense. The test results shall be disclosed in accordance with Section 381.004(2)(e), F.S. The test results shall not be disclosed to any other person except as expressly authorized by law or court order.~~

~~(e)(4) In accordance with specific circumstances established in Section 456.061, F.S., a practitioner regulated through the Division of Medical Quality Assurance of within the Department of Health can disclose the identity of an HIV positive patient to the patient's sex or needle-sharing partner. Any notification of a sex or needle-sharing partner pursuant to this section shall be done in accordance with the "Partner~~

Notification Protocol for Practitioners"; (dated April 2012), incorporated by reference in this rule ~~and available. This protocol can be obtained from the Department of Health, HIV/AIDS and Hepatitis Program, 4052 Bald Cypress Way, Bin A09, Tallahassee, Florida 32399 1715, or online at the program's website at [http://www.doh.state.fl.us/disease\\_ctrl/aids/legal/protocols.html](http://www.doh.state.fl.us/disease_ctrl/aids/legal/protocols.html) or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-02049>.~~

~~(f)(m)~~ Employees of the Department of Children and Families, child placing or child-caring agencies, or of family foster homes licensed pursuant to Section 409.175, F.S., who are directly involved in the placement, care, control, or custody of a test subject and have a need to know such information pursuant to Rule subsection 65C-28.004(9), F.A.C. (effective 5/4/2006); the adoptive parents of the test subject pursuant to Rule 65C-16.011, F.A.C. (effective 11/30/2008); or the adult custodian, adult relative or other person who is responsible for the child's welfare, if the test subject was not tested pursuant to Section 384.30, F.S., and if, after a reasonable attempt, the parent or legal guardian cannot be located and informed of the test result. The details of the reasonable attempt must be documented in the medical record of the child. The rules of the Department of Children and Families are incorporated by reference and can be obtained from the Department or online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-02050> and <https://www.flrules.org/Gateway/reference.asp?No=Ref-02051>.

~~(n) Employees of residential facilities or community-based care programs licensed under Chapter 393, F.S., for developmentally disabled persons if the employees are directly involved in the care, control, or custody of such test subject and have a need to know such information.~~

~~(o) A person allowed access by a court order which is issued in compliance with Section 381.004(2)(e)9., F.S.~~

~~(p) A person allowed access by order of a judge of compensation claims of the Division of Workers' Compensation of the Department of Labor and Employment Security. Such order shall not be issued by a judge of compensation claims unless the person seeking the test results has demonstrated a compelling need for the test results which cannot be accommodated by other means.~~

(3) All patient records, client records or medical records containing HIV test results shall be kept in the following manner:

(a) ~~The written informed consent form or Documentation of informed consent or refusal to be tested~~ and HIV test results shall be kept in a patient's medical

record. The confidentiality requirements of this rule shall not prohibit the computerization of medical records including HIV test results when such records are kept in accordance with sound practices of record keeping.

~~(b) When an HIV test is performed without informed consent, the test results shall be disclosed only as provided in this rule and shall be kept according to the confidentiality requirements of this rule.~~

(c) and (d) renumbered (b) and (c) No change.

~~(4) A subpoena for medical records containing HIV test results is not sufficient to release such records, except for HIV testing performed in hospitals as provided in Section 381.004(3)(g), F.S.~~

~~(5) Pursuant to Section 381.004(3)(f), F.S., oral disclosure of HIV test results shall be accompanied by oral notice and followed by a written notice within 10 days. This written notice shall include the following statement: "This information has been disclosed to you from records whose confidentiality is protected by state law. State law prohibits you from making any further disclosure of such information without the specific written consent of the person to whom such information pertains, or as otherwise permitted by state law. A general authorization for the release of medical or other information is NOT sufficient for this purpose." This written statement shall not be required for disclosures made in accordance with Sections 381.004(3)(e)3., and 4., F.S.~~

~~(4)(6) No change.~~

Rulemaking Authority 381.004, 381.004(10)(9), 384.33 FS. Law Implemented 381.0011, 381.0031(4), 381.004, 381.0041, 456.061 FS. History—New 11-6-85, Formerly 10D-93.64, Amended 7-12-89, 5-30-90, 1-20-92, Formerly 10D-93.064, Amended 8-24-99, 1-3-13,\_\_\_\_\_.

