

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

RULE NOS:	RULE TITLES:
5L-1.001	General Requirements and Intent
5L-1.002	Definitions
5L-1.003	Shellfish Harvesting Area Standards
5L-1.004	Production and Market Standards
5L-1.005	Shellfish Processing Plant Certification License
5L-1.006	Compliance and Penalties
5L-1.007	Container Identification, Terminal Sale Date, Prohibitions
5L-1.008	Shellfish Handling
5L-1.009	Shellfish Relaying
5L-1.010	Buildings and Facilities
5L-1.011	Equipment for Shellfish Processing
5L-1.012	Sanitary Operations
5L-1.013	Plant Operations
5L-1.014	Heat Shock Method
5L-1.015	Depuration Plant Standards
5L-1.016	Depuration Shellfish Sampling Procedures
5L-1.017	Depuration-Process Water Treatment Standards
5L-1.018	Depuration – Ultraviolet (UV) Unit
5L-1.019	Laboratory Procedures and Sample Testing

PURPOSE AND EFFECT: The proposed rule amendments will incorporate and adopt the revised National Shellfish Sanitation Program (NSSP) Model Ordinance; remove unnecessary license requirements; remove redundant reapplication requirements; remove confusing language regarding draining of shellfish treatment tanks; introduce and describe different styles of wet storage systems for shellfish; and clarify definitions and language associated with the penalty/fine matrix, relaying procedures, and harvester responsibilities.

Additionally, the proposed rule amendments will reclassify shellfish harvesting areas and update associated maps to ensure Florida remains in compliance with NSSP standards and Rule 5L-1.003, F.A.C., to protect the health of shellfish consumers and to provide access to renewable shellfish resources. The purpose of these amendments is to maximize the amount of shellfish harvesting waters available and to maximize the times those waters will be in the open status while continuing to protect the public health.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed include licensing and application requirements, harvester responsibilities, wet storage systems for shellfish,

relay procedures for aquacultured shellfish during red tide blooms, corrective actions for failing oyster time and temperature requirements, and drainage of treatment tanks.

Shellfish harvesting areas and management plans will also be addressed, specifically the reclassification of the Choctawhatchee Bay(#06) , Wakulla (#22), Cedar Key (#30) and Waccasassa Bay(#32) shellfish harvesting areas, removal of the St. Marks (#23) shellfish harvesting area, and updating the Pine Island (#62) management plan.

RULEMAKING AUTHORITY: 500.09, 500.121(1), 500.172, 597.020 FS.

LAW IMPLEMENTED: 500.10, 500.121(1), 500.172, 597.010(15), 597.020 FS.

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

DATE AND TIME: April 29th, 2016, 1:00 p.m., ET

PLACE: Senator George Kirkpatrick Fish and Wildlife Conservation Commission, 11350 SW 153rd Court, Cedar Key, FL, 32625

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

PLACE: Marine Resources Council Ted Moorehead Lagoon House, 3275 Dixie Highway NE, Palm Bay, FL, 32905

DATE AND TIME: May 11, 2016, 1:00 p.m., ET

PLACE: East Port Utilities, 25550 Harborview Road, Training Room A, Port Charlotte, FL, 33980

DATE AND TIME: May 13, 2016, 1:00 p.m., ET

PLACE: Apalachicola Shellfish Center, 260 Dr. Frederick S. Humphries Street, Apalachicola, FL, 32320

DATE AND TIME: May 16, 2016, 3:00 p.m., CT

PLACE: Santa Rosa County Extension Office, 6263 Dogwood Dr., Milton, FL, 32570

DATE AND TIME: May 17, 2016, 3:00 p.m., CT

PLACE: Bay County Extension Office, 2728 E 14th Street, Panama City, FL, 32570

DATE AND TIME: May 20, 2016, 1:00 p.m., ET

PLACE: Wakulla Environmental Institute, 2932 Crawfordville Highway, Crawfordville, FL, 32570

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jill Fleiger, Division of Aquaculture, 600 S Calhoun Street, Suite 217, Tallahassee, Florida 32399, phone (850)617-7600

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-10.0381 Registration of Adult Education Students

PURPOSE AND EFFECT: To remove obsolete language and to update provisions regarding adult student information. Each school district and Florida College System institution shall maintain student information for adults enrolled in adult general education programs and or career and technical education programs pursuant to s. 1008.405, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Registration of Adult Education Students.

RULEMAKING AUTHORITY: 1008.405, FS.

LAW IMPLEMENTED: 1008.405, 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: Kathleen Taylor, Division of Career and Adult Education, 325 West Gaines Street, Room 714, Tallahassee, FL 32399, (850)245-9065, Kathleen.Taylor@FLDOE.org.

To request a rule development workshop, please contact: Cathy Schroeder, Agency Clerk, Department of Education, (850)245-9661 or e-mail: Cathy.Schroeder@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Draft rule language will be posted at <https://app1.fldoe.org/rules/default.aspx> NLT May 2, 2016.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NOS.: RULE TITLES:

65G-3.001 Definitions

65G-3.002 Criteria for Admissions and Services

65G-3.003 Rules for Reduction of Services by the Provider

65G-3.004 Rules for Suspension of Services by the Provider

65G-3.005 Rules for Termination of Services by the Provider

PURPOSE AND EFFECT: The purpose of these new rules is to establish uniform guidelines for the agency and service providers relevant to termination, suspension, or reduction of client services by the service provider pursuant to s. 393.125(2), F.S.

SUBJECT AREA TO BE ADDRESSED: Establishing a uniform procedure for termination, suspension or reduction of client services by a service provider.

RULEMAKING AUTHORITY: 393.501(1) FS.

LAW IMPLEMENTED: 393.125(2) 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: Meghan Kirkley, 4030 Esplanade Way, Suite 360, Tallahassee, Florida 32399, (850)922-4565, meghan.kirkley@apdcares.org

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 65G-3.001 follows. See Florida Administrative Code for present text.)

65G-3.001 Definitions.

(1) “Agency” means the Agency for Persons with Disabilities.

