

SUBJECT AREA TO BE ADDRESSED: The proposed rulemaking updates and amends reference to the amount of delinquent fees in Rule 61-31.301(3)(a), F.A.C., based upon changes in law.

RULEMAKING AUTHORITY: 455.2035, 468.8415(2), 468.8424, FS.

LAW IMPLEMENTED: 455.2281, 455.271, 468.8412, 468.8415, 468.8417, 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.

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: Thomas J. Izzo, Assistant General Counsel, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)488-0062. 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: Thomas J. Izzo, Assistant General Counsel, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)488-0062.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-6.0035 **RULE TITLE:** Application for Provisional and/or Standard Certification

PURPOSE AND EFFECT: The purpose of the amendment is update the rule text.

SUBJECT AREA TO BE ADDRESSED: Update rule text.

RULEMAKING AUTHORITY: 468.606, 468.609 FS.

LAW IMPLEMENTED: 468.609 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: Robyn Barineau, Executive Director, Board of Building Code Administrators and Inspectors, 2601 Blair Stone Road, N12, Tallahassee, FL 32399-0790, (850)717-1394 or by electronic mail - Robyn.Barineau@myfloridalicense.com.

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NOS.: 64B5-14.001 Definitions
 64B5-14.002 Prohibitions
 64B5-14.003 Training, Education, Certification, and Requirements for Issuance of Permits
 64B5-14.0032 Itinerate/Mobile Anesthesia - Physician Anesthesiologist
 64B5-14.0034 Itinerate/Mobile Anesthesia - General Anesthesia Permit Holders
 64B5-14.004 Additional Requirements
 64B5-14.005 Application for Permit
 64B5-14.006 Reporting Adverse Occurrences
 64B5-14.007 Inspection of Facilities and Demonstration of Sedation Technique
 64B5-14.009 Conscious Sedation Requirements: Operatory, Recovery Room, Equipment, Medicinal Drugs, Emergency Protocols, Records, and Continuous Monitoring

PURPOSE AND EFFECT: The Board proposes the rule amendment to update terminology related to the use of sedation in the practice of dentistry.

SUBJECT AREA TO BE ADDRESSED: Terminology related to the use of sedation in the practice of dentistry.

RULEMAKING AUTHORITY: 466.004, 466.004(4), 466.017(3), (6), 466.017, 466.17(6) FS.

LAW IMPLEMENTED: 120.60(8), 466.002(3), 466.017(3), (4), (5), (6), 466.017 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: Jennifer Wenhold, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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

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

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. 70, April 11, 2016 issue of the Florida Administrative Register. These changes are being made to address comments provided by the Joint Administrative Procedures Committee in a letter dated May 16, 2016, and in response to public comments on the proposed rule.

58A-5.0131 Definitions.

In addition to the terms defined in Section 429.02, F.S., the following definitions are applicable in this rule chapter:

(1) through (5) No change.

(6) “Assistance with Activities of Daily Living” means individual assistance with the following:

(a) No change.

(b) Bathing – Assembling towels, soaps, ~~or~~ and other necessary supplies; helping the resident in and out of the bathtub or shower; turning the water on and off ~~and~~; adjusting water temperatures; washing and drying portions of the body that are difficult for the resident to reach; or being available while the resident is bathing.

(c) No change.

(d) Eating – Helping residents with or by cutting food ~~and~~, pouring beverages, ~~and~~ or feeding residents who are unable to feed themselves.

(e) Grooming – Helping ~~the~~ residents with shaving, oral care, care of the hair, ~~and~~ or nail care.

(f) No change.

(7) “Assistance With Transfer” means providing verbal and physical cuing or physical assistance or both while the resident moves between bed and a standing position or between bed and chair or wheelchair. The term does not include total physical assistance with transfer provided by staff to residents ~~who are unable to actively participate in the transfer.~~

(8) through (9) No change.

(10) “Case Manager” means an individual employed by or under contract with any agency or organization, public or private, who has the responsibility for assessing resident needs; planning services for the resident; coordinating and assisting residents with- gaining access to needed medical, mental health, social, housing, educational or other services; monitoring service delivery; and evaluating the effects of service delivery.

(11) “Certified Nursing Assistant (CNA)” means an individual ~~a person~~ certified under Chapter 464, Part II, F.S.

(12) “Day Care Participant” means an individual who receives services at a facility for less than 24 hours per day.

(13) “Deficiency” means an instance of non-compliance with the requirements of part II of chapter 408, F.S., part I of chapter 429, F.S., Rule Chapter 59A-35, F.A.C., and this rule chapter.

(14) “Direct Care Staff” means staff in regular or direct contact with residents who provide personal or nursing services to residents, including administrators and managers providing such services.

(15) “Distinct Part” means designated bedrooms or apartments, bathrooms and a living area; or a separately identified wing, floor, or building that includes bedrooms or apartments, bathrooms and a living area. The distinct part may include a separate dining area, or meals may be served in another part of the facility.

(16) “Elopement” means an occurrence in which a resident leaves a facility without following facility policy and procedures.

(17) “Food Service” means the storage, preparation, service, and clean-up of food intended for consumption in a facility either by facility staff or through a formal agreement that meals will be regularly catered by a third party.

(18) “Glucose Meter” or “glucometer” means a medical device that determines the approximate concentration of glucose in the blood.

(19) “Health Care Provider” means a physician or physician’s assistant licensed under Chapter 458 or 459, F.S., or advanced registered nurse practitioner licensed under Chapter 464, F.S.

(20) “Licensed Dietitian or Nutritionist” means a dietitian or nutritionist licensed under Chapter 468, Part X, F.S.

(21) “Local fire safety authority” means the Authority Having Jurisdiction as defined in Rule Chapter 69A-40, F.A.C.

~~(22)(24)~~ “Long-term Care Ombudsman Program (LTCOP)” means the long-term care ombudsman program established under Chapter 400, Part I, F.S.

~~(23)(22)~~ “Manager” means an individual who is authorized to perform the same functions as a facility administrator, and is responsible for the operation and maintenance of an assisted living facility while under the supervision of the administrator

of that facility. A manager does not include staff authorized to perform limited administrative functions during an administrator's temporary absence.

~~(24)~~~~(23)~~ "Mental Disorder" for the purposes of identifying a mental health resident, means schizophrenia and other psychotic disorders; affective disorders; anxiety related disorders; and personality and dissociative disorders. However, mental disorder does not include residents with a primary diagnosis of Alzheimer's disease, other dementias, or mental retardation.

~~(25)~~~~(24)~~ "Mental Health Care Provider" means an individual, agency, or organization providing mental health services to clients of the Department of Children and Families; an individual licensed by the state to provide mental health services; or an entity employing or contracting with individuals licensed by the state to provide mental health services.

~~(26)~~~~(25)~~ "Mental Health Case Manager" means a case manager employed by or under contract to a mental health care provider to assist mental health residents residing in a facility holding a limited mental health license.

~~(27)~~~~(26)~~ "Nurse" means a licensed practical nurse (LPN), registered nurse (RN), or advanced registered nurse practitioner (ARNP) licensed under Chapter 464, F.S.

~~(28)~~~~(27)~~ "Nursing Assessment" means a written review of information collected from observation ~~of~~ and interaction with a resident including, the resident's record, and any other relevant sources of information; the analysis of the information; and recommendations for modification of the resident's care, if warranted.

~~(29)~~~~(28)~~ "Nursing Progress Notes" or "Progress Report" means a written record of nursing services, other than medication administration or the taking of vital signs, provided to each resident who receives such services in a facility with a limited nursing or extended congregate care license. The progress notes must be completed by the nurse who delivered the service; must describe the date, type, scope, amount, duration, and outcome of services that are rendered; must describe the general status of the resident's health; must describe any deviations in the resident's health; must describe any contact with the resident's physician; and must contain the signature and credential initials of the person rendering the service.

~~(30)~~~~(29)~~ "Optional State Supplementation (OSS)" means the state program providing monthly payments to eligible residents pursuant to Section 409.212, F.S. and Rule Chapter 65A-2, F.A.C.

~~(31)~~~~(30)~~ "Owner" means a person, partnership, association, limited liability company, or corporation, that owns or leases the facility that is licensed by the agency. The term does not include a person, partnership, association, limited

liability company, or corporation that contracts only to manage or operate the facility.

~~(32)~~~~(31)~~ "Physician" means an individual licensed under Chapter 458 or 459, F.S.

~~(33)~~~~(32)~~ "Pill organizer" means a container that is designed to hold solid doses of medication and is divided according to day or ~~and~~ time increments.

~~(34)~~~~(33)~~ "Registered dietitian" means an individual registered with the Commission on Dietetic Registration, the accrediting body of the Academy of Nutrition and Dietetics.

~~(35)~~~~(34)~~ "Respite Care" means facility-based supervision of an impaired adult for the purpose of relieving the primary caregiver.

~~(36)~~~~(35)~~ "Significant Change" means either a sudden or major shift in the behavior or mood of a resident that is inconsistent with the resident's diagnosis, or a deterioration in the resident's health status such as unplanned weight change, stroke, heart condition, enrollment in hospice, or stage 2, 3 or 4 pressure sore. Ordinary day-to-day fluctuations in a resident's functioning and behavior, short-term illnesses such as colds, or the gradual deterioration in the resident's ability to carry out the activities of daily living that accompanies the aging process are not considered significant changes.

~~(37)~~~~(36)~~ "Staff" means any individual employed by a facility, contracting with a facility to provide direct or indirect services to residents, or employed by a firm under contract with a facility to provide direct or indirect services to residents when present in the facility. The term includes volunteers performing any service that counts toward meeting any staffing requirement of this rule chapter.

~~(38)~~~~(37)~~ "Staff in Regular Contact" or "Staff in Direct Contact" mean all staff whose duties may require them to interact with residents on a daily basis.

~~(39)~~~~(38)~~ "Third Party" means any individual or business entity providing services to residents in a facility that is not staff of the facility.

~~(40)~~~~(39)~~ "Universal Precautions" are a set of precautions designed to prevent transmission of human immunodeficiency virus (HIV), hepatitis B virus (HBV), and other bloodborne pathogens when providing first aid or health care. Universal precautions require that the blood and certain body fluids of all residents be considered potentially infectious for HIV, HBV, and other bloodborne pathogens.

~~(41)~~~~(40)~~ "Unscheduled Service Need" means a need for a personal service, nursing service, or mental health intervention that cannot be predicted in advance and that must be met promptly to ensure that the health, safety, and welfare of residents is preserved.

Rulemaking Authority ~~429.23~~, 429.41 FS. Law Implemented 429.07, 429.075, 429.11, 429.14, 429.19, 429.41, 429.47, 429.52 FS. History—

New 9-30-92, Formerly 10A-5.0131, Amended 10-30-95, 6-2-96, 4-20-98, 10-17-99, 1-9-02, 7-30-06, 4-15-10, 4-17-14,_____.

58A-5.014 Licensing and Change of Ownership. No change.

58A-5.0181 Admission Procedures, Appropriateness of Placement and Continued Residency Criteria.

(1) ADMISSION CRITERIA.

(a) An individual must meet the following minimum criteria in order to be admitted to a facility holding a standard, limited nursing, or limited mental health license:

1. No change.

2. Be free from signs and symptoms of any communicable disease that is likely to be transmitted to other residents or staff. An individual who has human immunodeficiency virus (HIV) infection may be admitted to a facility, provided that the individual would otherwise be eligible for admission according to this rule.

3. through 4. No change.

5. Be capable of taking medication, by either self-administration, assistance with self-administration, or administration of medication.

a. If the resident needs assistance with self-administration of medication, the facility must inform the resident of the professional qualifications of facility staff who will be providing this assistance. If unlicensed staff will be providing assistance with self-administration of medication, the facility must obtain written informed consent from the resident or the resident's surrogate, guardian, or attorney-in-fact.

b. The facility may accept a resident who requires the administration of medication if the facility employs a nurse who will provide this service or the resident, or the resident's legal representative, designee, surrogate, guardian, or attorney-in-fact, contracts with a third party licensed to provide this service to the resident.

6. through 9. No change.