64D-2.004 Testing Requirements.

(1) ~~Prior to testing for HIV, the notification and consent requirements of Pursuant to Sections 381.004(2)(a) and (b), F.S., must be met informed consent shall be obtained prior to testing for HIV except in the limited situations outlined in Section 381.004(2)(h), F.S. Informed consent shall include an explanation that the information identifying the test subject and the results of the test are confidential and protected against further disclosure to the extent provided by law. Information shall also be included on the fact that persons who test positive will be reported to the local county health department, that anonymous testing is available and the locations of anonymous testing sites.~~

(2) Informed consent to perform a test for HIV need not be in writing, except in the situations listed below in subsection 64D-2.004(3), F.A.C., if there is documentation in the medical record that the test has been explained and consent has been obtained.

(3) Informed consent to perform a test for HIV shall be in writing for the following:

(a) ~~From the potential donor or from the donor's legal representative~~ Prior to the first donation of blood, blood components, organs, skin, semen, or other human tissue or body part in accordance with section 381.0041, F.S. The consent form must specify that the donor is consenting to repeated HIV testing of each of his donations for the subsequent year. The consent form must be signed annually prior to transfusion or other use;

(b) through (c) No change.

(4) The following minors can be tested for HIV without parental consent ~~provided the minor gives informed consent:~~

(a) Any minor who requests examination, testing, consultation or treatment for a sexually transmissible disease, including HIV, in accordance with Section 384.30, F.S., ~~and who demonstrates sufficient knowledge and maturity to make an informed judgment.~~

(b) Any minor who has reached the age of 17 years ~~who gave consent to the donation of his or her blood,~~ in compliance with Section 743.06, F.S.

(c) Any married minor or unwed pregnant minor, in accordance with Sections 743.01 and 743.065, F.S.

~~(5) Any health care provider attending a pregnant woman for conditions related to her pregnancy shall cause the woman to be tested for HIV in accordance with Section 384.31, F.S., and Rule 64D-3.042, F.A.C.~~

~~(5)(6)~~ Pursuant to Section 381.004(7), F.S., the Department of Health developed the Model Protocol for HIV Counseling and Testing In Health Care Settings, dated ~~August 1, 2015~~ July 20, 2012, and the Model Protocol for HIV Counseling and Testing In Non-Health Care Settings, dated ~~August 1, 2015~~ July 20, 2012, consistent with the provisions of this section and incorporates these documents by reference in this rule. The model protocols can be obtained

at <https://www.flrules.org/Gateway/reference.asp?No=Ref-#####> and

<https://www.flrules.org/Gateway/reference.asp?No=Ref-#####> from the Department of Health, HIV/AIDS and Hepatitis Program, 4052 Bald Cypress Way, Bin A09, Tallahassee, Florida 32399 1715, or online at the program's website

at: [http://www.doh.state.fl.us/disease\\_ctrl/aids/legal/ctfornonehd.htm](http://www.doh.state.fl.us/disease_ctrl/aids/legal/ctfornonehd.htm) and

[http://www.doh.state.fl.us/disease\\_ctrl/aids/legal/ctforehd.htm](http://www.doh.state.fl.us/disease_ctrl/aids/legal/ctforehd.htm), or

at <https://www.flrules.org/Gateway/reference.asp?No=Ref-02052> and

<https://www.flrules.org/Gateway/reference.asp?No=Ref-02053>.

~~(6)(7)~~ Persons ordering an HIV test must ensure that all reasonable efforts are made to notify the test subject of the test result and relate certain information to the test subject in accordance with Section 381.004(2)(c), F.S., and the applicable Model Protocol for HIV Counseling and Testing specified in subsection ~~(5) above~~ 64D-2.004(6), F.A.C. ~~If the test subject was tested in a facility, such as a jail or hospital emergency department, and was released before being notified of a positive HIV test result, the facility may inform the county health department to notify the test subject.~~ Blood establishments and persons who collect blood, organs, skin, semen, or other human tissue or body parts shall comply with Rule 64D-2.005, F.A.C., and Sections 381.0041(5), (6), F.S. Rulemaking Authority 381.004(9), 381.0041(10), 384.33 FS. Law Implemented 381.0011, 381.0031(4), 381.004, 381.0041, 384.31 FS. History—New 11-6-85, Formerly 10D-93.67, Amended 7-12-89, 1-20-92, 5-1-96, Formerly 10D-93.067, Amended 8-24-99, 1-3-13.