(2) “Client” means any person determined eligible by the Agency for developmental disability services.

(3) “Contract” means a formal written agreement between the provider and Agency and includes Medicaid Waiver Services Agreement.

(4) “Individual Representative” means the client’s parent (for a minor), guardian, guardian advocate, a designated person holding a power of attorney for decisions regarding health care or public benefits, designated attorney or a healthcare surrogate, or in the absence of any of the above, a medical proxy as determined under s. 765.401, F.S. The individual’s Waiver Support Coordinator shall ascertain whether an individual has any of these representatives and inform the agency of the identity and contact information.

(5) “Provider” means any program or facility for the care, individual provider, treatment, training, residence or habilitation of persons with developmental disabilities that is authorized by the Agency or receives funds from the Agency through a contract or a Medicaid Waiver Services Agreement contract. A provider does not include a spouse, family member or guardian with whom a person with developmental disabilities resides or a provider covered under the provisions of Part VIII of Chapter 400, F.S.

(6) “Reduction” means a decrease in the frequency, duration or intensity in the level of services, initiated by a provider that is not a result of faded or prescribed reductions that are part of service planning. (7) “Suspension” means an involuntary and temporary break in services in a non-residential program initiated by the provider.. Suspension does not mean a break of services to a client by a service provider

due to the unavailability of funds to the provider by the Agency.

(7) “Termination” means the involuntary, permanent discharge or discontinuation of services in a program by the provider when such action is not included as part of the service planning process. . Termination does not mean a discontinuation of services to a client by a service provider due to the unavailability of funds to the provider by the Agency.

Specific Authority 393.125(2) FS. Law Implemented 393.0651, 393.067, 393.125(2) FS. History–New 12-10-91, Formerly 10F-8.026, 65B-8.026, _____.

65G-3.002 Criteria for Admissions and Services.

Specific Authority 393.125(2) FS. Law Implemented 393.125(2) FS. History–New 12-10-91, Formerly 10F-8.028, 65B-8.028. Repealed

65G-3.003 Rules for Reduction of Services by the Provider.

Specific Authority 393.125(2) FS. Law Implemented 393.125(2) FS. History–New 12-10-91, Formerly 10F-8.029, 65B-8.029. Repealed

65G-3.004 Rules for Suspension of Services by the Provider.

Specific Authority 393.125(2) FS. Law Implemented 393.125(2), 120 FS. History–New 12-10-91, Amended 5-19-93, Formerly 10F-8.030, 65B-8.030. Repealed

(Substantial rewording of Rule 65G-3.001 follows. See Florida Administrative Code for present text.)

65G-3.005 Rules for Termination, Reduction, or Suspension of Services by the Provider.

(1) TERMINATIONS AND REDUCTIONS

(a) Written notice of intent to terminate or reduce services by the provider shall be received by certified mail thirty calendar days prior to the proposed effective date of the termination or reduction. Written notice shall be given to the client and individual representative. The provider shall notify the Regional office and Support Coordinator 30 days prior to the effective date by either e-mail or certified mail. If the client is on the waiting list, notification is only required to be given to the region who will then follow up accordingly.

(b) The Support Coordinator shall evaluate the circumstances that led to the proposed termination or reduction, determine what actions should be taken to resolve the situation, assist the client and individual representative in locating an alternate provider if resolution is not acceptable to either party, and update the support plan accordingly. At the request of the client and individual representative, the Support Coordinator shall, arrange a meeting with the provider and client or the client’s individual representative, to offer

recommendations to resolve the proposed termination or reduction.

(c) The Support Coordinator shall contact the Regional office immediately if they need assistance in locating an alternate provider at least 25 days prior to the effective date of termination or reduction in services. If the client is on the waiting list, the region will ensure an alternative provider is located within this time frame.

(d) If the termination or reduction is for services provided in a licensed residential facility, the Regional office shall immediately work with the Support Coordinator (for all waiver clients), the client, and individual’s representative to choose an alternate living arrangement. If an alternate residential option is not located, the provider issuing the termination or reduction shall continue to serve the client for up to 90 days past the effective date of the original termination or reduction.

(e) If the client or the individual representative select a provider to render the services that cannot be approved by the Agency in accordance with applicable laws, the Regional office shall issue a notice regarding the denial of the client’s provider choice. The notice shall identify an alternate provider or service options.

(2) SUSPENSIONS

(a) Written notice of immediate suspension from a non-residential program must be provided to the client, individual representative, Support Coordinator, and Regional Office. If the client is on the waiting list, notification is only required to be given to the region who will then follow up accordingly. Suspension of services can be implemented by a service provider in a non-residential facility under the following conditions:

1. When the behavior constitutes an emergency or

2. When a client does not adhere to a non-residential service provider’s rules and regulations designed to teach or reinforce normalized behavior patterns. These rules and regulations shall be mutually agreed upon by the provider and the Agency and shall be included in the contract between the Agency and the provider.

(b) The Support Coordinator will ensure that appropriate service coverage is available during the time of suspension and update the support plan accordingly. The Support Coordinator shall contact the Regional office immediately if assistance is needed in securing alternate services or providers. If the client is on the waiting list, the region will ensure proper coverage is located.

(c) A suspension shall last no longer than 3 calendar days. Any additional suspension beyond 3 days must be requested by the provider and approved by the APD Regional office.

Specific Authority 393.125(2) FS. Law Implemented 393.125(2) FS. History—New 12-10-91, Amended 5-19-93, Formerly 10F-8.031, 65B-8.031,_____.

(Substantial rewording of Rule 65G-3.001 follows. See Florida Administrative Code for present text.)

65G-3.006 Retaliatory Conduct.

(1) No client receiving services shall be discriminated against in the receipt of those services nor shall it prejudice the future provision of appropriate services by the service provider when the client, or the client’s individual representative, attempts to advocate for desired services.

(2) A service provider shall not retaliate against a client or the client’s individual representative who has complained about the service provider to the Agency, a governmental entity or advocacy organization.