10. Not have any stage 3 or 4 pressure sores. A resident requiring care of a stage 2 pressure sore may be admitted provided that:

a. The resident either:

(I) Resides in a standard or limited nursing services licensed facility and contracts directly with a licensed home health agency or nurse to provide care; or

(II) Resides in a limited nursing services licensed facility and care is provided by the facility pursuant to a plan of care issued by a health care provider;

b. The condition is documented in the resident's record and admission and discharge logs; and

c. No change.

11. Residents admitted to standard, limited nursing services, or limited mental health licensed facilities may not require any of the following nursing services:

a. Artificial airway management of any kind, except that of continuous positive airway pressure may be provided through the use of a CPAP or bipap machine;

b. through c. No change.

d. Management of post-surgical drainage tubes and wound vacuum devices; ~~or~~

e. The administration of blood products in the facility; or
~~f.e.~~ Treatment of surgical incisions or wounds, unless the surgical incision or wound and the underlying condition have been stabilized and a plan of care has been developed. The plan of care must be maintained in the resident's record.

12. In addition to the nursing services listed above, residents admitted to facilities holding only standard and/or limited mental health licenses may not require any of the following nursing services:

a. Hemodialysis and peritoneal dialysis performed in the facility;

b. Intravenous therapy performed in the facility, including blood products and medications;

13. Not require 24-hour nursing supervision.

14. Not require skilled rehabilitative services as described in Rule 59G-4.290, F.A.C.

15. Be appropriate for admission to the facility as determined by the facility administrator. The administrator must base the determination on:

a. An assessment of the strengths, needs, and preferences of the individual;

b. The medical examination report required by Section 429.26, F.S., and subsection (2) of this rule, if available;

c. The facility's admission policy and the services the facility is prepared to provide or arrange in order to meet resident needs. Such services may not exceed the scope of the facility's license unless specified elsewhere in this rule; and

d. The ability of the facility to meet the uniform fire safety standards for assisted living facilities established in Rule Chapter 69A-40, F.A.C.

(b) A resident who otherwise meets the admission criteria for residency in a standard licensed facility, but who requires assistance with the administration and regulation of portable oxygen or assistance with routine colostomy care of stoma site flange placement, may be admitted to a facility with a standard license as long as the facility has a nurse on staff or under contract to provide the assistance or to provide training to the resident on how to perform these functions themselves.

(c) Nursing staff may not provide training to unlicensed persons, as defined in Section 429.256(1)(b), F.S., to perform skilled nursing services, and may not delegate the nursing

services described in this section to certified nursing assistants or unlicensed persons.

(d) An individual enrolled in and receiving hospice services may be admitted to an assisted living facility as long as the individual otherwise meets resident admission criteria.

(e) Resident admission criteria for facilities holding an extended congregate care license are described in Rule 58A-5.030, F.A.C.

(2) HEALTH ASSESSMENT. As part of the admission criteria, an individual must undergo a face-to-face medical examination completed by a health care provider as specified in either paragraph (a) or (b) of this subsection.

(a) No change.

(b) A medical examination completed after the resident's admission to the facility within 30 calendar days of the admission date. The examination must be recorded on AHCA Form 1823, Resident Health Assessment for Assisted Living Facilities, ~~March 2017, October 2010. The form which is hereby~~ incorporated by reference ~~and available online at: AHCA Form 1823 may be obtained~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref 04006>. Faxed or electronic copies of the completed form are acceptable. The form must be completed as instructed.

1. Items on the form that have been omitted by the health care provider during the examination may be obtained by the facility either orally or in writing from the health care provider.

2. through 3. No change.

(c) through (e) No change.

(f) Any orders issued by the health care provider conducting the medical examination for medications, nursing, therapeutic diets, or other services to be provided or supervised by the facility may be attached to the health assessment. A health care provider may attach a DH Form 1896, Florida Do Not Resuscitate Order Form, for residents who do not wish cardiopulmonary resuscitation to be administered in the case of cardiac or respiratory arrest.

(g) A resident placed in a facility on a temporary emergency basis by the Department of Children and Families pursuant to Section 415.105 or 415.1051, F.S., is exempt from the examination requirements of this subsection for up to 30 days. However, a resident accepted for temporary emergency placement must be entered on the facility's admission and discharge log and counted in the facility census. A facility may not exceed its licensed capacity in order to accept such a resident. A medical examination must be conducted on any temporary emergency placement resident accepted for regular admission.

(3) ADMISSION PACKAGE.

(a) The facility must make available to potential residents a written statement(s) that includes the following information listed below. Providing a copy of the facility resident contract

or facility brochure containing all the required information meets this requirement.

1. through 11. No change.

12. If the facility is licensed to provide extended congregate care, the facility's must include residency criteria for residents receiving extended congregate care services. The facility must also provide a description of the additional personal, supportive, and nursing services provided by the facility including additional costs and any limitations on where extended congregate care residents may reside based on the policies and procedures described in Rule 58A-5.030, F.A.C.;

13. through 14. No change.

(b) Before or at the time of admission, the resident, or ~~to~~ the resident's responsible party, guardian, or attorney-in-fact, if applicable, must be provided with the following:

1. through 4. No change.

(c) No change.

(4) CONTINUED RESIDENCY. Except as follows in paragraphs (a) through ~~(c)(e)~~ of this subsection, criteria for continued residency in any licensed facility must be the same as the criteria for admission. As part of the continued residency criteria, a resident must have a face-to-face medical examination by a health care provider at least every 3 years after the initial assessment, or after a significant change, whichever comes first. A significant change is defined in Rule 58A-5.0131, F.A.C. The results of the examination must be recorded on AHCA Form 1823, which is incorporated by reference in paragraph (2)(b) of this rule and must be completed in accordance with that paragraph. Exceptions to the requirement to meet the criteria for continued residency are include:

(a) The resident may be bedridden for no more than 7 consecutive days.

(b) No change.

(c) A terminally ill resident who no longer meets the criteria for continued residency may continue to reside in the facility if the following conditions are met:

1. The resident qualifies for, is admitted to, and consents to receive services from a licensed hospice that coordinates and ensures the provision of any additional care and services that the resident may need;

2. Both the resident, or the resident's legal representative if applicable, and the facility agree to continued residency;

3. A licensed hospice, in consultation with the facility, develops and implements a interdisciplinary care plan that specifies the services being provided by hospice and those being provided by the facility; and

4. No change.

(d) The facility administrator is responsible for monitoring the continued appropriateness of placement of a resident in the facility at all times.

(e) A hospice resident that meets the qualifications of continued residency pursuant to this subsection may only receive services from the assisted living facility's staff which are within the scope of the facility's license.

(f) through (g) No change.

(5) No change.

Rulemaking Authority 429.07, 429.41 FS. Law Implemented 429.07, 429.26, 429.28, 429.41 FS. History--New 9-17-84, Formerly 10A-5.181, Amended 10-20-86, 6-21-88, 8-15-90, 9-30-92, Formerly 10A-5.0181, Amended 10-30-95, 6-2-96, 10-17-99, 7-30-06, 10-9-06, 4-15-10, 10-14-10, 4-17-14, _____.

58A-5.0182 Resident Care Standards.

An assisted living facility must provide care and services appropriate to the needs of residents accepted for admission to the facility.

(1) SUPERVISION. Facilities must offer personal supervision as appropriate for each resident, including the following:

(a) through (c) No change.

(d) Contacting the resident's health care provider and other appropriate party such as the resident's family, guardian, health care surrogate, or case manager if the resident exhibits a significant change.

(e) Contacting the resident's family, guardian, health care surrogate, or case manager if the resident is discharged or moves out.

(f) Maintaining a written record, updated as needed, of any significant changes, any illnesses that resulted in medical attention, changes in the method of medication administration, or other changes that resulted in the provision of additional services.

(2) SOCIAL AND LEISURE ACTIVITIES. Residents shall be encouraged to participate in social, recreational, educational and other activities within the facility and the community.

(a) No change.

(b) The facility must consult with the residents in selecting, planning, and scheduling activities. The facility must demonstrate residents' participation through one or more of the following methods: resident meetings, committees, a resident council, a monitored suggestion box, group discussions, questionnaires, or any other form of communication appropriate to the size of the facility.

(c) through (d) No change.

(3) through (5) No change.

(6) RESIDENT RIGHTS AND FACILITY PROCEDURES.

(a) No change.

(b) In accordance with Section 429.28, F.S., the facility must have a written grievance procedure for receiving and responding to resident complaints and a written procedure to

allow residents to recommend changes to facility policies and procedures. The facility must be able to demonstrate that such procedure is implemented upon receipt of a complaint.

(c) The telephone number for lodging complaints against a facility or facility staff must be posted in full view in a common area accessible to all residents. The telephone numbers are: the Long-Term Care Ombudsman Program, 1(888) 831-0404; Disability Rights Florida, 1(800) 342-0823; the Agency Consumer Hotline 1(888) 419-3456, and the statewide toll-free telephone number of the Florida Abuse Hotline, 1(800) 96-ABUSE or 1(800) 962-2873. The telephone numbers must be posted in close proximity to a telephone accessible by residents and the text must be a minimum of 14-point font.

(d) The facility must have a written statement of its house rules and procedures that must be included in the admission package provided pursuant to Rule 58A-5.0181, F.A.C. The rules and procedures must at a minimum address the facility's policies regarding:

1. No change.
2. Alcohol and tobacco use;
3. through 8. No change.

(e) Residents may not be required to perform any work in the facility without compensation. Residents may be required to clean their own sleeping areas or apartments if the facility rules or the facility contract includes such a requirement. If a resident is employed by the facility, the resident must be compensated in compliance with state and federal wage laws.

(f) The facility must provide residents with convenient access to a telephone to facilitate the resident's right to unrestricted and private communication, pursuant to Section 429.28(1)(d), F.S. The facility must allow unidentified telephone calls to residents. For facilities with a licensed capacity of 17 or more residents in which residents do not have private telephones, there must be, at a minimum, a readily accessible telephone on each floor of each building where residents reside.

(g) In addition to the requirements of Section 429.41(1)(k), F.S., the use of physical restraints by a facility on a resident must be reviewed by the resident's physician annually. Any device, including half-bed rails, which the resident chooses to use and can remove or avoid without assistance, is not considered a physical restraint.

(7) THIRD PARTY SERVICES.

(a) through (b) No change.

(c) If residents accept assistance from the facility in arranging and coordinating third party services, the facility's assistance does not represent a guarantee that third party services will be received. If the facility's efforts to make arrangements for third party services are unsuccessful or declined by residents, the facility must include documentation in the residents' record explaining why its efforts were

unsuccessful. This documentation will serve to demonstrate its compliance with this subsection.

(8) ELOPEMENT STANDARDS.

(a) Residents Assessed at Risk for Elopement. All residents assessed at risk for elopement or with any history of elopement must be identified so staff can be alerted to their needs for support and supervision. All residents must be assessed for risk of elopement by a health care provider or a mental health care provider prior to being admitted to a facility. If the resident has had a health assessment performed prior to admission pursuant to Rule 58A-5.0181(2)(a), F.A.C., this requirement is satisfied. A resident placed in a facility on a temporary emergency basis by the Department of Children and Families pursuant to Section 415.105 or 415.1051, F.S., is exempt from this requirement for up to 30 days.

1. As part of its resident elopement response policies and procedures, the facility must make, at a minimum, a daily effort to determine that at risk residents have identification on their persons that includes their name and the facility's name, address, and telephone number. Staff trained pursuant to Rule 58A-5.0191(10)(a) or (c), F.A.C., must be generally aware of the location of all residents assessed at high risk for elopement at all times. Staff attention must be directed towards residents assessed at high risk for elopement, with special attention given to those with Alzheimer's disease or related disorders assessed at high risk.

2. ~~At a minimum,~~ The facility must have a photo identification of at risk residents on file that is accessible to all facility staff and law enforcement as necessary. The facility's file must contain the resident's photo identification upon within 10 days of admission or upon within 10 days of being assessed at risk for elopement subsequent to admission. The photo identification may be provided by the facility, the resident, or the resident's representative.

(b) through (c) No change.

