

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: RULE TITLE:

61G19-1.009 Definitions

PURPOSE AND EFFECT: The rule is being amended to add a definition to the rule to address recent statutory change.

SUBJECT AREA TO BE ADDRESSED: Add definition

RULEMAKING AUTHORITY: 468.606, 468.607 FS

LAW IMPLEMENTED: 468.603, 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, 1940 North Monroe Street, Tallahassee, FL 32399-0783, (850)717-1394 or by electronic mail - Robyn.Barineau@myfloridalicense.com.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G19-1.009 Definitions.

(1) through (12) No change.

(13) “Internship Certification as an Intern Building Inspector or Plans Examiner Program” means a board-approved program or programs for individuals employed full-time by a governmental jurisdiction, which emphasizes on-the-job-training and provides an alternative to the typical prerequisite experience/education for licensure as an inspector or plans examiner.

Rulemaking Authority 468.606, 468.607 FS. Law Implemented 468.603, 468.609 FS. History—New 5-23-94, Amended 5-21-95, 11-20-95, 1-16-03, 6-8-17,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: RULE TITLE:

61G19-6.012 Provisional Certificates

PURPOSE AND EFFECT: Changes existing rule to accommodate recent statutory modifications. Implements

newly created internship program option for certification as inspector or plans examiner.

SUBJECT AREA TO BE ADDRESSED: Internship Program

RULEMAKING AUTHORITY: 468.606, 468.609(7) FS

LAW IMPLEMENTED: 455.2179, 468.609(7)

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, 1940 North Monroe Street, Tallahassee, FL 32399-0783, (850)717-1394 or by electronic mail - Robyn.Barineau@myfloridalicense.com.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G19-6.012 Provisional Certificates.

(1) The Board shall issue a provisional certificate to any newly employed or newly promoted building code administrator, ~~plans examiner, or building code inspector~~ subject to the provisions of Section 468.609, F.S., and the provisions of this rule. The board shall issue a provisional certificate to any building code inspector or plans examiner who meets the eligibility requirements subject to the provisions of Section 468.609, F.S., and the provisions of this rule.

(2) No change.

(3) Provisional certificates shall only be issued to persons employed by an agency of government and the authority of the certificate shall be limited to the jurisdiction of the government agency with which the applicant was employed at the time the provisional certificate was originally issued.

(a) Provisional certificates for building code inspectors or plans examiners may be issued for the duration of a sponsored internship with a maximum length of four years.

(b) When an internship is partially completed with multiple jurisdictions, the intern must apply to the Board notifying the Board of the new employer and for the continuance of the provisional license with the new Building Official within 30 days of change of employment.

(4) through (5) No change.

Rulemaking Authority 468.606, 468.609(7) FS. Law Implemented 468.609(7) FS. History—New 5-23-94, Amended 5-21-95, 8-28-95, 12-6-95, 1-3-96, 2-23-99, 4-30-01, 1-10-07, 1-16-08, 10-7-12,

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: RULE TITLE:

61G19-9.004 Approval of Courses

PURPOSE AND EFFECT: The proposed rule amendment is to modify the number of continuing education hours credited for attendance at board meeting.

SUBJECT AREA TO BE ADDRESSED: Modify continuing education hours.

RULEMAKING AUTHORITY: 468.606, 468.627 FS

LAW IMPLEMENTED: 468.627 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, 1940 North Monroe Street, Tallahassee, FL 32399-0783, (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 Orthotists and Prosthetists

RULE NO.: RULE TITLE:

64B14-5.005 Mandatory Courses

PURPOSE AND EFFECT: The rule is being amended due to a statutory mandate eliminating Continuing Education requirement for initial licensees to take a course in prevention of medical errors.

SUBJECT AREA TO BE ADDRESSED: Change of Continuing Education requirement.

RULEMAKING AUTHORITY: 468.802, 468.806(3) F.S.

LAW IMPLEMENTED: 468.802, 468.803, 468.806(3) F.S.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN

THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony Spivey, Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257; (850)245-4355.