Specific Authority 393.125(2) FS. Law Implemented 393.125(2) FS. History—New 12-10-91, Amended 5-19-93, Formerly 10F-8.033, 65B-8.033,_____.

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Library and Information Services

RULE NO.: RULE TITLE:

1B-2.011 Library Grant Programs

PURPOSE AND EFFECT: The purpose of this amendment is to modify that guidelines, agreements, forms, and applications for the State Aid to Libraries Grant, the Library Construction Grant, Library Cooperative Grant, and the Library Services and Technology Act ("LSTA") Grant.

SUMMARY: The amendments will modify the guidelines, agreements, forms, and applications for the State Aid to Libraries, Grant Library Cooperative Grant, and the Library Services and Technology ("LSTA") Grant.

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 completing a SERC checklist, it was determined that the proposed amendment will not have a direct or indirect adverse financial impact on small business.

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: 257.14, 257.191, 257.41(2) FS.

LAW IMPLEMENTED: 257.12, 257.15, 257.16, 257.17, 257.171, 257.172, 257.18, 257.191, 257.192, 257.195, 257.21, 257.22, 257.23, 257.24, 257.25, 257.40, 257.41, 257.42 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: Marian Deeney, Division of Library and Information Services, Florida Department of State, (850)245-6620, Marian.Deeney@dos.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

1B-2.011 Library Grant Programs.

(1) This rule provides procedures for library grant programs administered by the Division of Library and Information Services (Division). Each program shall be governed by guidelines which contain information on eligibility requirements, application review procedures, evaluation and funding criteria, grant administration procedures, if applicable, and application forms. All grant awards shall be subject to final approval by the Secretary of State.

(2) Applicants for grants shall meet the eligibility and application requirements as set forth in the following guidelines for each grant program:

(a) The State Aid to Libraries Grant Guidelines, ([hyperlink](#)) <https://www.flrules.org/gateway/reference.asp?NO=Ref-05233>, effective ~~xx-xx~~ 4-15, which contain guidelines and instructions; Grant Agreement, ([hyperlink](#)) <https://www.flrules.org/gateway/reference.asp?NO=Ref-05232>, effective ~~xx-xx~~ 4-15; Certification of Credentials – Single Library Administrative Head, effective 4-15.

(b) The Library Construction Grant Guidelines and Application, ([hyperlink](#)) <https://www.flrules.org/gateway/reference.asp?NO=Ref-05227>, effective ~~xx-xx~~ 4-15; which contain instructions, grant application (Form DLIS/PLC01), effective 4-15; Payment Request #1 (Form DLIS/PLC02) effective ~~xx-xx~~ 4-15; Payment Request #2 (Form DLIS/PLC03) effective ~~xx-xx~~ 4-15; Payment Request #3 (Form DLIS/PLC04) effective ~~xx-xx~~ 4-15; Payment Request #4 (Form DLIS/PLC05) effective ~~xx-xx~~ 4-15; and Closeout Report (Form DLIS/PLC06) effective ~~xx-xx~~ 4-15; Progress Report (Form DLIS/PL07); and Grant

Agreement, [\(hyperlink\)](#)
<https://www.flrules.org/gateway/reference.asp?NO=Ref-05226>, effective xx-xx 4-15.

(c) The Library Cooperative Grant Guidelines and Application, [\(hyperlink\)](#)
<https://www.flrules.org/gateway/reference.asp?NO=Ref-05229>, effective xx-xx 4-15; which contain instructions and application (Form DLIS/LCG01), effective xx-xx 4-15; Mid-Year Report (Form DLIS/LCG02) effective xx-xx 4-15; Annual Report (Form DLIS/LCG03) effective xx-xx 4-15; Annual Statistical Report Form for Multitype Library Cooperatives (Form DLIS/LCG04), effective xx-xx 4-15; Grant Agreement (Form DLIS/LCG05), [\(hyperlink\)](#) <https://www.flrules.org/gateway/reference.asp?NO=Ref-05228>, effective xx-xx 4-15; and the FLIN Manual, effective 7-8-14.

(d) The Library Services and Technology Act Grant Guidelines, [\(hyperlink\)](#)
<https://www.flrules.org/gateway/reference.asp?NO=Ref-05230>, effective xx-xx 4-15; which contain instructions, Final Status Report Form (Form DLIS/LSTA02), [\(hyperlink\)](#) effective xx-xx and Grant Agreement (Form DLIS/LSTA01), <https://www.flrules.org/gateway/reference.asp?NO=Ref-05231> [\(hyperlink\)](#), effective xx-xx 4-15.

(e) The Community Libraries in Caring Program Application, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01122>, effective 4-10-12; which contains instructions and application (Form DLIS/CLIC01), effective 11-16-04; Annual Report (Form DLIS/CLIC02), effective 11-16-04; and Grant Agreement (Form DLIS/CLIC03), <http://www.flrules.org/Gateway/reference.asp?No=Ref-01123>, effective 4-10-12.

(3) Guidelines and forms in this rule are incorporated by reference and may be obtained from the Director of the Division, Florida Department of State, Division of Library and Information Services, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250.

(4) The Division of Library and Information Services will waive the financial matching requirements on grants for rural communities that have been designated in accordance with Sections 288.0656 and 288.06561, F.S. Eligible communities applying for Library Services and Technology Act grants and Library Construction grants must request waiver of matching requirements at the time of grant application.

(5) This section supersedes Chapters 1B-3 and 1B-5, F.A.C.

Rulemaking Authority 257.14, 257.191, 257.192, 257.24, 257.41(2) FS. Law Implemented 257.12, 257.15, 257.16, 257.17, 257.171, 257.172, 257.18, 257.191, 257.192, 257.195, 257.21, 257.22, 257.23,

257.24, 257.25, 257.40, 257.41, 257.42 FS. History—New 1-25-93, Amended 7-17-96, 4-1-98, 2-14-99, 4-4-00, 12-18-00, 11-20-01, 3-20-02, 1-9-03, 12-28-03, 11-16-04, 2-21-06, 2-21-07, 1-24-08, 4-1-10, 4-21-10, 4-10-12, 12-25-13, 7-8-14, 4-7-15, xx-xx-xx.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Carlos A. Rey

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Amy Johnson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 03/18/16

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 18, 2016

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:

64B16-26.600 Tripartite Continuing Education Committee

PURPOSE AND EFFECT: The Board proposes the rule amendment to update language regarding duties performed by the Tripartite Continuing Education Committee.