(9) No change.

Rulemaking Authority 429.41 FS. Law Implemented 429.255, 429.26, 429.28, 429.41 FS. History—New 9-17-84, Formerly 10A-5.182, Amended 10-20-86, 6-21-88, 8-15-90, 9-30-92, Formerly 10A-5.0182, Amended 10-30-95, 4-20-98, 11-2-98, 10-17-99, 7-30-06, 10-9-06, 4-15-10, 4-17-14, _____.

58A-5.0185 Medication Practices.

Pursuant to Sections 429.255 and 429.256, F.S., and this rule, licensed facilities may assist with the self-administration or administration of medications to residents in a facility. A resident may not be compelled to take medications but may be counseled in accordance with this rule.

(1) No change.

(2) PILL ORGANIZERS.

(a) Only a resident who self-administers medications may maintain a pill organizer.

(b) Unlicensed staff may not provide assistance with the contents of pill organizers.

(c) through (d) No change.

(3) ASSISTANCE WITH SELF-ADMINISTRATION.

(a) Any unlicensed person providing assistance with self-administration of medication must be 18 years of age or older, trained to assist with self-administered medication pursuant to the training requirements of Rule 58A-5.0191, F.A.C., and must be available to assist residents with self-administered medications in accordance with ~~the~~ procedures described in Section 429.256, F.S., and this Rule Chapter, ~~and the Assistance with Self Administration of Medication Guide XXXX 2015.~~

(b) In addition to the specifications of Section 429.256(3), F.S., assistance with self-administration of medication includes reading the medication label aloud and verbally prompting a resident to take medications as prescribed.

(c) through (e)(f) No change.

(f) Assistance with self-administration of medication does not include the activities detailed in Section 429.256(4), F.S.

1. As used in Section 429.256(4)(g)(h), F.S., the term "competent resident" means that the resident is cognizant of when a medication is required and understands the purpose for taking the medication.

2. As used in Section 429.256(4)(h)(i), F.S., the terms "judgment" and "discretion" mean interpreting vital signs and evaluating or assessing a resident's condition.

(g) All trained staff must adhere to the facility's infection control policy and procedures when assisting with the self-administration of medication.

(4) MEDICATION ADMINISTRATION.

(a) For facilities that provide medication administration, a staff member licensed to administer medications must be available to administer medications in accordance with a health care provider's order or prescription label.

(b) Unusual reactions to the medication or a significant change in the resident's health or behavior that may be caused by the medication must be documented in the resident's record and reported immediately to the resident's health care provider. The contact with the health care provider must also be documented in the resident's record.

(c) Medication administration includes conducting any examination or other procedure necessary for the proper administration of medication that the resident cannot conduct personally and that can be performed by licensed staff.

(d) No change.

(5) MEDICATION RECORDS.

(a) No change.

(b) The facility must maintain a daily medication observation record for each resident who receives assistance with self-administration of medications or medication

administration. A medication observation record must be immediately updated each time the medication is offered or administered and include:

1. The name of the resident and any known allergies the resident may have;
2. The name of the resident's health care provider and the health care provider's telephone number;
3. The name, strength, and directions for use of each medication; and
4. A chart for recording each time the medication is taken, any missed dosages, refusals to take medication as prescribed, or medication errors.

(c) No change.

(6) MEDICATION STORAGE AND DISPOSAL.

(a) In order to accommodate the needs and preferences of residents and to encourage residents to remain as independent as possible, residents may keep their medications, both prescription and over-the-counter, in their possession both on or off the facility premises. Residents may also store their medication in their rooms or apartments if either the room is kept locked when residents are absent or the medication is stored in a secure place that is out of sight of other residents.

(b) Both prescription and over-the-counter medications for residents must be centrally stored if:

1. The facility administers the medication;
2. The resident requests central storage. The facility must maintain a list of all medications being stored pursuant to such a request;
3. The medication is determined and documented by the health care provider to be hazardous if kept in the personal possession of the person for whom it is prescribed;
4. The resident fails to maintain the medication in a safe manner as described in this paragraph;
5. The facility determines that, because of physical arrangements and the conditions or habits of residents, the personal possession of medication by a resident poses a safety hazard to other residents; or
6. The facility's rules and regulations require central storage of medication and that policy has been provided to the resident before admission as required in Rule 58A-5.0181, F.A.C.

(c) Centrally stored medications must be:

1. Kept in a locked cabinet; locked cart; or other locked storage receptacle, room, or area at all times;
2. Located in an area free of dampness and abnormal temperature, except that a medication requiring refrigeration must be kept refrigerated. Refrigerated medications must be secured by being kept in a locked container within the refrigerator, by keeping the refrigerator locked, or by keeping the area in which the refrigerator is located locked;

3. Accessible to staff responsible for filling pill-organizers, assisting with self-administration of medication, or administering medication. Such staff must have ready access to keys or codes to the medication storage areas at all times; and

4. No change.

(d) No change.

(e) When a resident's stay in the facility has ended, the administrator must return all medications to the resident, the resident's family, or the resident's guardian unless otherwise prohibited by law. If, after notification and waiting at least 15 days, the resident's medications are still at the facility, the medications are considered abandoned and may be disposed of in accordance with paragraph (f).

(f) No change.

(g) No change.

(7) MEDICATION LABELING AND ORDERS.

(a) The facility may not store prescription drugs for self-administration, assistance with self-administration, or administration unless they are properly labeled and dispensed in accordance with Chapters 465 and 499, F.S. and Rule 64B16-28.108, F.A.C. If a customized patient medication package is prepared for a resident, and separated into individual medicinal drug containers, then the following information must be recorded on each individual container:

1. No change.

2. The identification of each medicinal drug in the container.

(b) through (c) No change.

(d) Any change in directions for use of a medication that the facility is administering or providing assistance with self-administration must be accompanied by a written, faxed, or electronic copy of a medication order issued and signed by the resident's health care provider. The new directions must promptly be recorded in the resident's medication observation record. The facility may then obtain a revised label from the pharmacist or place an "alert" label on the medication container that directs staff to examine the revised directions for use in the medication observation record.

(e) through (h) No change.

(8) OVER THE COUNTER (OTC) PRODUCTS. For purposes of this subsection, the term over the counter includes, but is not limited to, over the counter medications, vitamins, nutritional supplements and nutraceuticals, hereafter referred to as OTC products, that can be sold without a prescription.

(a) A facility may keep a stock supply of OTC products for multiple resident use. When ~~providing dispensing~~ any OTC product that is kept by the facility as a stock supply to a resident, the staff member ~~providing dispensing~~ the medication must record the name and amount of the OTC product ~~provided dispensed~~ in the resident's medication observation record. All OTC products kept as a stock supply must be stored in a locked

container or secure room in a central location within the facility and must be labeled with the medication's name, the date of purchase, and with a notice that the medication is part of the facility's stock supply.

(b) OTC products, including those prescribed by a health care provider but excluding those kept as a stock supply by the facility, must be labeled with the resident's name and the manufacturer's label with directions for use, or the health care provider's directions for use. No other labeling requirements are required.

(c) through (d) No change.

Rulemaking Authority 429.256, 429.41 FS. Law Implemented 429.255, 429.256, 429.41 FS. History—New 10-17-99, Amended 7-30-06, 4-15-10, 10-14-10, 3-13-14, _____.

58A-5.019 Staffing Standards.

(1) ADMINISTRATORS. Every facility must be under the supervision of an administrator who is responsible for the operation and maintenance of the facility including the management of all staff and the provision of appropriate care to all residents as required by Chapters 408, Part II, 429, Part I, F.S. and Rule Chapter 59A-35, F.A.C., and this rule chapter.

(a) An administrator must:

1. through 3. No change.

4. Complete the core training and core competency test requirements pursuant to Rule 58A-5.0191, F.A.C., no later than 90 days after becoming employed as a facility administrator. Administrators who attended core training prior to July 1, 1997, are not required to take the competency test unless specified elsewhere in this rule; and

5. No change.

(b) through (e) No change.

(c) Administrators may supervise a maximum of either three assisted living facilities or a group of facilities on a single campus providing housing and health care.

1. Except as detailed in subparagraphs 2. and 3., administrators who supervise more than one facility must appoint in writing a separate manager for each facility.

2. However, an administrator supervising a maximum of three assisted living facilities, each licensed for 16 or fewer beds and all within a 15 mile radius of each other, is only required to appoint two managers to assist in the operation and maintenance of those facilities.

3. An administrator may supervise up to 3 assisted living facilities, each licensed for 16 or fewer beds and all within a 5 mile radius of each other, without appointing managers to assist in the operation and maintenance of those facilities if:

a. All such facilities are under common ownership;

b. All such facilities follow the same policies and procedures;

c. None of the facilities have any class I violations, class II violations or violations regarding background screening procedures imposed within the prior 2 years; and

d. None of the facilities have any uncorrected class III or class IV violations imposed within the prior 2 years.

4. An administrator who is supervising multiple facilities pursuant to subparagraph 3. must, within 30 days, appoint a manager for any facility he or she is supervising if that facility, at any time, no longer meets the criteria listed in subsubparagraphs 3.a. through 3.d.

(d) An individual serving as a manager must satisfy the same qualifications, background screening, core training and competency test requirements, and continuing education requirements as an administrator pursuant to paragraph (1)(a) of this rule. Managers who attended the core training program prior to April 20, 1998, are not required to take the competency test unless specified elsewhere in this rule. In addition, a manager may not serve as a manager of more than a single facility, except as provided in paragraph (1)(c) of this rule, and may not simultaneously serve as an administrator of any other facility.

(e) Pursuant to Section 429.176, F.S., facility owners must notify the Agency Central Office within 10 days of a change in facility administrator on the Notification of Change of Administrator form, AHCA Form 3180-1006, June 2016 ~~October 2015~~, which is incorporated by reference and available online at: _____

<http://www.flrules.org/Gateway/reference.asp?No+Ref+04002>.

(2) STAFF.

(a) Within 30 days after beginning employment, newly hired staff must submit a written statement from a health care provider documenting that the individual does not have any signs or symptoms of communicable disease. The examination performed by the health care provider must have been conducted no earlier than 6 months before submission of the statement. Newly hired staff does not include an employee transferring without a break in service from one facility to another when the facility is under the same management or ownership.

1. Evidence of a negative tuberculosis examination must be documented on an annual basis. Documentation provided by the Florida Department of Health or a licensed health care provider certifying that there is a shortage of tuberculosis testing materials satisfies the annual tuberculosis examination requirement. An individual with a positive tuberculosis test must submit a health care provider's statement that the individual does not constitute a risk of communicating tuberculosis.

2. No change.

(b) through (f) No change.

(3) STAFFING STANDARDS.

(a) Minimum staffing:

1. Facilities must maintain the following minimum staff hours per week:

Number of Residents, Day Care Participants, and Respite Care Residents	Staff Hours/Week
0-5	168
6-15	212
16- 25	253
26-35	294
36-45	335
46-55	375
56- 65	416
66-75	457
76-85	498
86-95	539

For every 20 total combined residents, day care participants, and respite care residents over 95 add 42 staff hours per week.

2. Independent living residents, as referenced in subsection 58A-5.024(3), F.A.C., who occupy beds included within the licensed capacity of an assisted living facility but do not receive personal, limited nursing, or extended congregate care services, are not counted as residents for purposes of computing minimum staff hours.

3. through 4. No change.

5. A staff member who has completed courses in First Aid and Cardiopulmonary Resuscitation (CPR) and holds a currently valid card documenting completion of such courses must be in the facility at all times.

a. Documentation of attendance at First Aid or CPR courses pursuant to Rule 58A-5.0191(5), F.A.C., ~~offered by an accredited college, university or vocational school; a licensed hospital; the American Red Cross, American Heart Association, or National Safety Council; or a provider approved by the Department of Health,~~ satisfies this requirement.

b. A nurse is considered as having met the course requirements for First Aid. In addition, an emergency medical technician or paramedic currently certified under Chapter 401, Part III, F.S., is considered as having met the course requirements for both First Aid and CPR.

6. through 9. No change.

(b) No change.