64D-2.006 Registration of HIV Testing Programs.

(1)(a) All county health departments and persons who conduct or make any personal, telephone or mail contact or other communication to a person, or make any announcement, solicitation, display, or advertisement to inform the general public that they are conducting a testing program as defined in paragraph 64D-2.006(1)(b), F.A.C., must first register with the Department of Health, HIV/AIDS Section and Hepatitis Program, and must reregister annually. Initial registration and subsequent reregistration shall be approved by the department based upon compliance with Section 381.004(4), F.S.

(b) For the purpose of this rule, an HIV testing program is a program which provides HIV testing services with the sole purpose of identifying HIV infection. This definition does not apply to any health care provider who performs or provides HIV testing services as part of routine medical care which are incidental to the primary diagnosis or care of a patient if the health care provider does not announce, solicit, display or advertise to the general public that they are conducting a testing program.

~~(c) When the testing program satisfactorily completes the registration or reregistration requirements, the department shall send via electronic or regular mail a certificate of registration to the program.~~

(2) An application for initial registration or reregistration to conduct an HIV testing program shall be made to the department on DH Form 1781, ~~(2/05)~~, Application for Registration and Reregistration of HIV Testing Programs, incorporated by reference in this rule and available. The application can be obtained from the Department of Health, HIV/AIDS and Hepatitis Program, 4052 Bald Cypress Way, Bin A09, Tallahassee, Florida 32399 1715, or online at

https://www.flrules.org/Gateway/reference.asp?No=Ref-02054 ~~A completed application shall be mailed to the Department of Health, HIV/AIDS and Hepatitis Program, Attention: Counseling and Testing Program Registration at the same address and shall be accompanied by the \$100.00 initial registration fee in accordance with Sections 381.004(8)(a) (b), F.S. No fee is required for reregistration.~~

(3) The initial registration fee of ~~\$100.00~~ shall be made payable to the department and ~~will be deposited in the Department of Health Deputy Secretary for Health Grants and Donations Trust Fund.~~

(4) No change.

(5) HIV testing programs must reregister with the department annually. ~~No fee is required for reregistration. The application form for reregistration, DH Form 1781, 2/05, will be mailed by the Department of Health, HIV/AIDS and Hepatitis Program, to the registered testing program 60 days prior to the program's reregistration date.~~

(6) through (12) No change.

Rulemaking Authority ~~381.004(9)~~ FS. Law Implemented ~~381.004~~ FS. History–New ~~11-29-89~~, Amended ~~5-1-96~~, Formerly ~~10D-93.076~~, Amended ~~8-24-99~~, ~~1-3-13~~,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Marlene LaLota  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Celeste Philip, MD, MPH, Interim State Surgeon General  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 25, 2016  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 10, 2015

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

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.602  
RULE TITLE: Community Release Programs  
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 42 No. 35, February 22, 2016 issue of the Florida Administrative Register.

The changes are in response to comments made by the Joint Administrative Procedures Committee in a letter dated March 1, 2016. The change is to incorporated material, namely Form DC6-199. The word “affirm” is changed to “confirm” in the following sentence in Form DC6-199: “By my signature below, I, inmate \_\_\_\_\_,

DC# \_\_\_\_\_, confirm ~~affirm~~ the above paragraph and I acknowledge my receipt of the electronic monitoring equipment designated below.”

Rulemaking Authority 944.09, 944.026, 944.105, 945.091, 946.002, 958.09 FS. Law Implemented 945.091, 946.002 FS. History–New 12-7-97, Amended 4-13-98, 10-20-98, Formerly 33-9.023, Amended 3-14-01, 9-2-01, 10-27-03, 3-2-04, 10-28-04, 2-7-05, 2-22-07, 7-17-07, 4-10-08, 9-30-08, 1-18-11, 3-6-14, 7-14-14, \_\_\_\_\_.