SUMMARY: Language regarding duties performed by the Tripartite Continuing Education Committee will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will

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

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

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

RULEMAKING AUTHORITY: 465.005, 465.009(5) FS.

LAW IMPLEMENTED: 465.009 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-26.600 Tripartite Continuing Education Committee.

(1) The Tripartite Continuing Education Committee will be composed of equal representation from the Board of Pharmacy, ~~each~~ Colleges or Schools of Pharmacy in the State, and practicing pharmacists within the State. The members of the Committee shall be selected by the Board of Pharmacy and shall serve for a period of two years. The Chair ~~chairman~~ of the committee shall be selected by the Chair of the Board.

(2) The Tripartite Continuing Education Committee shall perform the following duties pursuant to Rule 64B16-26.601, F.A.C.:

- (a) No change.
- (b) Approve the following continuing education courses or programs to be offered by ~~for~~ approved providers or individuals that are non-approved providers ~~for the following~~:
 - 1. through 8. No change.
 - 9. Quality Related Events;-
 - 10. Validation of Prescriptions for Controlled Substances.

(3) The Tripartite Continuing Education Committee shall perform auditing and monitoring activities pursuant to Rule 64B16-26.601, F.A.C. The Tripartite Committee shall perform an audit on each approved continuing education provider 90 days prior to the end of the biennium. The approved provider shall submit the following information for one program of the provider's choosing and one program selected by the Board:

- (a) through (b) No change.
- (c) Any ~~c~~Co-sponsors;
- (d) Total number of pharmacists attending;
- (e) through (g) No change.
- (h) Handouts, ~~c~~Copy of CE Credit statement, educational materials distributed as part of the program; and
- (i) No change.

(4) The Committee shall hold meetings as may be convened at the call of the ~~Chairman~~ of the Committee.

Rulemaking Authority 465.005, 465.009(5) FS. Law Implemented 465.009 FS. History—New 10-18-79, Amended 7-29-81, Formerly 21S-13.01, 21S-13.001, 21S-26.600, 61F10-26.600, 59X-26.600, Amended 10-15-01, 3-10-05, 6-11-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pharmacy
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 10, 2016
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 28, 2016

Section III Notice of Changes, Corrections and Withdrawals

**AGENCY FOR HEALTH CARE ADMINISTRATION
 Medicaid**

RULE NO.: 59G-4.071 RULE TITLE: Durable Medical Equipment and Medical Supply Services Provider Fee Schedules
 NOTICE OF PUBLIC HEARING

The Agency for Health Care Administration announces an additional hearing regarding the above rule, as noticed in Vol. 42 No. 10, January 15, 2016 Florida Administrative Register.
 DATE AND TIME: April 21, 2016, 11:30 a.m. – 12:00 p.m.
 PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308-5407

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 The Agency is scheduling a public hearing for the purpose of discussing Durable Medical Equipment and Medical Supply Services Provider Fee Schedules.

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: Derica Smith, Bureau of Medicaid Policy, (850)412-4239. 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).

**AGENCY FOR HEALTH CARE ADMINISTRATION
 Medicaid**

RULE NO.: 59G-4.106 RULE TITLE: Freestanding Dialysis Center Fee Schedule
 NOTICE OF PUBLIC HEARING

The Agency for Health Care Administration announces an additional hearing regarding the above rule, as noticed in Vol. 42 No. 10, January 15, 2016 Florida Administrative Register.

DATE AND TIME: April 21, 2016, 11:00 a.m. – 11:30 a.m.
PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308-5407
GENERAL SUBJECT MATTER TO BE CONSIDERED:
The Agency is scheduling a public hearing for the purpose of discussing the Freestanding Dialysis Centers Fee Schedule. 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: Derica Smith, Bureau of Medicaid Policy, (850)412-4239. 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).

**Section IV
Emergency Rules**

NONE

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on April 6, 2016, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, and Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code from Montejo located in Miami. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater; that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided, and that each establishment have areas for food storage. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and to share the dishwashing and food storage areas with another food service establishment under the same ownership and on the same premise.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 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 Orthotists and Prosthetists

The Board of Orthotists and Prosthetists hereby gives notice that on July 29, 2015, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Ronald L. Rampi, on March 18, 2015, seeking a waiver or variance from paragraphs 468.803(3)(a) and (b), Florida Administrative Code, regarding the requirement that a Bachelor of Science or higher-level postgraduate degree in Orthotics and Prosthetics from a regionally accredited college or university recognized by the commission on Accreditation of Allied Health Education Programs or, at a minimum, a bachelor’s degree from a regionally accredited college or university and a certificate in in orthotics and in prosthetics from a program recognized by said Commission, or is equivalent, as determined by the Board. The Notice was published in Volume 41, No. 69, of the Florida Administrative Register, on April 9, 2015. The Board, at its meeting held on May 29, 2015, by telephone conference call, voted to deny the Petition for Waiver or Variance. The Board is not authorized to grant a variance or waiver from a statutory provision.

A copy of the Order or additional information may be obtained by contacting: the Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

DEPARTMENT OF HEALTH

Board of Psychology

The Board of Psychology hereby gives notice that on April 7, 2016, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Lauren K. Mason, Ph.D., on February 5, 2016, seeking a waiver or variance from Rule 64B19-11.005, F.A.C., with regard to the requirements for supervised experience. The Notice was published in Volume 42, No. 31, of the Florida Administrative Register, on February 16, 2016. The Board, at its public meeting held on March 18, 2016, by telephone conference call, voted to deny the Petition for Waiver or Variance finding that the Petitioner did not demonstrate a substantial hardship; that application of the rule did not violate the principles of fairness; and that the purpose of the underlying statute was not met.