(c) The facility must maintain a written work schedule that reflects its 24-hour staffing pattern for a given time period. Upon request, the facility must make the daily work schedules of direct care staff available to residents or their representatives.

(d) The facility must provide staff immediately when the agency determines that the requirements of paragraph (a) are not met. The facility must immediately increase staff above the

minimum levels established in paragraph (a) if the agency determines that adequate supervision and care are not being provided to residents, resident care standards described in Rule 58A-5.0182, F.A.C., are not being met, or that the facility is failing to meet the terms of residents' contracts. The agency will consult with the facility administrator and residents regarding any determination that additional staff is required. Based on the recommendations of the local fire safety authority, the agency may require additional staff when the facility fails to meet the fire safety standards described in Rule Chapter 69A-40, F.A.C., until such time as the local fire safety authority informs the agency that fire safety requirements are being met.

1. When additional staff is required above the minimum, the agency will require the submission of a corrective action plan within the time specified in the notification indicating how the increased staffing is to be achieved to meet resident service needs. The plan will be reviewed by the agency to determine if it sufficiently increases the staffing levels to meet resident needs.

2. When the facility can demonstrate to the agency that resident needs are being met, or that resident needs can be met without increased staffing, the agency may modify staffing requirements for the facility and the facility will no longer be required to maintain a plan with the agency.

(e) through (f) No change.

Rulemaking Authority 429.41, 429.52 FS. Law Implemented 429.174, 429.176, 429.41, 429.52 FS. History—New 5-14-81, Amended 1-6-82, 9-17-84, Formerly 10A-5.19, Amended 10-20-86, 6-21-88, 8-15-90, 9-30-92, Formerly 10A-5.019, Amended 10-30-95, 4-20-98, 11-2-98, 10-17-99, 7-30-06, 4-15-10, 4-17-14, _____.

58A-5.0191 Staff Training Requirements and Competency Test.

(1) ASSISTED LIVING FACILITY CORE TRAINING REQUIREMENTS AND COMPETENCY TEST.

(a) through (b) No change.

(c) Administrators and managers shall participate in 12 hours of continuing education in topics related to assisted living every 2 years.

(d) through (e) No change.

(2) STAFF PRESERVICE ORIENTATION.

(a) Facilities must provide a preservice orientation of at least 2 hours to all new assisted living facility employees who have not previously completed core training as detailed in subsection (1).

(b) New staff must complete the preservice orientation prior to interacting with residents.

(c) Once complete, the employee and the facility administrator must sign a statement that the employee completed the preservice orientation which must be kept in the employee's personnel record.

(d) In addition to topics that may be chosen by the facility administrator, At a minimum the preservice orientation must cover:

1. Resident's rights; and
2. The facility's license type and services offered by the facility; ÷
3. ~~The facility's expectations for the employee and the consequences if the employee does not perform according to such expectations; and~~

(3) STAFF IN-SERVICE TRAINING. Facility administrators or managers shall provide or arrange for the following in-service training to facility staff:

(a) Staff who provide direct care to residents, other than nurses, certified nursing assistants, or home health aides trained in accordance with Rule 59A-8.0095, F.A.C., must receive a minimum of 1 hour in-service training in infection control, including universal precautions and facility sanitation procedures, before providing personal care to residents. The facility must use its infection control policies and procedures when offering this training. Documentation of compliance with the staff training requirements of 29 CFR 1910.1030, relating to blood borne pathogens, may be used to meet this requirement.

(b) Staff who provide direct care to residents must receive a minimum of 1 hour in-service training within 30 days of employment that covers the following subjects:

1. No change.
2. No change.

(c) Staff who provide direct care to residents, who have not taken the core training program, shall receive a minimum of 1 hour in-service training within 30 days of employment that covers the following subjects:

1. No change.
2. Recognizing and reporting resident abuse, neglect, and exploitation. The facility must use its abuse prevention policies ~~policy~~ and procedures when offering this training.

(d) through (f) No change.

(4) No change.

(5) FIRST AID AND CARDIOPULMONARY RESUSCITATION (CPR). A staff member who has completed courses in First Aid and CPR and holds a currently valid card documenting completion of such courses must be in the facility at all times.

(a) Documentation that the staff member possess current CPR certification that requires the student to demonstrate, in person, that he or she is able to perform CPR and which is issued by an instructor or training provider that is approved to provide CPR training by the American Red Cross, ~~the American Safety and Health Institute~~, the American Heart Association, the National Safety Council, or an organization whose training is accredited by the Commission on

Accreditation for Pre-Hospital Continuing Education a provider approved by the Department of Health satisfies this requirement.

(b) No change.

(6) ASSISTANCE WITH THE SELF-ADMINISTRATION OF MEDICATION AND MEDICATION MANAGEMENT. Unlicensed persons who will be providing assistance with the self-administration of medications as described in Rule 58A-5.0185, F.A.C., must meet the training requirements pursuant to Section 429.52(6), F.S., prior to assuming this responsibility. Courses provided in fulfillment of this requirement must meet the following criteria:

(a) Training must cover state law and rule requirements, ~~including and~~ the Assistance With Self-Administration of Medication Guide, May 2017 (Date and version), which is incorporated by reference and available online found at: ~~(Website).~~ The Assistance With Self-Administration of Medication Guide includes a page from AHCA Form 1823; AHCA Form 1823 is incorporated by reference in Rule 58A-5.0181(2)(b), F.A.C. and Training must include demonstrations of proper techniques, including techniques for infection control, and ensure unlicensed staff have adequately demonstrated that they have acquired the skills necessary to provide such assistance. Training may not conflict with the guidelines in the Assistance With Self-Administration of Medication Guide.

(b) The training must be provided by a registered nurse or licensed pharmacist who shall issue a training certificate to a trainee who demonstrates, in person and both physically and verbally, the ability to:

1. No change.
2. Provide assistance with self-administration in accordance with Section 429.256, F.S. and Rule 58A-5.0185, F.A.C., including:
 - a. through e. No change.
 - f. Retrieve and store medication;
 - g. Recognize the general signs of adverse reactions to medications and report such reactions;
 - h. Assist residents with insulin pens by dialing the prescribed amount to be injected and handing the pen to the resident for self-injection. Only insulin syringes that are prefilled with the proper dosage by a pharmacist or a manufacturer may be used;
 - i. Assist with nebulizers;
 - j. Use a glucometer to perform blood glucose testing;
 - k. Assist residents with oxygen nasal cannulas and continuous positive airway pressure (CPAP) devices, excluding the titration of the oxygen levels;
 - l. Apply and remove anti-embolism stockings and hosiery;
 - m. Placement and removal of colostomy bags, excluding the removal of the flange or manipulation of the stoma site; and

n. Measurement of blood pressure, heart rate, temperature, and respiratory rate.

(c) Unlicensed persons, as defined in Section 429.256(1)(b), F.S., who provide assistance with self-administered medications and have successfully completed the initial 6-hour training, must obtain, annually, a minimum of 2 hours of continuing education training on providing assistance with self-administered medications and safe medication practices in an assisted living facility. The 2 hours of continuing education training may be provided online.

(d) Trained unlicensed staff who, prior to the effective date of this rule, assist with the self-administration of medication and have successfully completed 4 hours of assistance with self-administration of medication training must complete an additional 2 hours of training that focuses on the topics listed in sub-subparagraphs ~~(6)(5)(b)2.h.-n.~~ of this section before assisting with the self-administration of medication procedures listed in sub-subparagraphs ~~(6)(5)(b)2.h.-n.~~

(7) NUTRITION AND FOOD SERVICE. The administrator or person designated by the administrator as responsible for the facility's food service and the day-to-day supervision of food service staff must obtain, annually, a minimum of 2 hours continuing education in topics pertinent to nutrition and food service in an assisted living facility. This requirement does not apply to administrators and designees who are exempt from training requirements under Rule 58A-5.020(1)(b). A certified food manager, licensed dietician, registered dietary technician or health department sanitarian is qualified to train assisted living facility staff in nutrition and food service.

(8) EXTENDED CONGREGATE CARE (ECC) TRAINING.

(a) The administrator and ECC supervisor, if different from the administrator, must complete core training and 4 hours of initial training in extended congregate care prior to the facility's receiving its ECC license or within 3 months of beginning employment in a currently licensed ECC facility as an administrator or ECC supervisor. Successful completion of the assisted living facility core training shall be a prerequisite for this training. ECC supervisors who attended the assisted living facility core training prior to April 20, 1998, shall not be required to take the assisted living facility core training competency test.

(b) The administrator and the ECC supervisor, if different from the administrator, must complete a minimum of 4 hours of continuing education every two years in topics relating to the physical, psychological, or social needs of frail elderly and disabled persons, or persons with Alzheimer's disease or related disorders.

(c) All direct care staff providing care to residents in an ECC program must complete at least 2 hours of in-service

training, provided by the facility administrator or ECC supervisor, within 6 months of beginning employment in the facility. The training must address ECC concepts and requirements, including statutory and rule requirements, and the delivery of personal care and supportive services in an ECC facility.

(9) LIMITED MENTAL HEALTH TRAINING.

(a) Pursuant to Section 429.075, F.S., the administrator, managers and staff, who have direct contact with mental health residents in a licensed limited mental health facility, must receive the following training:

1. A minimum of 6 hours of specialized training in working with individuals with mental health diagnoses.

a. No change.

b. Training received under this subparagraph may count once for 6 of the 12 hours of continuing education required for administrators and managers pursuant to Section 429.52(5), F.S., and subsection (1) of this rule.

2. A minimum of 3 hours of continuing education, which may be provided by the ALF administrator, online, or through distance learning, biennially thereafter in subjects dealing with one or more of the following topics:

a. No change.

b. Mental health treatment such as:

(I)~~I~~. Mental health needs, services, behaviors and appropriate interventions;

(II)~~II~~. Resident progress in achieving treatment goals;

(III)~~III~~. How to recognize changes in the resident's status or condition that may affect other services received or may require intervention; and

(IV)~~IV~~. Crisis services and the Baker Act procedures.

3. For administrators and managers, the continuing education requirement under this subsection will satisfy 3 of the 12 hours of continuing education required biennially pursuant to Section 429.52(5), F.S., and subsection (1) of this rule.

4. No change.

(b) No change.

(10) ALZHEIMER'S DISEASE AND RELATED DISORDERS ("ADRD") TRAINING REQUIREMENTS.

Facilities which advertise that they provide special care for persons with ADRD, or who maintain secured areas as described in Chapter 4, Section 464.4.6 of the Florida Building Code, as adopted in Rule 61G20-1.001, F.A.C., Florida Building Code Adopted, must ensure that facility staff receive the following training.

(a) Facility staff who interact on a daily basis with residents with ADRD but do not provide direct care to such residents and staff who provide direct care to residents with ADRD, shall obtain 4 hours of initial training within 3 months of employment. Completion of the core training program between April 20, 1998 and July 1, 2003 shall satisfy this requirement.

Facility staff who meet the requirements for ADRD training providers under paragraph (g) of this subsection will be considered as having met this requirement. Initial training, entitled “Alzheimer’s Disease and Related Disorders Level I Training,” must address the following subject areas:

1. through 6. No change.

(b) Staff who have successfully completed both the initial one hour and continuing three hours of ADRD training pursuant to Sections 400.1755, 429.917 and 400.6045(1), F.S., shall be considered to have met the initial assisted living facility Alzheimer’s Disease and Related Disorders Level I Training.

(c) through (h) No change.

~~(11)(10)~~ DO NOT RESUSCITATE ORDERS TRAINING.

(a) Currently employed facility administrators, managers, direct care staff and staff involved in resident admissions must receive at least one hour of training in the facility’s policies and procedures regarding Do Not Resuscitate Orders.

(b) through (c) No change.

~~(12)(11)~~ No change.

Rulemaking Authority 429.178, 429.41, 429.52 FS. Law Implemented 429.07, 429.075, 429.178, 429.41, 429.52 FS. History—New 9-30-92, Formerly 10A-5.0191, Amended 10-30-95, 6-2-96, 4-20-98, 11-2-98, 10-17-99, 7-5-05, 7-30-06, 10-9-06, 7-1-08, 4-15-10,_____.