**Section IV**  
**Emergency Rules**

NONE

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Hotels and Restaurants

RULE NO.: 61C-4.010  
RULE TITLE: Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on March 28, 2016, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, Section 3-305.14, 2009 FDA Food Code, Section 6-202.15, 2009 FDA Food Code, Section 6-202.16, 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code, from Taqueria Los Primos located in Ocoee. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained \_\_\_\_\_ by \_\_\_\_\_ contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF HEALTH  
Board of Clinical Laboratory Personnel  
RULE NO.: RULE TITLE:  
64B3-5.002 Supervisor

NOTICE IS HEREBY GIVEN that on March 29, 2016, the Board of Clinical Laboratory Personnel, received a petition for variance or waiver filed by Christina Marie Ferguson. Petitioner is seeking a variance or waiver of paragraph 64B3-5.002(3)(a), Florida Administrative Code, which sets forth the education, training/experience and examination requirements for licensure as a supervisor.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257. Comments on the petition should be filed with the Board of Clinical Laboratory Personnel within 14 days of publication of this notice.

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## Section VI

### Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
The Region XIV Trust Fund Advisory Council announces a public meeting to which all persons are invited.  
DATE AND TIME: April 7, 2016, 10:00 a.m.  
PLACE: Miami Dade College, North Campus, Room 9118  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Region XIV Reports and other Region XIV business matters.  
A copy of the agenda may be obtained by contacting: Maevis Pierre, Interim, Region XIV Secretary, O: (305)237-1329, mpierre6@mdc.edu.

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DEPARTMENT OF LAW ENFORCEMENT  
Medical Examiners Commission  
The Medical Examiners Commission announces a public meeting to which all persons are invited.  
DATE AND TIME: Friday, May 27, 2016, 10:00 a.m.  
PLACE: Hyatt Regency Sarasota, 1000 Boulevard of the Arts, Sarasota, FL, (941)952-1234  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Medical Examiners Commission Meeting issues. If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, such person is responsible for ensuring that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by contacting: Ms. Vickie Koenig, Chief of Policy & Special Programs, Criminal Justice Professionalism Program, Medical Examiners Commission, Post Office Box 1489, Tallahassee, Florida 32302, (850)410-8600.

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: Ms. Vickie Koenig, Chief of Policy & Special Programs, Criminal Justice Professionalism Program, Medical Examiners Commission, Post Office Box 1489, Tallahassee, Florida 32302, (850)410-8600. 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. Vickie Koenig, Chief of Policy & Special Programs, Criminal Justice Professionalism Program, Medical Examiners Commission, Post Office Box 1489, Tallahassee, Florida 32302, (850)410-8600.

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STATE BOARD OF ADMINISTRATION  
The Investment Advisory Council (IAC) announces a public meeting to which all persons are invited.  
DATE AND TIME: Wednesday, March 30, 2016, 9:00 a.m. until completion of agenda  
PLACE: The Hermitage Centre, Hermitage Conference Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308; check-in at reception desk; on-site parking available  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Note corrected start time of meeting, 9:00 a.m.

Regularly scheduled quarterly meeting of the Investment Advisory Council. The IAC is a nine-member advisory council, which reviews the investments made by the staff of the State Board of Administration and makes recommendations to the board regarding investment policy, strategy, and procedures. The IAC operates under S. 215.444 of the Florida Statutes.

A copy of the agenda may be obtained by contacting: Diane Bruce, (850)413-1253, diane.bruce@sbafla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Eddie McEwen, (850)413-1104, eddie.mcewen@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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PUBLIC SERVICE COMMISSION

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

DATE AND TIME: Wednesday, April 13, 2016, 1:30 p.m.

PLACE: Gerald L. Gunter Building, Room 105, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 140029-TP – Request for submission of proposals for relay service, beginning in June 2015, for the deaf, hard of hearing, deaf/blind, or speech impaired, and other implementation matters in compliance with the Florida Telecommunications Access System Act of 1991.

This is a meeting of the Telecommunications Access System Act Advisory Committee established pursuant to §427.705, F.S. The purpose of the meeting is to discuss current relevant issues related to relay such as Federal and State Regulatory updates, FTRI 2016-2017 Proposed Budget, and other Telecommunications Relay Service updates. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Curtis Williams, Office of Telecommunications, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, cjwillia@psc.state.fl.us or at (850)413-6924. A copy of the agenda and meeting materials will also be available on the Commission's website: [www.floridapsc.com](http://www.floridapsc.com), on March 30, 2016.