A copy of the Order or additional information may be obtained by contacting: the Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3055.

DEPARTMENT OF HEALTH

Board of Psychology

The Board of Psychology hereby gives notice that on August 12, 2015, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Shelley Kathleen Krach, Ph.D., on May 19, 2015, seeking a waiver or variance from Rule 64B19-11.005, F.A.C., with regard to the requirements for supervised experience. The Notice was published in Volume 41, No. 106, of the Florida Administrative Register, on June 2, 2015. The Board, at its meeting held on July 17, 2015, voted to deny the Petition for Waiver or Variance finding that the Petitioner did not demonstrate a substantial hardship; that application of the rule did not violate the principles of fairness; and that the purpose of the underlying statute was not met.

A copy of the Order or additional information may be obtained by contacting: the Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3055.

DEPARTMENT OF HEALTH

Board of Psychology

The Board of Psychology hereby gives notice that on April 7, 2016, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Raychel Renee Powers, Psy.D., on March 2, 2016, seeking a waiver or variance from Rule 64B19-11.005, F.A.C., with regard to the requirements for supervised experience. The Notice was published in Volume 42, No. 44, of the Florida Administrative Register, on March 4, 2016. The Board, at its public meeting held on March 18, 2016, by telephone conference call, voted to deny the Petition for Waiver or Variance finding that the Petitioner did not demonstrate a substantial hardship; that application of the rule did not violate the principles of fairness; and that the purpose of the underlying statute was not met.

A copy of the Order or additional information may be obtained by contacting: the Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3055.

DEPARTMENT OF HEALTH

Board of Psychology

The Board of Psychology hereby gives notice that on April 7, 2016, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Marie Cheour Gordon, Ph.D., on January 6, 2016, seeking a waiver or variance from Rule 64B19-11.005, F.A.C., with regard to the requirements for supervised experience. The Notice was published in Volume 42, No. 6, of the Florida

Administrative Register, on January 11, 2016. The Board, at its meeting held on March 18, 2016, by telephone conference call, voted to grant the Petition for Waiver or Variance finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met. Petitioner is authorized to sit for the Florida Laws and Rules Exam.

A copy of the Order or additional information may be obtained by contacting: the Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3055.

DEPARTMENT OF HEALTH

Board of Psychology

The Board of Psychology hereby gives notice that on April 7, 2016, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Matthew Edward Farrington, Ph.D., on January 6, 2016, seeking a waiver or variance from Rule 64B19-11.005, F.A.C., with regard to the requirements for supervised experience. The Notice was published in Volume 42, No. 6, of the Florida Administrative Register, on January 11, 2016. The Board, at its meeting held on March 18, 2016, by telephone conference call, voted to deny the Petition for Waiver or Variance finding that the Petitioner did not demonstrate a substantial hardship; that application of the rule did not violate the principles of fairness; and that the purpose of the underlying statute was not met.

A copy of the Order or additional information may be obtained by contacting: the Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3055.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-6.026 Applications for Innovative System Permits and System Construction Permits

The Florida Department of Health hereby gives notice:

On April 12, 2016, the Department of Health issued an order in response to a petition for a variance filed on November 9, 2015, by Mark Repasky, PE, representing Plastic Tubing Industries, Inc., regarding the "POTS (passive onsite treatment system)". Petitioner sought a variance from paragraph 64E-6.026(1)(b), Florida Administrative Code, which requires compelling evidence to include specific testing through a third-party testing organization approved through the NSF Environmental Technology Verification Program. Notice of the petition was published in the November 16, 2015, edition of the Florida Administrative Register.

The Department found that the Petitioner demonstrated that the underlying intent of the statute could be achieved by alternative means and that strict application of the rules would

create a substantial hardship in the Petitioner's particular circumstance. Therefore, pursuant to the requirements of section 120.542(2), Florida Statutes, the Department GRANTED WITH CONDITIONS Petitioner's request for a variance.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NOS.:RULE TITLES:

- 58A-5.0131 Definitions
- 58A-5.014 Licensing and Change of Ownership
- 58A-5.0181 Admission Procedures, Appropriateness of Placement and Continued Residency Criteria
- 58A-5.0182 Resident Care Standards
- 58A-5.0185 Medication Practices
- 58A-5.019 Staffing Standards
- 58A-5.0191 Staff Training Requirements and Competency Test
- 58A-5.024 Records
- 58A-5.029 Limited Mental Health
- 58A-5.030 Extended Congregate Care Services
- 58A-5.031 Limited Nursing Services

The Florida Department of Elder Affairs announces a hearing to which all persons are invited.

DATE AND TIME: May 16, 2016, 1:00 p.m. – 4:00 p.m.

PLACE: Florida Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Elder Affairs announces a hearing in order to give affected persons an opportunity to present evidence and argument regarding the proposed rule change for chapter 58A-5, Assisted Living Facilities, which was noticed in the Florida Administrative Register on April 11, 2016. The hearing date and time detailed in the above notice of proposed rule is rescheduled to the date and time listed in this notice.

A copy of the agenda may be obtained by contacting: Daniel Looke, Senior Attorney, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2096, looked@elderaffairs.org.

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

agency at least 72 hours before the workshop/meeting by contacting: Jacqueline Williams, Department of Elder Affairs, (850)414-2114, Williamsj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice),

For more information, you may contact: Daniel Looke, Senior Attorney, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2096, looked@elderaffairs.org.

DEPARTMENT OF ELDER AFFAIRS

Alzheimer's Disease Initiative

The Department of Elder Affairs, Alzheimer's Disease Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: April 29, 2016, 1:35 p.m. – 3:45 p.m.

PLACE: Mayo Clinic, Cannaday Building, First Floor of the Kinne Auditorium, 4500 San Pablo Road, Jacksonville, Florida 32224

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Alzheimer's Disease Initiatives.