58A-5.024 Records.

The facility must maintain required records in a manner that makes such records readily available at the licensee’s physical address for review by a legally authorized entity. If records are maintained in an electronic format, facility staff must be readily available to access the data and produce the requested information. For purposes of this section, “readily available” means the ability to immediately produce documents, records, or other such data, either in electronic or paper format, upon request and the term “resident” includes day care participants and respite care residents.

(1) FACILITY RECORDS. Facility records must include:

(a) through (j) No change.

(k) All fire safety inspection reports issued by the local fire safety authority or the State Fire Marshal pursuant to Rule Chapter 69A-40, F.A.C., issued within the last 2 years.

(l) through (o) No change.

(p) The facility’s infection control policies and procedures.

1. The facility’s infection control policy must include:

a. A hand hygiene program which includes sanitation of the hands through the use of alcohol-based hand rubs or soap and water before and after each resident contact.

b. Use of gloves during each resident contact where contact with blood, potentially infectious materials, mucous membranes, and non-intact skin could occur.

c. The safe use of blood glucometers to ensure finger stick

devices and glucometers are restricted to a single resident. Lancets should be disposed in an approved sharps container and never reused. Glucometers should be cleaned and disinfected after every use, per manufacturer’s instructions, to prevent carry-over of blood and infectious agents.

d. Medication practices including adherence to standard precautions to prevent the transmission of infections in a residential setting.

e. Staff identification, reporting, and prevention of pest infestations such as bed bugs, lice, and fleas.

(q) The facility’s abuse prevention policies and procedures.

(r) No change.

(2) No change.

(3) RESIDENT RECORDS. Resident records must be maintained on the premises and include:

(a) Resident demographic data as follows:

1. through 8. No change.

9. Name, address, and telephone number of the resident’s health care provider and case manager, if applicable.

(b) No change.

(c) Any orders for medications, nursing services, therapeutic diets, do not resuscitate orders, or other services to be provided, supervised, or implemented by the facility that require a health care provider’s order. Records of residents receiving nursing services from a third party must contain all orders for nursing services, all nursing assessments, and all nursing progress notes for services provided by the third party nursing services provider. Facilities that do not have such documentation but that can demonstrate that they have made a good faith effort to obtain such documentation may not be cited for violating this paragraph. A documented request for such missing documentation made by the facility administrator within the previous 30 days will be considered a good faith effort. The documented request must include the name, title, and phone number of the person to whom the request was made and must be kept in the resident’s file.

(d) through (o) No change.

(p) For independent living residents who receive meals and occupy beds included within the licensed capacity of an assisted living facility, but who are not receiving any personal, limited nursing, or extended congregate care services, record keeping may be limited to a log listing the names of residents participating in this arrangement.

(q) through (r) No change.

(4) No change.

Rulemaking Authority 429.41, 429.275 FS. Law Implemented 429.24, 429.255, 429.256, 429.26, 429.27, 429.275, 429.35, 429.41, 429.52 FS. History—New 5-14-81, Amended 1-6-82, 5-19-83, 9-17-84, Formerly 10A-5.24, Amended 10-20-86, 6-21-88, 8-15-90, 9-30-92, Formerly 10A-5.024, Amended 10-30-95, 4-20-98, 11-2-98, 10-17-99, 7-30-06, 10-9-06, 4-17-14,_____.

58A-5.029 Limited Mental Health.

(1) LICENSE APPLICATION.

(a) Any facility intending to admit one or more mental health residents must obtain a limited mental health license from the agency before accepting the mental health resident.

(b) No change.

(2) RECORDS.

(a) through (b) No change.

(c) Resident records must include:

1. Documentation, provided by a mental health care provider within 30 days of the resident's admission to the facility, that the resident is a mental health resident as defined in Section 394.4574, F.S., and that the resident is receiving social security disability or supplemental security income and optional state supplementation as follows:

a. An affirmative statement on the Alternate Care Certification for Optional State Supplementation (OSS) form, CF-ES 1006, October 2005, which is hereby incorporated by reference and available for review at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-03988> that the resident is receiving SSI or SSDI due to a mental disorder;

b. through c. No change.

2. No change.

3. A Community Living Support Plan. ~~a.~~ Each mental health resident and the resident's mental health case manager must, in consultation with the facility administrator, prepare a plan within 30 days of the resident's admission to the facility or within 30 days after receiving the appropriate placement assessment in paragraph (2)(c), whichever is later, that:

a. ~~(I)~~ No change.

b. ~~(II)~~ No change.

c. ~~(III)~~ No change.

d. ~~(IV)~~ No change.

e. ~~(V)~~ No change.

f. ~~(VI)~~ No change.

g. ~~(VII)~~ No change.

h. ~~(VIII)~~ Is updated at least annually or if there is a significant change in the resident's behavioral health;

i. ~~(IX)~~ No change.

j. ~~(X)~~ No change.

b. ~~Those portions of a service or treatment plan prepared pursuant to Rule 65E 4.014, F.A.C., that address all the elements listed in sub-subparagraph (2)(c)3.a. above may be substituted.~~

4. No change.

5. Missing documentation will not be the basis for administrative action against a facility if the facility can demonstrate that it has made a good faith effort to obtain the required documentation from the appropriate party. A documented request for such missing documentation made by

the facility administrator within 72 hours of the resident's admission will be considered a good faith effort. The documented request must include the name, title, and phone number of the person to whom the request was made and must be kept in the resident's file.

(3) RESPONSIBILITIES OF FACILITY. In addition to the staffing and care standards of this rule chapter to provide for the welfare of residents in an assisted living facility, a facility holding a limited mental health license must:

(a) through (e) No change.

(f) Maintain facility, staff, and resident records in accordance with the requirements of this rule chapter.

Rulemaking Authority 429.41 FS. Law Implemented 429.075, 429.26, 429.41 FS. History—New 8-15-90, Amended 9-30-92, Formerly 10A-5.029, Repromulgated 10-30-95, Amended 6-2-96, 11-2-98, 7-30-06, Amended 4-17-14,_____.

58A-5.030 Extended Congregate Care Services.

(1) through (2) No change.

~~(3) PHYSICAL SITE REQUIREMENTS. Each extended congregate care facility must provide a homelike physical environment that promotes resident privacy and independence including:~~

~~(a) No change.~~

~~(b) A bathroom, with a toilet, sink, and bathtub or shower, that is shared by a maximum of 4 residents for a maximum ratio of 4 residents to 1 bathroom.~~

~~1. A centrally located hydro massage bathtub may substitute for a bathtub or shower and be considered equivalent to two bathrooms, increasing the resident to bathroom ratio from four to one to eight to one. Although a facility may install multiple such bathtubs, only the first bathtub installed that increases the resident to bathroom ratio above four to one may be counted as a substitute for bathrooms at the two to one ratio.~~

~~2. The entry door to the bathroom must have a lock that the resident can operate from the inside with no key needed. The resident's service plan may allow for a non-locking bathroom door if th resident's safety would otherwise be jeopardized.~~

~~(3)(4) STAFFING REQUIREMENTS. The following staffing requirements apply for extended congregate care services:~~

~~(a) through (f) No change.~~

~~(4)(5) ADMISSION AND CONTINUED RESIDENCY.~~

~~(a) An individual must meet the following minimum criteria in order to receive extended congregate care services.~~

~~1. through 6. No change.~~

~~7. Not require any of the following nursing services:~~

~~a. Artificial airway management of any kind except that of continuous positive airway pressure may be provided through the use of a CPAP or bipap machine;~~

~~b. through c. No change.~~

d. Management of post-surgical drainage tubes or wound vacuums;

e. No change.

f. Treatment of a surgical incision, unless the surgical incision and the condition that caused it have been stabilized and a plan of care developed. The plan of care must be maintained in the resident’s record at the facility.

8. No change.

9. Have been determined to be appropriate for admission to the facility by the facility administrator or manager. The administrator or manager must base his or her decision on:

a. through b. No change.

c. The ability of the facility to meet the uniform fire safety standards for assisted living facilities established in Rule Chapter 69A-40, F.A.C.

(b) No change.

~~(5)(6)~~ HEALTH ASSESSMENT. No change.

~~(6)(7)~~ SERVICE PLANS. No change.

~~(7)(8)~~ EXTENDED CONGREGATE CARE SERVICES.

No change.

~~(8)(9)~~ RECORDS. No change.

~~(9)(10)~~ DISCHARGE. No change.

Rulemaking Authority 429.07, 429.41 FS. Law Implemented 429.07, 429.255, 429.26, 429.28, 429.41 FS. History—New 9-30-92, Formerly 10A-5.030, Amended 10-30-95, 6-2-96, 4-20-98, 11-2-98, 10-17-99, 7-30-06, 4-17-14,_____.

58A-5.031 Limited Nursing Services.

Any facility intending to provide limited nursing services must obtain a license from the agency.

(1) NURSING SERVICES. In addition to any nursing service permitted under a standard license pursuant to Section 429.255, F.S., a facility with a limited nursing services license may provide nursing care to residents who do not require 24-hour nursing supervision and to residents who do require 24-hour nursing care and are enrolled in hospice.

(2) RESIDENT CARE STANDARDS.

(a) through (c) No change.

(d) Facilities licensed to provide limited nursing services must employ or contract with a nurse(s) who must be available to provide such services as needed by residents. The facility’s employed or contracted nurse must coordinate with third party nursing services providers to ensure resident care is provided in a safe and consistent manner. The facility must maintain documentation of the qualifications of nurses providing limited nursing services in the facility’s personnel files.

(e) The facility must ensure that nursing services are conducted and supervised in accordance with Chapter 464, F.S., and the prevailing standard of practice in the nursing community.

(3) RECORDS.

(a) A record of all residents receiving limited nursing services and the type of services provided must be maintained at the facility.

(b) through (c) No change.

~~(d). Records of residents receiving nursing services from a third party must contain health care provider orders for all nursing services, nursing assessments, and nursing progress notes provided by the third party nursing services provider. Facilities that do not have such documentation but that can demonstrate that they have made a good faith effort to obtain such documentation may not be cited for violating this paragraph.~~

Rulemaking Authority 429.41 FS. Law Implemented 429.07, 429.255, 429.26, 429.41 FS. History—New 9-30-92, Formerly 10A-5.031, Amended 10-30-95, 10-17-99, 7-30-06, 3-13-14,_____.

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NO.: 68D-36.108 RULE TITLE: Florida Boater Education Temporary Certificate Program

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. 43 No. 81, April 26, 2017 issue of the Florida Administrative Register.

68D-36.108 Florida Boater Education Temporary Certificate Program.

(1) through (2) No change.

(3) Administration of the Florida Boater Education Temporary Certificate examination by paper test provided by the Commission:

~~(a) Any person administering the Florida Boater Education Temporary Certificate examination by paper test provided by the Commission must obtain from an insurance carrier licensed to do business in this state and carry in full force and effect an insurance policy insuring against any accident, loss, injury, property damage, or other casualty caused by or resulting from any error, omission, negligence, or other act in the performance of any duty under the contract and must have proof of such insurance available for inspection at the location where the Florida Boater Education Temporary Certificate test is administered.~~

~~1. The insurance policy must:~~

~~a. Provide coverage of at least \$500,000 per person and \$1 million per event.~~

~~b. Name the Commission as an additional insured.~~

~~e. Stipulate that it cannot be revoked, rescinded, or otherwise cancelled without at least 30 days notice to the Commission.~~

~~2. This insurance requirement shall not be construed as a waiver of sovereign immunity nor shall it be construed to modify or enlarge the limited waiver of sovereign immunity provided in section 768.28, F.S.~~

~~3. This insurance requirement is separate from and in addition to the insurance required for personal watercraft liveries in Section 327.54(5), F.S.~~

(b) Florida Boater Education Temporary Certificate examination paper tests provided by the Commission are assigned to individual liveries, marinas, or other persons companies and must not be transferred, sold, borrowed, loaned, or shared.

(4) No change.

Specific Authority 327.04, 327.395, 327.731 FS. Law Implemented 327.395, 327.54, 327.731 FS. History—New 6-9-05, _____.