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 five days before the workshop/meeting by contacting: the Office of the Commission Clerk at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

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

DATE AND TIME: April 11, 2016, 2:30 p.m.

PLACE: William E. Sadowski Office Building, 2555 Shumard Oak Blvd., Room 120L, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with the timeframe set forth in Section 120.525, Florida Statutes, a Public Opening is hereby noticed within the timeline for the Invitation to bid (ITB-DEM-15-16-060) for FDEM Food and Beverage Service.

The Division reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Division will post notice of any changes or additional meetings within the Vendor Bid

System (VBS) in accordance with Section 287.042(3), Florida Statutes, and will not re-advertise notice in the Florida Administrative Review (FAR). Access the VBS at: [http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu).

A copy of the agenda may be obtained by contacting: Tara Walters, Division Purchasing Specialist, Bureau of Finance, Florida Division of Emergency Management, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, (850)410-1391, [Tara.Walters@em.myflorida.com](mailto:Tara.Walters@em.myflorida.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tara Walters, Division Purchasing Specialist, Bureau of Finance, Florida Division of Emergency Management, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, (850)410-1391, [Tara.Walters@em.myflorida.com](mailto:Tara.Walters@em.myflorida.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

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

DATE AND TIME: April 8, 2016, 2:30 p.m.

PLACE: William E. Sadowski Office Building, 2555 Shumard Oak Blvd., Room 120L, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with the timeframe set forth in Section 120.525, Florida Statutes, a Public Opening is hereby noticed within the timeline for the Invitation to bid (ITB-DEM-15-16-068) for FDEM WebEOC Platform Products.

The Division reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Division will post notice of any changes or additional meetings within the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and will not re-advertise notice in the Florida Administrative Review (FAR). Access the VBS at: [http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu).

A copy of the agenda may be obtained by contacting: Tara Walters, Division Purchasing Specialist, Bureau of Finance, Florida Division of Emergency Management, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, (850)410-1391, [Tara.Walters@em.myflorida.com](mailto:Tara.Walters@em.myflorida.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tara Walters, Division Purchasing Specialist,

Bureau of Finance, Florida Division of Emergency Management, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, (850)410-1391, Tara.Walters@em.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL UTILITY AUTHORITIES

Withlacoochee Regional Water Supply Authority  
The Withlacoochee Regional Water Supply Authority (WRWSA) announces a public meeting to which all persons are invited.

DATE AND TIME: Cancellation of a Board meeting scheduled for April 20, 2016, 3:30 p.m.

PLACE: 3600 W Sovereign Path, Room 166, Lecanto, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The WRWSA regular Board Meeting scheduled for Wednesday, April 20, 2016, has been cancelled. The next regularly scheduled meeting will be held on Wednesday, May 18, 2016 at 3:30 p.m. at the Lecanto Government Center, Room 166, 3600 W Sovereign Path, Lecanto, Florida. A copy of the agenda may be obtained by contacting: C. LuAnne Stout, 3600 W Sovereign Path, Suite 228, Lecanto, FL 34461, lstout@wrwsa.org or by calling (352)527-5795.

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: C. LuAnne Stout, 3600 W Sovereign Path, Suite 228, Lecanto, FL 34461, lstout@wrwsa.org or by calling (352)527-5795. 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: C. LuAnne Stout, 3600 W Sovereign Path, Suite 228, Lecanto, FL 34461, lstout@wrwsa.org or call (352)527-5795.

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

RULE NO.: RULE TITLE:

60FF1-5.009 E911 Monthly Fee Rate

The E911 Board announces a workshop to which all persons are invited.

DATE AND TIME: April 13, 2016, 9:00 a.m. until conclusion of business

PLACE: Hilton Garden Inn, 45 PGA Tour Boulevard, Ponte Vedra Beach, FL 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of appropriate E911 fee. A Notice of Rule Development was published for this rule in Volume 41, No. 167 of the August 27, 2015, Florida Administrative Register. A copy of the agenda may be obtained by contacting: Charles Hadley, Interim Public Safety Chief, Department of Management Services, E911 Board, 4030 Esplanade Way, Suite 135, Tallahassee, Florida 32399-0950, (850)921-2334.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

The Electrical Contractors' Licensing Board announces public meetings to which all persons are invited.