A copy of the agenda may be obtained by contacting: Karen Griffith, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000, Griffithkb@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Karen Griffith, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000, Griffithkb@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Karen Griffith, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000, Griffithkb@elderaffairs.org

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

The Board of Accountancy announces public meetings to which all persons are invited.

DATES AND TIMES: Thursday, April 28, 2016, 1:00 p.m., Board meeting; Friday, April 29, 2016, 9:00 a.m. until all business is concluded

PLACE: Tampa Marriott West Shore, 1001 North Westshore Boulevard, Tampa, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Board will meet to consider enforcement proceedings including consideration of investigation officers' reports, rules, and other general business. This is a public meeting.

A copy of the agenda may be obtained by contacting: Denise Graves, (352)333-2505.

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

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

For more information, you may contact: Denise Graves, (352)333-2505.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine - Probable Cause Panel South announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 22, 2016, 2:00 p.m.

PLACE: Telephone conference: 1(888)670-3525, participation code: 125-528-7056

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Sheila Autrey, (850)245-4444, Ext. 8210, sheila.autrey@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Sheila Autrey, (850)245-4444, Ext. 8210, sheila.autrey@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Sheila Autrey, (850)245-4444, Ext. 8210, sheila.autrey@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine - Probable Cause Panel North announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 29, 2016, 2:00 p.m.

PLACE: Telephone conference: 1(888)670-3525, participation code: 125-528-7056

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Jacoyia Hill, (850)245-4444, Ext. 8215, jacoyia.hill@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Jacoyia Hill, (850)245-4444, Ext. 8215, jacoyia.hill@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Jacoyia Hill at (850)245-4444, Ext. 8215 or email her at jacoyia.hill@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine - Probable Cause Panel South announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 13, 2016, 2:00 p.m.

PLACE: Telephone conference: 1(888)670-3525, participation code: 125-528-7056

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Sheila Autrey, (850)245-4444, Ext. 8210, sheila.autrey@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Sheila Autrey, (850)245-4444, Ext. 8210, sheila.autrey@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Sheila Autrey, (850)245-4444, Ext. 8210, sheila.autrey@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine - Probable Cause Panel North announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 20, 2016, 2:00 p.m.

PLACE: Telephone conference: 1(888)670-3525, participation code: 125-528-7056

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Jacoyia Hill, (850)245-4444, Ext. 8215, jacoyia.hill@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Jacoyia Hill, (850)245-4444, Ext. 8215, jacoyia.hill@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Jacoyia Hill at (850)245-4444, Ext. 8215 or email her at jacoyia.hill@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Optometry

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

DATE AND TIME: Friday, May 13, 2016, 9:00 a.m., at 1(888)670-3525, participant code: 7342425515

PLACE: Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Edith Rogers at edith.rogers@flhealth.gov or by visiting the board's website at <http://floridasoptometry.gov/meeting-information/>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to

participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Edith Rogers at edith.rogers@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Edith Rogers at edith.rogers@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Respiratory Care

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

DATE AND TIME: April 29, 2016, 8:30 a.m., ET

PLACE: Conference call: 1(888)670-3525, when prompted enter participant code: 7811783909

GENERAL SUBJECT MATTER TO BE CONSIDERED: Strategic Planning Discussion.

A copy of the agenda may be obtained by contacting: The Board of Respiratory Care, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255 or by calling the board office at (850)245-4373, ext. 3476 or by visiting the website at www.floridasrespiratorycare.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Department of Health at (850)245-4444, ext. 3418. 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.

FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, April 26, 2016, 2:00 p.m.

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida 32301-1329, telephone conference: 1(888)339-2688, participant code # 525 239 68

GENERAL SUBJECT MATTER TO BE CONSIDERED: The proposed demonstration RFA will provide forgivable

loans of up to \$750,000 to finance small rental housing developments of no more than 10 units to serve as permanent housing to extremely low and low income homeless households. Proposed allowable developments shall consist of single family, townhomes, duplexes or quadraplexes on a single site or scattered through the community.

The April 26 workshop will provide participants an opportunity to hear and provide comments on Florida Housing's proposed demonstration RFA approach and terms. In addition, Florida Housing staff will answer questions about the RFA process and timeline, funding priorities and requirements, applicant eligibility, funding selection criteria, forgivable loan terms, and the approach to help build selected non-profits' capacity in regards to developing and operating permanent rental housing.

A copy of the agenda may be obtained by contacting: Jean Salmonsén at (850)488-4197.

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 Salmonsén 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).

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.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida Fish and Wildlife Conservation Commission's Fish and Wildlife Research Grants Program announces a public meeting to which all persons are invited.

DATE AND TIME: April 27, 2016, 10:00 a.m. – 10:30 a.m., ET

PLACE: Florida Fish and Wildlife Conservation Commission, Room 252, Koger-Marathon, 2574 Seagate Drive, Tallahassee Florida 32301 and the Fish and Wildlife Research Institute, Room 2015-A, 100 8th Avenue S. E., St. Petersburg, Florida 33701. Video conferencing will be used. Interested persons may participate through video conferencing by appearing in person at the Fish and Wildlife Research Institute, Room 2015-A, 100 8th Avenue S. E., St. Petersburg, Florida 33701 or the Florida Fish and Wildlife Conservation Commission, Room 252, Koger-Marathon 2574 Seagate Drive, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the meeting of the Fish and Wildlife Research Institute Grants Program Committee to evaluate a proposal titled

Marine Aquaculture and Stock Enhancement in Florida: Research and Development.

A copy of the agenda may be obtained by contacting: Ann Forstchen, Florida Fish and Wildlife Conservation Commission, 100 8th Avenue S.E., St. Petersburg, Florida 33701, (727)502-4765 or Ann.Forstchen@MyFWC.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 the ADA Coordinator, at (850)617-9436. 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: Ann Forstchen, Florida Fish and Wildlife Conservation Commission, Fish and Wildlife Research Institute, 100 8th Avenue S.E., St. Petersburg, Florida 33701, (727)502-4765 or Ann.Forstchen@MyFWC.com.