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:

64B16-27.700 Definition of Compounding

PURPOSE AND EFFECT: The Board proposes the rule development and amendment to update the rule for any identified needed changes and to amend the rule to require and make clear that the compounding of human products (sterile and nonsterile) for office use must be in full compliance with 21 U.S.C. §353b, including being registered as an Outsourcing Facility. In addition, the purpose and effect is to ensure that the rule does not conflict with state and federal law.

SUBJECT AREA TO BE ADDRESSED: Compounding; the compounding for human use; office use compounding for human use of sterile and nonsterile products.

RULEMAKING AUTHORITY: 465.005 FS.

LAW IMPLEMENTED: 465.003, 465.0155, 465.0265 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: C. Erica White, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3258.

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

Section II
Proposed Rules

AGENCY FOR HEALTH CARE ADMINISTRATION

Cost Management and Control

RULE NOS.:	RULE TITLES:
59B-9.030	Purpose of Ambulatory and Emergency Department Patient Data Reporting
59B-9.033	Schedule for Submission of Ambulatory and Emergency Department Patient Data and Extensions
59B-9.034	Reporting Instructions
59B-9.035	Certification, Audits, and Resubmission Procedures
59B-9.036	Penalties for Ambulatory Patient Data Reporting and Deficiencies
59B-9.037	Header Record
59B-9.038	Ambulatory Data Elements, Codes and Standards
59B-9.039	Public Records

PURPOSE AND EFFECT: The Agency is proposing these rule amendments to strike January 2010 references, update the internet submission URL, and change the Florida Center name effective July 1, 2016. The amendment adds provision for multiple Off-Site ED identifiers currently not included in rule; deletes the Principal ICD Procedure code element and the initial due date extension and fine language; and modifies the fine matrix to include a violation rate reset following non-delinquent submission periods. Additional revisions are amended for clarification and update data release criteria

SUMMARY: The Agency is proposing to update clarification language, strike unnecessary language, delete unrequired elements, and modify existing elements and schema.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

RULEMAKING AUTHORITY: 408.15(8), 408.08(1), 408.813 FS.

LAW IMPLEMENTED: 408.061, 408.062, 408.063, 408.08, 408.08(15), 408.813 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE

DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: August 24, 2017, 9:30 a.m.

PLACE: Agency for Health Care Administration, First Floor Conference Room C, Building 3, 2727 Mahan Drive, Tallahassee, Florida 32308. Interested parties that would like to join the workshop by phone can do so by using a call-in number and passcode: Call-in Number: 1(888)670-3525, Participant Passcode: 535-061-8829#.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 hours before the workshop/meeting by contacting: Nancy Tamariz at (850)412-3741 or nancy.tamariz@ahca.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Nancy Tamariz at (850)412-3741 or nancy.tamariz@ahca.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

59B-9.030 Purpose of Ambulatory and Emergency Department Patient Data Reporting.

The reporting of ambulatory patient data will provide a statewide integrated database that includes hospital based and free standing ambulatory surgery centers, and hospital emergency department services for the assessment of variations in utilization, disease surveillance, access to care and cost trends. ~~The amendments appearing herein are effective with the reporting period starting January 1, 2010.~~

Rulemaking Authority 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063 FS. History—New 1-1-10, Formerly 59B-9.010, Amended 10-1-17.

59B-9.033 Schedule for Submission of Ambulatory and Emergency Department Patient Data ~~and Extensions.~~

(1) ~~Beginning with the ambulatory data reporting for the 1st quarter of the year 2010,~~ Ambulatory Centers and Emergency Departments shall report patient data according to the provisions in Rules 59B-9.030 through 59B-9.039, F.A.C.

(a) through (d) No change.