DATES AND TIMES: Wednesday, May 18, 2016, 3:00 p.m.; Thursday, May 19, 2016, 8:30 a.m.; Friday, May 20, 2016, 8:30 a.m.

PLACE: The Shores Resort and Spa, 2637 South Atlantic Avenue, Daytona Beach Shores, FL 32811, (386)767-7350

GENERAL SUBJECT MATTER TO BE CONSIDERED: Wednesday, May 18, 2016, 3:00 p.m.: Probable Cause Panel (portions may be closed to the public); Wednesday, May 18, 2016, 4:00 p.m.: Board Member Training; Thursday, May 19, 2016, 8:30 a.m.: Discipline and General Business; Friday, May 20, 2016, 8:30 a.m.: General Business.

A copy of the agenda may be obtained by contacting: The Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399, (850)487-1395.

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

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

For more information, you may contact: The Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399, (850)487-1395.

DEPARTMENT OF HEALTH

Division of Children's Medical Services



The Florida Department of Health, Children’s Medical Services, Early Steps Program announces a public meeting to which all persons are invited.

DATE AND TIME: April 13, 2016, 2:00 p.m. – 3:00 p.m.

PLACE: Conference call: 1(888)670-3525, participant code: 6272156732#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Early Steps State Best Practices Workgroup.

A copy of the agenda may be obtained by contacting: Kelly.Rogers@flhealth.gov.

**DEPARTMENT OF CHILDREN AND FAMILIES**

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

DATE AND TIME: April 14, 2016, 10:00 a.m. – 11:30 a.m., ET

PLACE: Human Services Building, 1000 W. Tharpe Street, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Children and Families, Circuit 2 Alliance - Community Action Team is to provide a forum for providers and the Community to identify needs and gaps in services in order to improve the lives of children and families in the Big Bend area, which covers Franklin, Gadsden, Jefferson, Leon, Liberty and Wakulla Counties. For those that cannot attend in person, the following conference call number is being provided for their convenience: 1(888)670-3525, participant code: 6368767367. Agenda: New Business - Executive Committee Report, DCF Strategic Partnership Meeting Update, Big Bend Community Based Care – Implementation of Early Childhood Court, Mental Health Governing Board, ALF Questions/Information, System of Care Update.

A copy of the agenda may be obtained by contacting: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, (850)921-8269, jeanna.olson@myflfamilies.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, (850)921-8269, jeanna.olson@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, (850)921-8269, jeanna.olson@myflfamilies.com.

**DEPARTMENT OF CHILDREN AND FAMILIES**

Family Safety and Preservation Program

RULE NOS.:RULE TITLES:

- 65C-14.001 Definitions
- 65C-14.003 Application and Licensing Study
- 65C-14.006 Administration and Organization
- 65C-14.007 Buildings, Grounds and Equipment
- 65C-14.010 General Sanitation and Safety
- 65C-14.014 Health Services
- 65C-14.017 Child Abuse and Neglect
- 65C-14.018 Community Interaction
- 65C-14.021 Discipline, Control and Punishment
- 65C-14.022 Permanent Register
- 65C-14.023 Staff Qualifications
- 65C-14.040 Admission and Planning
- 65C-14.116 Administrative Actions, Appeals and Closures

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

DATE AND TIME: April 8, 2016, 10:30 a.m. – 12:00 Noon

PLACE: Florida Department of Children and Families, 1317 Winewood Boulevard, Building 1, Third Floor, Room 301G, Tallahassee, FL 32399-0700; conference call: 1(888)670-3525, participant code: 312 614 9586 #

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public hearing will address the proposed changes that were published in the F.A.R. on March 2, 2016, in a Notice of Change for the rules listed above.

A copy of the agenda may be obtained by contacting: Jodi Abramowitz at Jodi.Abramowitz@myflfamilies.com.

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

Division of Workforce Services

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

DATE AND TIME: April 6, 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: the 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: the 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: the Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

**FLORIDA PRESCRIPTION DRUG MONITORING PROGRAM FOUNDATION**

The Florida Prescription Drug Monitoring Program Foundation announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 13, 2016, 6:00 p.m.

PLACE: Conference call

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the PDMP Foundation Board of Directors.

A copy of the agenda may be obtained at: the PDMP Foundation website: [www.flpdmfoundation.com](http://www.flpdmfoundation.com).