GULF CONSORTIUM

The Gulf Consortium Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: April 21, 2016, 2:00 p.m., ET

PLACE: Frederick Karl Center, 601 E. Kennedy Boulevard, 26th Floor, Conference Rooms A & B, Tampa, Hillsborough County, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Board of Directors of the Gulf Consortium will meet to discuss the progress of the planning grant application; officer elections for 2016; development of the State Expenditure Plan; FY 2014/2015 Independent Financial Audit report; and conduct other business.

A copy of the agenda may be obtained by contacting: Ginger Delegal at gdelegal@fl-counties.com, (850)922-4300 or see www.FACRestore.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Ginger Delegal at gdelegal@fl-counties.com or (850)922-4300. 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: Ginger Delegal at gdelegal@fl-counties.com or (850)922-4300.

FLORIDA DEVELOPMENT FINANCE CORPORATION
 The Board of Directors for the Florida Development Finance Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 20, 2016, 2:00 p.m. – 3:00 p.m.

PLACE: South Conference Room, Offices of Enterprise Florida, Inc., 800 North Magnolia Avenue, Suite 1100, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of Meeting Minutes; Presentation by Franklin Academy; Staff Officer Recommendations.

A copy of the agenda may be obtained by contacting: Bill Spivey at (407)956-5695.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Bill Spivey at (407)956-5695. 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: Bill Spivey at (407)956-5695.

QUEST CORPORATION OF AMERICA, INC.

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

DATE AND TIME: April 20, 2016, 5:30 p.m. – 7:30 p.m.

PLACE: The public meeting will take place at the Orlando Sanford International Airport, Welcome Center at the Vigilante meeting room. The address is 1200 Red Cleveland Boulevard, Sanford, Florida. The Sanford Airport Authority will be validating parking tickets for everyone attending the meeting on April 20, 2016. Please bring your ticket with you to the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Improvements to SR 46 involve the addition of travel lanes to provide a four-lane roadway. The proposed four-lane curb and gutter roadway will include two 11-foot travel lanes and one 6-foot bicycle lane in each direction, separated by a 22-foot grassed median. Also included in the project is a 5-foot sidewalk along the south side and an 8-foot sidewalk along the north side of SR 46.

The meeting will be an open house format to allow interested parties to review design information for the project. Maps,

drawings, and other pertinent information for this project will be on display at the meeting. Project representatives will be available to discuss the future improvements and answer your questions. FDOT encourages your participation and welcomes your comments on this improvement project.

A copy of the agenda may be obtained by contacting: Alicia Arroyo, Alicia.Arroyo@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Alicia Arroyo, Public Information Coordinator, (407)482-7813, Alicia.Arroyo@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

VHB

The Orange County announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 21, 2016, 6:30 p.m., Open House

PLACE: Sadler Elementary School (Cafeteria), 4000 W. Oak Ridge Road, Orlando, Florida 32809

GENERAL SUBJECT MATTER TO BE CONSIDERED: Project Description: Public Meeting- Oak Ridge Road Pedestrian/Bicycle Safety Study.

Orange County is conducting a Pedestrian/Bicycle Safety Study along Oak Ridge Road, from Millenia Boulevard to Orange Blossom Trail (US 441), which is approximately 3.0 miles. A major component of this project will be to study the conversion of the corridor to a divided roadway with a raised center median. The purpose of this workshop is to present the findings of the initial data collection, along with observed challenges to pedestrians/bicyclists, and to engage the public to obtain your feedback on strategies for viable pedestrian safety countermeasures.

Orange County encourages you to attend this first public meeting, to be held as part of a community-based evaluation, and provide your input to the project team.

A copy of the agenda may be obtained by contacting Christine Lofye, P.E., Orange County Project Manager, (407)836-8682, Christine.lofye@ocfl.net.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, income, disability or familial status. Persons who require language translation or interpretation services, which are provided at no cost, should contact Ricardo Daye, Orange County Title VI/Nondiscrimination Coordinator, at (407)836-5825 or Ricardo.daye@ocfl.net at least seven (7) days prior to the meeting.

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 Dianne Arnold, County ADA Coordinator, at (407)836-7588 or dianne.arnold@ocfl.net. 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: Christine Lofye, P.E., Orange County Project Manager, (407)836-8682, Christine.lofye@ocfl.net, or visit the project website at <http://www.ocfl.net/TrafficTransportation/TransportationProjects/OakRidgeRoad.aspx>.

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Office Financial Regulation has declined to rule on the petition for declaratory statement filed by Wyndham Capital Mortgage on January 21, 2016. The following is a summary of the agency’s declination of the petition:

The petition sought a declaratory statement from the Office on whether Petitioner is allowed to charge an advance fee as defined under section 494.0042(3), Florida Statutes, for locking in on a property that is “To be Determined”. The borrower would lock in and search for a property. The Advance fee would be .250% of the proposed loan amount. The Advance fee would not be refunded under these circumstances. a) The borrower chooses to NOT close their loan with Wyndham Capital Mortgage. b) The borrower does not provide complete and accurate credit information to Wyndham Capital Mortgage c) The borrower chooses a different loan product, property address, or initiates a float down / renegotiation request. April 11, 2016 – Final Order issued. Denied. Petitioner does not provide necessary and adequate facts relating to its proposed circumstances

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

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Office of Financial Regulation has received the petition for declaratory statement from Republic Finance, LLC on April 6, 2016. The petition seeks the agency’s opinion as to the applicability of Chapter 516, Florida Statutes, as it applies to the petitioner.