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 July 12, 2017, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, and Paragraph 5-202.11(A), 2009 FDA Food Code from Milastro Enterprise LLC located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the three compartment sink and the handwash sink.

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: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

State Boxing Commission

The Florida State Boxing Commission hereby gives notice:

of the issuance of an Order regarding the Petition for Variance or Waiver, filed on April 28, 2017, by Juan Felix Luzbet of Koko Sports Management, LLC. The Notice of Petition for Variance or Waiver was published in Vol. 43, No. 88, of the May 5, 2017, Florida Administrative Register. The Petitioner sought a variance or waiver of Rules 61K1-3.019, 61K1-3.029, 61K1-3.033 and 61K1-3.010, F.A.C. The Petitioner has designated the information contained with the Petition as “proprietary confidential business information” under Section 548.062, Florida Statutes, and accordingly it is exempt from public disclosure under Section 119, Florida Statutes. The Board considered the instant Petition at a duly-noticed public meeting held on May 25, 2017 by telephone conference call.

The Board’s Order, filed on June 22, 2017, grants variances for Rules 61K1-3.019, 61K1-3.029, 61K1-3.010 because they meet the requirements of Section 120.542, F.S. The order denies the variance requested in 61K1-3.033 because it does not meet the requirements of Section 120.542, F.S. and it is not possible or feasible to accommodate this variance.

A copy of the Order or additional information may be obtained by contacting: Paul Waters, Executive Director, Florida State Boxing Commission, 2601 Blair Stone Road, Tallahassee, FL 32399-1016 or telephone: (850)488-8500.

Section VI

Notice of Meetings, Workshops and Public
Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Bureau of Historic Preservation and the Ad Hoc Florida Main Street Advisory Committee announce a public meeting to which all persons are invited.

DATE AND TIME: July 24, 2017, 12:00 Noon to conclusion

PLACE: R.A. Gray Building, Heritage Hall Auditorium, 500 South Bronough Street, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and recommend new Florida Main Street Communities for 2017-2018. The recommendation of the Advisory Committee will be submitted to the Secretary of State for review and approval.

A copy of the agenda may be obtained by contacting: Katherina Paliwoda, (850)245-6346, Katherina.Paliwoda@dos.myflorida.com.

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

participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Katherina Paliwoda, (850)245-6346, Katherina.Paliwoda@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Katherina Paliwoda, (850)245-6346, Katherina.Paliwoda@dos.myflorida.com.

DEPARTMENT OF EDUCATION

State Board of Education

The Florida Rehabilitation Council for the Blind announces public meetings to which all persons are invited.

DATES AND TIMES: July 27, 2017, 8:30 a.m. – 4:00 p.m. or until business concludes; July 28, 2017, 9:00 a.m. – 10:30 a.m. or until business concludes

PLACE: The Florida Hotel & Conference Center, 1500 Sand Lake Road, Orlando, Florida 32809

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Business Meeting of the Florida Rehabilitation Council for the Blind.

A copy of the agenda may be obtained by contacting: The Division of Blind Services, Turlington Building, Room 1114, Tallahassee, Florida 32399, Selena Sickler, (850)245-0329, Selena.Sickler@dbs.fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: The Division of Blind Services, Turlington Building, Room 1114, Tallahassee, Florida 32399, Selena Sickler, (850)245-0329, Selena.Sickler@dbs.fldoe.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: The Division of Blind Services, Turlington Building, Room 1114, Tallahassee, Florida 32399, Selena Sickler, (850)245-0329, Selena.Sickler@dbs.fldoe.org.

DEPARTMENT OF EDUCATION

State Board of Education

The Florida Rehabilitation Council for the Blind announces a public meeting to which all persons are invited.

DATE AND TIME: July 27, 2017, 5:00 p.m. – 6:00 p.m.

PLACE: The Florida Hotel & Conference Center, 1500 Sand Lake Road, Orlando, Florida 32809

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Forum of The Florida Rehabilitation Council for the Blind. The Florida Rehabilitation Council for the Blind helps individuals with visual impairments to achieve employment and independence under Title 1 of the Rehab Act. The public forum is for consumer input on the effectiveness of those services.

If you are unable to attend in person, you can participate by calling: 1(888)670-3525, code: 1242528392#.

This is an open meeting with no agenda.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: The Division of Blind Services, Turlington Building, Room 1114, 325 West Gaines Street, Tallahassee, Florida 32399, Selena Sickler, (850)245-0329, Selena.Sickler@dbs.fldoe.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: The Division of Blind Services, Turlington Building, Room 1114, 325 West Gaines Street, Tallahassee, Florida 32399, Selena Sickler, (850)245-0329, Selena.Sickler@dbs.fldoe.org.

DEPARTMENT OF LAW ENFORCEMENT

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

DATE AND TIME: July 19, 2017, 10:00 a.m. – 4:00 p.m.

FMCD Foundation Call - 10:00 a.m.

Awareness and Prevention Call - 1:00 p.m.

Response and Recovery Call - 2:00 p.m.

Communications and Technology Call - 3:00 p.m.

PLACE: Via conference call

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/539545485>

You can also dial in using your phone.

United States (Toll Free): 1(877)568-4106

United States: +1(312)757-3126

Access Code: 539-545-485

GENERAL SUBJECT MATTER TO BE CONSIDERED: The conference calls will convene members of the Florida Missing Children's Day Foundation as well as the various committees of the Missing and Endangered Person Information Clearinghouse.

A copy of the agenda may be obtained by contacting: Craig Schroeder at 1(888)356-4774.

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: Craig Schroeder at 1(888)356-4774. 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: Craig Schroeder at 1(888)356-4774.

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

The Criminal Justice Standards and Training Commission announces public meetings to which all persons are invited.

DATES AND TIMES: August 7 – 10, 2017

August 7, 2017, 5:00 p.m. – 8:00 p.m., New Training Center Directors Orientation

August 8, 2017, 8:30 a.m. – 2:00 p.m., Florida Criminal Justice Educators Association Meeting

August 8, 2017, 10:00 a.m. – 11:30 p.m., Training Center Director Scholarship Committee Meeting (Committee Members Only)

August 8, 2017, 12:00 p.m. – 1:00 p.m., Training Center Director Executive Board Committee Meeting (Board Members Only)

August 8, 2017, 1:00 p.m. – 3:00 p.m., Training Center Director Steering Committee Meeting (Committee Members Only)

August 8, 2017, 3:00 p.m. – 4:00 p.m., Training Center Director Advanced/Specialized Training Committee Meeting

August 8, 2017, 3:00 p.m. – 4:00 p.m., Training Center Director Basic Recruit Committee

August 8, 2017, 3:00 p.m. – 4:00 p.m., Training Center Director High Liability Committee Meeting

August 8, 2017, 3:00 p.m. – 4:00 p.m., Training Center Director Rules Committee Meeting

August 8, 2017, 4:00 p.m. – 5:30 p.m., Training Center Director Open Forum

August 9, 2017, 8:30 a.m. – Open, Training Center Directors Association (TCDA) Business Meeting

August 9, 2017, 10:00 a.m. – Open, Probable Cause Determination Hearings

August 9, 2017, 1:00 p.m. – 3:00 p.m., Regional Criminal Justice Selection Center Directors Association

August 9, 2017, 1:00 p.m. – 3:00 p.m., Regional Criminal Justice Selection Center Directors Association

August 9, 2017, 3:00 p.m. – 5:00 p.m., Commission Workshop: Proposed Rules and Forms Revisions

August 10, 2017, 8:30 a.m. – Open, Criminal Justice Standards and Training Commission Business Meeting

August 10, 2017, 10:00 a.m. – Open, Criminal Justice Standards and Training Commission Officer Disciplinary Hearings

PLACE: Sawgrass Marriott; 1000 PGA Tour Boulevard, Ponte Vedra Beach, Florida 32082

Front desk telephone: (904)285-7777 or 1(800)457-4653; reservation number: 1(888)236-2427; fax number: (904)285-0906; guestroom rate: \$118.00/night plus applicable taxes for a deluxe standard guestroom with 1 king or 2 double beds; available from August 6 – 11, 2017; two days prior to the event date or after the event has closed. Sawgrass Marriott will honor the group rate based on availability; check-in: 4:00 p.m. and check-out: 11:00 a.m.; cancellation policy: cancellations made within 48 hours prior to arrival will forfeit one night's room and tax. Group Name: FDLE Criminal Justice Standards & Training Commission Meeting; Hotel website: <http://www.marriott.com/JAXSW> Reservation website: <https://aws.passkey.com/go/cjst2017> Reservation Deadline: July 24, 2017; Parking: Self-Parking is included in the room rate. Valet parking is available for a fee of \$24.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The above meetings are held to discuss issues relating to standards, training, examinations, certification, de-certification, record management for law enforcement, correctional, and correctional probation officers, trust fund issues, Commission rules, officer discipline penalty guidelines, and certification and recertification of criminal justice training schools.

A copy of the agenda may be obtained by contacting: Joyce Gainous-Harris at (850)410-8615 or email at JoyceGainous-Harris@fdle.state.fl.us if you have questions about the above meetings.

If you have questions about the Officer Discipline Agenda, please contact: Sissy Beggs at (850)410-8632 or sissybeggs@fdle.state.fl.us.

If you have questions about hotel accommodations, please contact: Cheryl Taylor at (850)410-8657 or cheryltaylor@fdle.state.fl.us.

The Commission packet can be viewed or downloaded after July 25, 2017, at: <http://www.fdle.state.fl.us/cms/CJSTC/Commission/CJSTC-Home.aspx>.

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: Joyce Gainous-Harris at (850)410-8615 or at JoyceGainous-Harris@fdle.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).

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: July 20, 2017, 4:30 p.m.

PLACE: North Jacksonville Church of God, 7600 Kenya Street, Jacksonville, FL 32208

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) invites you to attend a public meeting to discuss proposed improvements to SR-111 (Edgewood Avenue) North, from US-1 (New Kings Road) to Moncrief Creek, Financial Project ID: 437616-1 in Jacksonville, Florida. The FDOT is proposing to mill and resurface the roadway, update ADA facilities, and remove on-street parking between Lem Turner Boulevard and I-95 to allow for the addition of bike lanes. Also included with this project are repairs to drainage pipes, sidewalks and guardrail within the project limits. Doors will open at 4:30 p.m. to 6:30 p.m. with an "Open House" format, for visitors to come by and review project displays and talk with Department Staff. Public participation is solicited without regard to race, color, sex, age, religion, national origin, disability or family status.

A copy of the agenda may be obtained by contacting: Mr. Stephen Browning, District Planning and Environmental Manger, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874, (386)961-7455 or 1(800)749-2967, extension 7455.

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: Mr. Stephen Browning, District Planning and Environmental Manger, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874, (386)961-7455 or 1(800)749-2967, extension 7455. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a workshop to which all persons are invited.

DATE AND TIME: July 24, 2017, 6:00 p.m.

PLACE: Gifford Community Center, 4855 43rd Avenue, Vero Beach, Florida 32967

GENERAL SUBJECT MATTER TO BE CONSIDERED: Former Gifford Road Landfill Site Redevelopment Plan.

A copy of the agenda may be obtained by contacting: Stephanie Heidt, (772)221-4060 or sheidt@tcrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Stephanie Heidt, (772)221-4060 or sheidt@tcrpc.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).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: Tuesday, August 15, 2017, 6:00 p.m. – 7:30 p.m.

PLACE: Florida State University, Coastal and Marine Laboratory, 3618 Coastal Highway 98, St. Teresa, FL 32358

GENERAL SUBJECT MATTER TO BE CONSIDERED: A draft Alligator Harbor Aquatic Preserve Management Plan has been prepared by the Florida Coastal Office. The draft plan is available for viewing or download at <http://publicfiles.dep.state.fl.us/CAMA/plans/aquatic/Alligator-Harbor-AP-Management-Plan.pdf>. The Florida Coastal Office seeks public comment on the draft. Members of the Alligator Harbor Aquatic Preserve Management Plan Advisory Committee have also been invited to attend, and listen to comments.