For more information, you may contact: Robert Macdonald, Executive Director, Florida PDMP Foundation, 10801 Starkey Rd., #104-221, Seminole, FL 33777, [executive.director@flpdmfoundation.com](mailto:executive.director@flpdmfoundation.com), (850)284-4490.

**FLORIDA INDEPENDENT LIVING COUNCIL**

The Florida Independent Living Council, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 11, 2016, 7:00 p.m. – 9:00 p.m.

PLACE: CIL of South Florida, 4770 Biscayne Blvd., Suite 130, Miami, Florida 33137; call-in: 1(888)670-3525, participant code: 5073148497

GENERAL SUBJECT MATTER TO BE CONSIDERED: State Plan for Independent Living Public Forum.

Committee and Task Force Meetings: please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such

meetings may request to be put on the mailing list for such notices by writing: to Jenny Bopp at the council address.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1416 N. Adams Street, Tallahassee, Florida 32303, (850)488-5624, toll-free: 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

**FLORIDA INDEPENDENT LIVING COUNCIL**

The Florida Independent Living Council, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 13, 2016, 6:00 p.m. – 9:00 p.m.

PLACE: Center for Independent Living of North Central Florida, 222 SW 36th Terrace, Gainesville, Florida 32607; telephone conference: 1(888)670-3525, participant code: 5073148497

GENERAL SUBJECT MATTER TO BE CONSIDERED: State Plan for Independent Living Public Forum.

Committee and Task Force meetings: please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Jenny Bopp at the council address.

A copy of the agenda may be obtained by contacting: the Florida Independent Living Council, 1416 N. Adams Street, Tallahassee, Florida 32303, (850)488-5624, toll-free: 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

**Section VII**

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

**NONE**

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

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

NONE

Notice of Disposition of Petition for Administrative Determination has been filed 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

BRASFIELD & GORRIE, LLC

INVITATION TO BID

Brasfield & Gorrie, LLC will now be taking sealed bid proposals for the CONCRETE PAVING SCOPE on the UF Stephen C. O’Connell Center Expansion and Renovation project in Gainesville, FL. Sealed Bids are due by no later than March 30, 2016. Sealed bids must either be hand delivered or mailed to the following address:

Brasfield & Gorrie, LLC

c/o Adam Cowan

941 West Morse Blvd., Suite 200

Winter Park, FL 32789

For any questions, please contact:

Steven Nickels

snickels@brasfieldgorrie.com

(407)562-4661

VILLAGE OF PALMETTO BAY

UP-1516-13-001 PARKING IMPROVEMENTS - GARAGE

PUBLIC NOTICE

Village of Palmetto Bay

Notice of Unsolicited Proposal

Parking Improvements for Village of Palmetto Bay

Private Public Partnership (PPP) Ch. 287.05712, Florida

Statutes

UP No. 1516-03-001

NOTICE IS HEREBY GIVEN that the Village of Palmetto Bay, Florida, a Municipal corporation of the State of Florida, has received an unsolicited proposal for a qualifying public-private partnership (PPP) in accordance with Ch. 287.05712, Florida Statutes for a public garage (“the Project”) in the Palmetto Bay, Florida downtown area. The Village requests, and in accordance with Florida Statute Ch. 287.05712, will accept alternative proposals for the Project until April 29, 2016.

Persons or entities wishing to submit alternative proposals for the Project (“Proposers”) may do so by delivering sealed proposals to: Village of Palmetto Bay, Procurement Department, Attn: Litsy C. Pittser, 9705 E. Hibiscus Street, Palmetto Bay, Florida 33157. Each sealed proposal submitted should be clearly marked on the outside: “Sealed Proposal – Parking Improvements for Village of Palmetto Bay.”

All proposals must be timely submitted no later than 3:00pm on April 29, 2016 and must contain the information and requirements set forth under Ch. 287.05712, Florida Statutes and the additional submission requirements required by the Village of Palmetto Bay, as provided below. Any proposal received after 3:00 pm on April 29th, 2016 will not be opened nor considered. Responsibility for submitting timely proposals rests solely with Proposers; the Village will not be responsible for any delays caused by mail, courier service or other occurrence.