The petition seeks the Office’s interpretation on the following:

- 1) Does Section 516, require a specific interest computation method or is either pre-computed or simple interest allowed? Section 516.031 seems to suggest that pre-computed interest is prohibited.
- 2) It is our practice to mail out guaranteed loan offers or what we call “live checks”. Are loans by mail permitted under Florida law? Section 516.07 (5) states that “This chapter does not prevent... the making of loans by mail”. Is there a specific statute that expressly permits loans by mail?
- 3) Does Florida law permit us to sell and finance our customers voluntary enrollment in a Motor Club (or an automobile club) product when accompanying the extension of credit? Section 624.124 seems to suggest that we can offer a Motor Club product. Does it authorize other home warrant sales? I see that Section 627.8405 prohibits “premium financing companies” from financing the premiums for membership in an automobile club, however I do not believe that Republic Finance would be considered a premium financing company under the Section 627.826 definition of premium financing companies which expressly exempts Section 516 licensees. Please confirm (i) that Republic Finance would not be considered a premium financing company if it is licensed under Section 516 and (ii) that Republic Finance can offer a Motor Club product.
- 4) Does Florida law permit us to offer an Involuntary Unemployment Insurance product when accompanying the extension of credit? Regulation 69V - 160.018 (c) suggests that offering this voluntary product is permitted. Please confirm.
- 5) Are Section 516 licensees permitted to add lawfully assessed fees to the principal and then charge interest on the entire loan balance?
- 6) Does Florida law have a specific provision regarding pay-off statements? Specifically, are we required (i) to provide a written pay-off quote, (ii) in a certain amount of days? And are we permitted to charge a fee for providing the pay-off quote?
- 7) Please explain the documentary excise tax and how that tax would affect Republic Finance.

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

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9643 or Agency.Clerk@flofr.com by April 29, 2016.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Office of Financial Regulation has received the petition for declaratory statement from Superior Debt Recovery, LLC on April 12, 2016. The petition seeks the agency’s opinion as to the applicability of Chapter 520, Florida Statutes, as it applies to the petitioner.

The petition seeks the Office’s interpretation on the following:

1) If the Petitioner were to purchase the rights to a “charged off” retail installment contract, would the Petitioner be required to be licensed as a Sales Finance Company, or simply be required to be licensed as a Consumer Collection Agency, if they wanted to pursue the charge off/deficiency balance of the account, from the debtor? 2) Is the “charged-off” retail installment contract which is no longer the subject matter of a lien upon a motor vehicle, still fall under Fla. Statue 520.02 (17)? If it does not, would that exempt the Petitioner from being a “Sales Finance Company”, pursuant to Fla. Statue 520.02 (19)?

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

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9643 or Agency.Clerk@flofr.com by April 29, 2016.

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

DEPARTMENT OF CORRECTIONS

NOTICE - Union Correctional Institution - Infirmary Addition

FLORIDA DEPARTMENT OF CORRECTIONS

NOTICE

Presentations/Interviews

FDC CM-15-114

CONSTRUCTION MANAGEMENT SERVICES

FOR

UNION CORRECTIONAL INSTITUTION – INFIRMARY

ADDITION

The Florida Department of Corrections (FDC) has completed its evaluation of submittals received in response to the above referenced project, and will be conducting Presentations/Interviews with the top ranked firms.

The four top rated firms, in order of ranking are:

1. A.D. Morgan Corporation
2. Allstate Construction, Inc.
3. Cook Brothers, Inc.
4. Charles Perry Partners, Inc. (CPPI)

Presentations/Interviews, by the four named firms, will be held at 4070 Esplanade Way, Room 380F, Tallahassee, Florida on Tuesday, April 26, 2016.

Presentation times are as follows:

1. Cook Brothers, Inc.
9:00 a.m. – 10:00 a.m. (Eastern Time)
2. A.D. Morgan Corporation
10:30 a.m. – 11:30 a.m. (Eastern Time)
3. Allstate Construction, Inc.
1:30 p.m. – 2:30 p.m. (Eastern Time)
4. Charles Perry Partners, Inc. (CPPI)
3:00 p.m. – 4:00 p.m. (Eastern Time)

Persons planning to attend, who are not affiliated with the shortlisted firms, must contact Julyn Hussey at (850)717-3699 or John Melton at (850)717-3679, no later than Monday, April 25, 2016 by 12:00 Noon.

There will be no admittance after a Presentation/Interview has started.

“Failure to file a protest within the time prescribed in section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under chapter 120, Florida Statutes.”

Section XIII
Index to Rules Filed During Preceding
Week

AULD & WHITE CONSTRUCTORS, LLC
DCPS Safety Deficiencies Sandalwood High School BID
DATE POSTPONED

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.

NOTICE TO SUBCONTRACTORS
STAGE FIRE SUPPRESSION – MULTIPLE SCHOOLS
REQUEST FOR BIDS – BID DATE POSTPONED UNTIL
04/22/16

NOTICE IS HEREBY GIVEN that Auld & White Constructors, LLC, in conjunction with the Duval County Public Schools will be accepting sealed proposals, which will be received until 2:00 p.m., April 22, 2016, at Auld & White Constructors, LLC, 4168 Southpoint Parkway, Suite 101, Jacksonville, Florida 32216, for the referenced project. Bids shall be opened publicly at Auld & White Constructors, LLC, 4168 Southpoint Parkway, Suite 101, Jacksonville, Florida 32216.

SCOPE DESCRIPTION:

Stage fire detection and protection upgrades at four (4) schools including Northwestern Middle School #155, Jefferson Davis Middle School #216, Crystal Springs Elementary School #226 and Fort Caroline Middle School #238.

Interested Bidders are required to notify Auld& White Constructors, LLC, of their Intent to Bid, in writing, no later than Friday, April 15, 2016. Project drawings and specifications will be available at Auld & White Constructors, LLC, 4168 Southpoint Parkway, Suite 101, Jacksonville, Florida 32216. All interested bidders shall submit their Notice of Intent to Bid by fax to (904)296-1896, Attention Jodi Marson or email at jmarson@auld-white.com.

Duval County Public Schools and Auld& White Constructors, LLC are committed to provide equal opportunity and strongly encourage all interested M/WBE and small business firms and suppliers to submit bids.

Auld & White Constructors, LLC reserves the right to reject any and all bids, waive formalities and irregularities in bidding and to accept bids, which are considered by Auld& White Constructors, LLC to be in the best interest of the project.

Section XII
Miscellaneous

NONE