A copy of the agenda may be obtained by contacting: Aquatic Preserve Manager, Jon Brucker at Jonathan.Brucker@dep.state.fl.us or (850)670-7723.

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: Jon Brucker at (850)670-7723. 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 ENVIRONMENTAL PROTECTION
The Florida Department of Environmental Protection, Florida Coastal Office announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 16, 2017, 9:00 a.m.
PLACE: Apalachicola National Estuarine Research Reserve Nature Center, 108 Island Drive, Eastpoint, FL 32328
GENERAL SUBJECT MATTER TO BE CONSIDERED: The Alligator Harbor Aquatic Preserve Management Plan Advisory Committee will meet to discuss possible revisions to the draft Alligator Harbor Aquatic Preserve Management Plan and comments received at the public meeting scheduled for August 15, 2017 and separately noticed. The draft plan is available for viewing or download at <http://publicfiles.dep.state.fl.us/CAMA/plans/aquatic/Alligator-Harbor-AP-Management-Plan.pdf>.

A copy of the agenda may be obtained by contacting: Aquatic Preserve Manager Jon Brucker at Jonathan.Brucker@dep.state.fl.us or (850)670-7723.

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: Jon Brucker at (850)670-7723. 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 ENVIRONMENTAL PROTECTION
The Florida Department of Environmental Protection announces a public meeting to which all persons are invited.

DATE AND TIME: July 26, 2017, 10:00 a.m.
PLACE: SFWMD Lower West Coast Service Center, 2301 McGregor Boulevard, Ft. Myers, FL 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting of interested stakeholders to discuss the Caloosahatchee Estuary Basin Management Action Plan (BMAP) 5-Year Review. The BMAP is the means for implementation of the adopted Total Maximum Daily Loads (TMDLs). The primary purpose of this meeting is to discuss the process of developing the 5-Year Review and its components.

A copy of the agenda may be obtained by contacting: Sara C. Davis, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400 or by e-mail at Sara.C.Davis@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sara C. Davis at (850)245-8825. 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 ENVIRONMENTAL PROTECTION
Office of the Secretary
The Recreational Trails Program Advisory Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 26, 2017, 2:00 p.m.
PLACE: Dial: 1(888)670-3525, follow instructions for participant, enter: 1518575507, then press #
GENERAL SUBJECT MATTER TO BE CONSIDERED: The Advisory Committee will vote on priority ranking of project applications for the 2017 Recreational Trails Program Priority List and any other business deemed necessary.

A copy of the agenda may be obtained by contacting: Pamela Lister, Office of Operations, Florida Department of Environmental Protection, 3800 Commonwealth Boulevard, MS 795, Tallahassee, Florida 32399-3000, Pamela.Lister@dep.state.fl.us, (850)245-2501.

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

DEPARTMENT OF HEALTH
Board of Chiropractic Medicine
The Board of Chiropractic Medicine announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 26, 2017, 1:00 p.m.
PLACE: 1(888)670-3525, participant code: 7342425515
GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

A copy of the agenda may be obtained by contacting: <http://floridaschiropracticmedicine.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: Gail.Curry@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: Gail.Curry@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Dentistry

The Department of Health, Board of Dentistry, announces a CANCELLATION of the official meeting to conduct Dental Sedation Consultant Inspector Training which was published in the Florida Administrative Register on June 30, 2017 in volume 43/127.

DATE AND TIME: August 24, 2017, 9:00 a.m., ET

PLACE: Sheraton Tampa East, 10221 Princess Palm Avenue, Tampa, Florida 33610, (813)371-5939

GENERAL SUBJECT MATTER TO BE CONSIDERED: Dental Sedation Consultant/Inspector training.

The above meeting has been cancelled.

For questions, please contact the Board Office at (850)245-4474.

DEPARTMENT OF HEALTH

Board of Medicine

The Boards of Medicine and Osteopathic Medicine’s Joint Committee on Medical Cannabis announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 3, 2017, immediately following the Surgical Care/Quality Assurance Committee Meeting or soon thereafter.

PLACE: Hyatt Regency Miami, 400 SE 2nd Avenue, Miami, Florida 33131, (305)358-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at www.FLBoardofMedicine.gov for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information. The hotel public block deadline is Friday, July 28, 2017 and at a rate of \$119 per night.

A copy of the agenda may be obtained by contacting: Crystal Sanford at crystal.sanford@flhealth.gov or call at (850)245-4131.

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

agency at least 10 days before the workshop/meeting by contacting: Crystal Sanford at crystal.sanford@flhealth.gov or call at (850)245-4131. 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: Crystal Sanford at crystal.sanford@flhealth.gov or call at (850)245-4131.

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

The Board of Funeral, Cemetery, and Consumer Services announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 3, 2017, 1:00 p.m.

PLACE: Embassy Suites by Hilton Orlando North, 225 Shorecrest Drive, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Rules Committee of the Board of Funeral, Cemetery, and Consumer Services, operating under Chapter 497, Florida Statutes, hereby gives notice that it will hold a public meeting to discuss Rule Chapter 69K-30, F.A.C. A COPY OF THE AGENDA WILL BE AVAILABLE JULY 31, 2017.

A copy of the agenda may be obtained by contacting: Ellen Simon, Assistant Division Director, Division of Funeral, Cemetery, and Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361, (850)413-4985, Ellen.Simon@myfloridacfo.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: Ellen Simon, Assistant Division Director, Division of Funeral, Cemetery, and Consumer Services, (850)413-4985, Ellen.Simon@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).

AMERICAN CONSULTING PROFESSIONALS - DEBORAH TURNER

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

DATE AND TIME: Tuesday, August 15, 2017, 6:00 p.m. – 7:30 p.m.

PLACE: St. Johns United Methodist Church, 6611 Proctor Road, Sarasota, FL 34241

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop is held to afford affected property owners and residents the opportunity to express their views concerning the

potential design and construction of a traffic noise barriers along Interstate 75 (Financial Project ID: 201277-3-52-01) adjacent to the following communities located in Sarasota County, Florida: Camelot Lakes, Camelot Lakes East, Windward Isle, Grove Pointe and Foxfire West.

A copy of the agenda may be obtained by contacting: Mr. Jonathon A. Bennet, Environmental Project Manager, Florida Department of Transportation, District One, 801 North Broadway Avenue, Bartow, FL 33830-8161, (863)519-2495

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: Mr. Jonathon A. Bennett, Environmental Project Manager, Florida Department of Transportation, District One, 801 N Broadway Avenue, Bartow, FL 33830, (863)519-2495. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Jonathon A. Bennett, Environmental Project Manager, at the address or phone number listed above or by e-mail at Jonathon.Bennett@dot.state.fl.us.

QCAUSA

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

DATE AND TIME: Thursday, July 20, 2017, 6:00 p.m. – 8:00 p.m.

PLACE: CAMACOL Tower, 1401 W Flagler Street, Miami, FL 33135

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public information meeting in the City of Miami for the ongoing FDOT roadway projects along State Road (SR) 968/W Flagler Street/SW 1 Street.

A copy of the agenda may be obtained by contacting: Community Outreach Specialist Sergies Duarte, (305)216-3617 or via email at Sergies.Duarte@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: Ivette Ruiz-Paz, (305)470-5225, FDOT Public Information Office, 1000 NW 111 Ave., Miami, FL 33172, Ivette.Ruiz-Paz@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Community Outreach Specialist Sergies Duarte, (305)216-3617, Sergies.Duarte@dot.state.fl.us.

ATKINS - TAMPA

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

DATE AND TIME: Thursday, July 20, 2017, 1:30 p.m. – 2:30 p.m.

PLACE: Online at: <https://attendee.gotowebinar.com/register/4476369505972995> 906 OR at the following viewing location: FDOT, Pinellas County Operations Center, 5211 Ulmerton Road, Clearwater, FL 33720

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public hearing is conducted to afford affected property and business owners, interested persons and organizations the opportunity to provide comments to FDOT regarding the proposed median changes to Roosevelt Boulevard (SR 686) between the 49th Street, Bayside Bridge, and Ulmerton Road (SR 688). The existing full medians will be closed or modified at the following locations: 1) Existing opening immediately southeast of the intersection of Roosevelt Boulevard with the Bayside Bridge, in front of the car auction, to be closed; 2) Elimination of the existing traffic signal at 46th Street, median to be closed and traffic signal to be relocated south to Terminal Boulevard; 3) Terminal Boulevard to become a signalized intersection; 4) Existing full median opening at 144th Avenue/Airport Parkway to be closed; 5) Existing full median opening at the GE Aviation building to be closed; 6) Existing full median opening at 140th Avenue (Pinellas County Driver's License Office access) to be closed; and 7) Existing full median opening 400 feet south of 140th Avenue to be closed.

This VPH is held pursuant to Chapters 120, 335.18, and 335.199, Florida Statutes. FDOT, District Seven, will receive verbal and written comments online and at the VPH viewing location. Written comments not received at the hearing can be emailed to: roadwork@dot.state.fl.us or mailed to: Eyra Cash, P.E., Project Manager, FDOT, District Seven, 11201 N. McKinley Drive, MS 7-600, Tampa, FL 33612. All comments must be emailed or postmarked by July 31, 2017 to become part of the official VPH record. Participation via webinar is also considered part of the official VPH record.

A copy of the agenda may be obtained by contacting: Eyra Cash, P.E., Project Manager, FDOT, District Seven, 11201 N. McKinley Drive, MS 7-600, Tampa, FL 33612, 1(800)226-7220, (813)975-6164 or eyra.cash@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 5 days before the workshop/meeting by contacting: Eyra Cash, P.E., Project Manager, FDOT, District Seven, 11201 N. McKinley Drive, MS 7-600, Tampa, FL 33612, 1(800) 226-7220, (813)975-6164, or

eyra.cash@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Eyra Cash, P.E., Project Manager, FDOT, District Seven, 11201 N. McKinley Drive, MS 7-600, Tampa, FL 33612, 1(800)226-7220, (813)975-6164, or eyra.cash@dot.state.fl.us.

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:

64B16-27.830 Standards of Practice - Drug Therapy Management

NOTICE IS HEREBY GIVEN that the Board of Pharmacy has received the petition for declaratory statement from Eric Dietrich, Pharm.D., The petition seeks the agency’s opinion as to the applicability of Rule 64B16-27.830(1), F.A.C., as it applies to the petitioner.

Petitioner seeks to clarify whether the clinical activities as described in the petition, including ordering and interpreting laboratory results, executing drug therapy orders which may include starting, stopping or adjusting medication doses, and providing clinical services in the outpatient setting, when performed under the direct supervision of a physician for an established patient in accordance with a Prescriber Care Plan signed by a physician that is in compliance with the rule, are within the scope of practice for a licensed Florida pharmacist. Except for good cause shown, motions for leave to intervene must be filed within 21 days after the publication of this notice. A copy of the Petition for Declaratory Statement may be obtained by contacting: C. Erica White, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254 or by email at info@floridaspharmacy.gov within 14 days of publication of this notice.

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

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

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**

Bayfront HMA Medical Center, LLC, d/b/a Bayfront Health-St. Petersburg vs. Department of Health and Galencare, Inc., d/b/a Northside Hospital, Intervenors; Case No.: 17-3157RU; Settled and/or Dismissed prior to entry of RO/FO

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

NONE

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

NONE

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed

with the Secretary of State

Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 8:00 a.m., Thursday, July 6, 2017 and 3:00 p.m., Wednesday, July 12, 2017. An improved electronic publication system is forthcoming on the Florida Administrative Rules website, FLRules.org, which will accommodate complete publication of rules filed for adoption in the previous 7 days, including rules awaiting legislative action.