Proposals will be ranked by order of preference by the Village. In ranking the proposals, the Village will consider factors in accordance with Ch. 287.05712, Florida Statutes that include but are not limited to, professional qualifications, innovative design and techniques, energy efficiency, cost reduction terms and finance plans. A more complete listing of the factors and requirements that the Village will consider can be obtained on our vendor registry system. Download the documents by going to our website: [www.palmettobay-fl.gov](http://www.palmettobay-fl.gov), on the right hand side of the webpage there is

“Information Box”, select Bids and RFP’s, click vendor registration to register in the system and on “Quick Links” on the top you can click the “Open Bids, RFQ’s...” to download the document any addendums to the document will be notified to you and downloadable off the website.

The Village reserves the right to reject any or all proposals, or as provided under Ch. 287.05712, Florida Statutes, to award and negotiate an interim agreement and/or comprehensive agreement with the firm whose proposal best serves the interest of the Village. Nothing contained herein shall be interpreted as an obligation or binding agreement by the Village regarding the Project.

The Village’s Cone of Silence shall be in effect during the procurement process in accordance with Section 2-138 of the Village of Palmetto Bay Code. All communications regarding the Project shall be addressed in writing via email to [Lpittser@palmettobay-fl.gov](mailto:Lpittser@palmettobay-fl.gov); Litsy C. Pittser., Procurement Specialist.

The Village will provide notice of a decision or proposed decision regarding contract award which will be publicly advertised and posted on the Village of Palmetto Bay website. Any person who is, or claims to be, adversely affected by the Village’s decision or proposed decision shall file a written protest in accordance the Village Code Section 2-175 (o)-(p).

All proposals received in response to this Notice will become the property of the Village of Palmetto Bay and will not be returned. Such proposals and related information shall be subject to applicable provisions of the Florida Public Records Law.

## Section XII Miscellaneous

### AGENCY FOR HEALTH CARE ADMINISTRATION Medicaid

#### State Plan Amendment

The Agency for Health Care Administration announces that it is requesting an amendment to the Medicaid State Plan reimbursement page for therapy services. Reimbursement for Occupational, Physical, Respiratory, and Speech-Language Pathology Therapy rates are based on state developed fee schedules. This SPA deletes obsolete language in the methodology, but does not modify the methodology that is currently in place for establishing rates. Therefore, this amendment will not have a federal fiscal impact.

For further information contact: Derica Smith, Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)412-4239, [derica.smith@ahca.myflorida.com](mailto:derica.smith@ahca.myflorida.com).

### AGENCY FOR HEALTH CARE ADMINISTRATION Medicaid

#### State Plan Amendment

The Agency for Health Care Administration announces that it is requesting an amendment to the Medicaid State Plan. The amendment will remove a five percent coinsurance provision for denture related adult dental services to recipients twenty-one years of age or older who are not institutionalized, receiving hospice care or enrolled in an HMO, effective March 31, 2016. This amendment will have a federal fiscal impact with an expected cost of \$57,000 in federal funds for FFY 2015-16 and \$39,000 in federal funds for federal fiscal year (FFY) 2016-17.

For further information contact: Bob Reifinger, Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)412-4213, [robert.reifinger@ahca.myflorida.com](mailto:robert.reifinger@ahca.myflorida.com).

### DEPARTMENT OF ENVIRONMENTAL PROTECTION Office of the Secretary

#### Florida State Clearinghouse

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(42), F.S. This includes Outer Continental Shelf activities and other actions subject to federal consistency review under the Florida Coastal Management Program. A list of projects, comments and deadlines, and the address for providing comments, are available at <https://fldep.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2169. This public notice fulfills the requirements of 15 CFR 930.

### DEPARTMENT OF ECONOMIC OPPORTUNITY Division of Community Development

#### Final Order No.: DEO-16-039

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-039 on March 25, 2016, in response to an application submitted by Cypress Villas Homeowners Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

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

Copies of the final orders may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or [Katie.zimmer@DEO.MyFlorida.com](mailto:Katie.zimmer@DEO.MyFlorida.com).

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No.: DEO-16-040

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-040 on March 25, 2016, in response to an application submitted by St. Andrews Townhomes Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

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

Copies of the final orders may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or [Katie.zimmer@DEO.MyFlorida.com](mailto:Katie.zimmer@DEO.MyFlorida.com).

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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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