Rule No.	File Date	Effective Date
1B-24.003	7/7/2017	7/27/2017

5J-9.002	7/6/2017	7/26/2017
5J-9.0021	7/6/2017	7/26/2017
5J-9.006	7/6/2017	7/26/2017
5J-9.008	7/6/2017	7/26/2017
5J-18.0011	7/7/2017	7/27/2017
5J-18.0012	7/7/2017	7/27/2017
5J-18.007	7/7/2017	7/27/2017
5J-18.009	7/7/2017	7/27/2017
5J-18.0125	7/7/2017	7/27/2017
5J-18.0127	7/7/2017	7/27/2017
5J-18.014	7/7/2017	7/27/2017
5J-18.015	7/7/2017	7/27/2017
5J-18.016	7/7/2017	7/27/2017
5J-18.025	7/7/2017	7/27/2017
5N-1.134	7/5/2017	7/25/2017
14-15.012	7/10/2017	7/30/2017
14-46.001	7/10/2017	7/30/2017
25-6.0345	7/7/2017	7/27/2017
59A-9.035	7/10/2017	7/30/2017
59C-1.032	7/10/2017	7/30/2017
59C-1.033	7/10/2017	7/30/2017
61K1-3.0001	7/12/2017	8/1/2017
61K1-3.0002	7/12/2017	8/1/2017
64B8-9.009	6/15/2016	6/23/2017
65C-15.017	7/5/2017	7/25/2017
65C-30.020	7/5/2017	7/25/2017
69O-128.025	7/10/2017	7/30/2017
69O-137.001	7/10/2017	7/30/2017
69O-137.008	7/10/2017	7/30/2017
69O-137.009	7/10/2017	7/30/2017
69O-138.001	7/10/2017	7/30/2017
69O-138.005	7/10/2017	7/30/2017

69O-138.021	7/10/2017	7/30/2017
69O-138.041	7/10/2017	7/30/2017
69O-138.043	7/10/2017	7/30/2017
69O-141.003	7/10/2017	7/30/2017
69O-142.015	7/10/2017	7/30/2017
69O-143.013	7/10/2017	7/30/2017
69O-143.030	7/10/2017	7/30/2017
69O-143.032	7/10/2017	7/30/2017
69O-143.035	7/10/2017	7/30/2017
69O-143.042	7/10/2017	7/30/2017
69O-143.046	7/10/2017	7/30/2017
69O-143.047	7/10/2017	7/30/2017
69O-149.039	7/10/2017	7/30/2017
69O-149.040	7/10/2017	7/30/2017
69O-154.114	7/10/2017	7/30/2017
69O-154.115	7/10/2017	7/30/2017
69O-154.305	7/10/2017	7/30/2017
69O-154.410	7/10/2017	7/30/2017
69O-154.512	7/10/2017	7/30/2017
69O-157.111	7/10/2017	7/30/2017
69O-167.002	7/10/2017	7/30/2017
69O-167.011	7/10/2017	7/30/2017
69O-167.015	7/10/2017	7/30/2017
69O-170.007	7/10/2017	7/30/2017
69O-170.030	7/10/2017	7/30/2017
69O-171.004	7/10/2017	7/30/2017
69O-175.021	7/10/2017	7/30/2017
69O-176.022	7/10/2017	7/30/2017
69O-185.007	7/10/2017	7/30/2017
69O-187.006	7/10/2017	7/30/2017
69O-187.007	7/10/2017	7/30/2017
69O-187.008	7/10/2017	7/30/2017

69O-187.009	7/10/2017	7/30/2017
69O-188.022	7/10/2017	7/30/2017
69O-188.023	7/10/2017	7/30/2017
69O-188.024	7/10/2017	7/30/2017
69O-189.007	7/10/2017	7/30/2017
69O-191.051	7/10/2017	7/30/2017
69O-191.054	7/10/2017	7/30/2017
69O-191.075	7/10/2017	7/30/2017
69O-191.107	7/10/2017	7/30/2017
69O-192.058	7/10/2017	7/30/2017
69O-194.030	7/10/2017	7/30/2017
69O-196.005	7/10/2017	7/30/2017
69O-196.007	7/10/2017	7/30/2017
69O-196.009	7/10/2017	7/30/2017
69O-196.015	7/10/2017	7/30/2017
69O-196.021	7/10/2017	7/30/2017
69O-196.025	7/10/2017	7/30/2017
69O-196.035	7/10/2017	7/30/2017
69O-198.010	7/10/2017	7/30/2017
69O-198.012	7/10/2017	7/30/2017
69O-199.008	7/10/2017	7/30/2017
69O-199.010	7/10/2017	7/30/2017
69O-199.015	7/10/2017	7/30/2017
69O-203.042	7/10/2017	7/30/2017
69O-203.045	7/10/2017	7/30/2017
69O-203.100	7/10/2017	7/30/2017
69O-203.210	7/10/2017	7/30/2017
69O-207.001	7/10/2017	7/30/2017
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date

60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.100	12/19/2016	**/**/****
69L-7.501	12/19/2016	**/**/****

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

2018 Endangered and Threatened Native Flora Conservation Grants Program

The FDACS' Division of Plant Industry is soliciting applications for review for the 2018 ENDANGERED AND THREATENED NATIVE FLORA CONSERVATION GRANTS PROGRAM.

Who is eligible to apply?

- By law, a qualified corporation is:
- a not-for-profit corporation pursuant to s. 501(c) (3) of the Internal Revenue Code of 1954
- is described in, and allowed to receive contributions pursuant to the provisions of, s. 170 of the Internal Revenue Code of 1954
- is a corporation not for profit incorporated pursuant to chapter 617 Florida Statutes
- can demonstrate, based on program criteria described below, the ability to protect, conserve, propagate, reintroduce and monitor endangered and threatened native flora.

What specific criteria must the applicant document to be eligible for consideration?

The law requires that each applicant must successfully document:

- (1) Existing conservation experience with endangered and threatened native flora.
- (2) Existing facilities appropriate for program needs.
- (3) Existing programs administered by the corporation that successfully protect, conserve, propagate, reintroduce, and monitor native flora.
- (4) Existing record keeping and data that is accessible to national database of endangered and threatened plants.
- (5) Qualified staff with demonstrated experience in native plant conservation.
- (6) Documentation of collaboration with related state, national, or international conservation programs.
- (7) Successful experience propagating and reintroducing endangered and threatened native flora.
- (8) Public exhibit programs publicizing the conservation of native species and the importance of the conservation effort.

(9) Fiscal stability and ability to match grant funding.

What projects are eligible for funding?

Activities which may receive Endangered and Threatened Native Flora Conservation grant funding are:

- Activities which provide recognition of those native floras to the state that are endangered and threatened.
- Activities that encourage, within a controlled program, the protection, curation, propagation, reintroduction and monitoring of native flora that are identified as endangered or threatened.

Local Match

In all cases, applicants eligible to receive state funds must document matching funds. Local match may be in the form of cash, in-kind services, donated services, or materials.

Application Deadline

To be considered for funding applications must be delivered to the Division of Plant Industry on or before 5:00 pm, July 31, 2017, or clearly postmarked or show evidence of submission to an express mail service on or before the same time and date.

Application Review and Project Selection

All eligible applications will be evaluated on a competitive basis by the Endangered Plant Advisory Council at a public meeting scheduled for the fall of 2017. The Council consists of members appointed by the Florida Commissioner of Agriculture. The Council will review the applications in accordance with the criteria and procedures established in Florida Statute 581.185 and Rule-Chapter 5B-40, Florida Administrative Code. The Council will make a recommendation based on applications received and qualifications of each applicant to the Commissioner of Agriculture. A level of funding (full or partial) will be suggested for each project recommended.

Final selection of projects for inclusion in the Department of Agriculture and Consumer Services 2018 legislative budget request will be made by the Florida Commissioner of Agriculture and will be based on Council recommendations.

The selection will not result in an immediate grant award. Rather, the proposed grants will be subject to approval of the department's budget request before the 2018 Legislature. The award and level of funding of each project will be subject to legislative consideration.

If projects receive 2018 legislative funding, funds will become available after July 1, 2018, the beginning of the next fiscal year. The funds will need to be obligated by June 30, 2019. Any unexpended balance of grant funds not under terms of a contract will revert to the state.

Administrative Requirements

To receive grant funds, grantees will be required to sign a grant award contract. The grant award contract shall be prepared by the Division and shall contain by reference all regulations, rules, and other conditions governing the grant award. In

addition, each grant recipient shall cause an annual post audit to be conducted by an independent certified public accountant. The annual audit report must be submitted to the Department for review.

Please feel free to direct any questions you may have regarding the Endangered and Threatened Native Flora Conservation Grants Program to Mr. Bryan K. Benson, Division of Plant Industry, and Telephone: (352)395-4704.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Fruit and Vegetables

PUBLIC NOTICE

A properly noticed meeting of the Citrus Research and Development Foundation, Inc., Advisory Council for the Citrus Marketing Order was held on June 14, 2017 at 9:30 a.m. The Board of Directors by unanimous vote adopted a resolution to recommend continuation of the citrus box tax at the current assessment rate of three cents (\$.03) per each standard packed box of citrus fruit for the season August 1, 2017 through July 31, 2018. In accordance with the Citrus Research Order and Section 573.118, Florida Statutes, The Department of Agriculture and Consumer Services will continue the assessment rate at three cents (\$.03) per each standard packed box of citrus fruit for the season August 1, 2017 through July 31, 2018.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing
Capital Regional Medical Center

The Agency for Health Care Administration has received an application for an emergency service exemption from Capital Regional Medical Center located at 2626 Capital Medical Blvd, Tallahassee, FL 32308 pursuant to Section 395.1041(3), Florida Statutes and 59A-3.255, Florida Administrative Code. The hospital is requesting an emergency service exemption for Vascular Surgery. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing to the Agency for Health Care Administration, Attention: Kenneth DeCastro, 2727 Mahan Drive, MS # 31, Tallahassee, Florida 32308, by phone at (850)412-4362 or by e-mail at Kenneth.Decastro@ahca.myflorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development
Final Order No. DEO-17-132

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY CITY OF KEY WEST, FLORIDA,
ORDINANCE NO. 17-2

FINAL ORDER

APPROVING CITY OF KEY WEST ORDINANCE NO. 17-2

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, and rule 28-36.002, Florida Administrative Code, approving land development regulations adopted by the City of Key West, Florida (“the City”), Ordinance No. 17-2 (the “Ordinance”).

FINDINGS OF FACT

1. The City is designated as an area of critical state concern by rule 28-36.002, Florida Administrative Code.
- 2 The Ordinance was adopted by the City on May 2, 2017, and rendered to the Department on June 2, 2017.
3. The Ordinance amends the City’s Land Development Regulations (“LDRs”) to add a provision which requires that any application for a lawful unit determination received after May 2, 2017, must also establish that the unit is legally permissible under the zoning requirements of the district in which the unit is located.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. *See* Section 380.05(6), Florida Statutes; *See also* rule 28-36.002, Florida Administrative Code.
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
6. The Ordinance is consistent with the City’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically, Objective 1-1.16 and Policy 1-1.16.1.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. *See* section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in rule 28-36.003(1), Florida Administrative Code.
8. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically furthers the following:
 - (a) Strengthen local government capabilities for managing land use and development;
 - (h) Protection of the public health, safety, welfare and economy of the City of Key West, and the maintenance of Key West as a unique Florida resource.

WHEREFORE, IT IS ORDERED that the Department finds that City Ordinance No. 17-2 is consistent with the City’s Comprehensive Plan and Principles for Guiding Development

for the City of Key West Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below. DONE AND ORDERED in Tallahassee, Florida.

/s/ _____
 James D. Stansbury, Bureau Chief
 Bureau of Community Planning and Growth
 Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK
 DEPARTMENT OF ECONOMIC OPPORTUNITY
 OFFICE OF THE GENERAL COUNSEL
 107 EAST MADISON ST., MSC 110
 TALLAHASSEE, FLORIDA 32399-4128
 FAX: (850)921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 12th day of July, 2017.

/s/ _____
 Agency Clerk
 Department of Economic Opportunity

107 East Madison Street, MSC 110
Tallahassee, FL 32399-4128

By Certified U.S. Mail:

The Honorable Craig Cates
Mayor, City of Key West
P.O. Box 1409
Key West, Florida 33041-1409

Cheri Smith, City Clerk
City of Key West
P.O. Box 1409
Key West, Florida 33041-1409

Patrick Wright, Director
Planning and Environmental Resources
City of Key West
P.O. Box 1409
Key West, Florida 33041-1409

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.