(2) ~~Extensions to the initial due dates in subsection 59B-9.033(1), F.A.C., above shall be granted by the Agency Administrator, Office of Data Collection and Quality Assurance Unit or Agency designee for a maximum of thirty (30) days from the initial submission due date in response to a written request signed by the hospital's chief executive officer, ambulatory center director or authorized executive officer~~

~~designee if received prior to the initial due date, and provided that the delay is due to unforeseen factors beyond the control of the reporting facility. These factors must be specified in the letter requesting the extension together with documentation of efforts undertaken to meet the filing requirements. Extensions shall not be granted verbally.~~

~~(2)(3) Failure to file the report on or before the certification initial submission due date as specified in paragraphs 59B-9.033(1)(a)-(d), F.A.C., without an extension, and failure to correct a report which has been filed but contains errors or deficiencies by the certification deadline is punishable by fine pursuant to Rule 59B-9.036, F.A.C. The Agency shall send a notification of errors or deficiencies by certified mail, electronic mail, or fax. Rejected reports must be corrected, resubmitted and certified by the certification due date.~~

~~Rulemaking Authority 408.15(8) FS. Law Implemented 408.061, 408.08(1)(2), 408.15(11) FS. History—New 1-1-10, Formerly 59B-9.014, Amended 10-1-17.~~

59B-9.034 Reporting Instructions.

(1) No change.

(a) 10021 through 69999. Including ~~Includes, but not limited to,~~ surgery, cardiac catheterization, endoscopy procedures, and lithotripsy revenue associated procedure codes.

(b) through (d) No change.

(2) through (4) No change.

(5) Beginning with the Ambulatory data report for the 1st quarter of the year 2010, An individual approved by the Agency reporting facilities must submit a zipped outpatient XML file by Internet according to the specifications in paragraphs (a) through (c) below.

(a) Internet Transmission. The Internet address for receipt of ambulatory patient data is <https://apps.ahca.myflorida.com/patientdata/>. ~~<https://ahcaxnet.fdhe.state.fl.us/patientdata/>~~

(b) Data reported before fourth quarter 2017 submitted to the Internet address shall be electronically transmitted with the zipped ambulatory data in a XML file using the Ambulatory Patient Data XML Schema available at: <http://ahca.myflorida.com/xmlschemas/AS10-2.xsd>. The Ambulatory Inpatient Data XML Schema (effective 10/01/2015) is incorporated by reference and available at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(c) Beginning with fourth quarter 2017 data reporting period as defined in 59B-9.033(1)(c), Ambulatory patient data must be submitted using Ambulatory Patient Data XML Schema AS10-3, available at: <http://ahca.myflorida.com/xmlschemas/AS10-3.xsd>. The Ambulatory patient Data XML Schema (effective 10/01/2017) is incorporated by reference at

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. The Ambulatory Patient Data XML Schema (effective 06/22/2009) is incorporated by reference. The data in the XML file shall contain the data elements, codes and standards required in Rules 59B-9.037 and 59B-9.038, F.A.C.

Rulemaking Authority 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063 FS. History—New 1-1-10, Formerly 59B-9.015, Amended 12-5-10, 10-1-15, 10-1-17.

59B-9.035 Certification, Audits, and Resubmission Procedures.

(1) Data submissions for a All ambulatory centers must be submitting data in compliance with Rules 59B-9.030 through 59B-9.039, F.A.C.; The executive officer or administrator shall certify that the data quarterly as data submitted for each quarter period is accurate, complete and verifiable by completing and signing using Certification Form for Ambulatory Patient Data AHCA Form 4200-0007, July 2017, APD1, effective date 7/1/95, revised 09/01/2000 and as incorporated by reference and available at:

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. The completed certification form attests The Agency will send a final certification packet to the reporting entity containing their summary reports generated by the Agency, the Certification of Ambulatory Patient Data certification form, and Agency contact information and instructions. The facility must complete and sign the certification form thereby “certifying” that they have examined the ambulatory patient data report has been examined and, to the best of their knowledge and belief, the information contained in this report is true, accurate, and complete, and has been prepared from the books and records of this ambulatory center, except as noted. The completed certification form must be either mailed to the Agency for Health Care Administration, 2727 Mahan Drive, MS #16, Tallahassee, Florida 32308. Attention: Florida Center for Health Information and Transparency Policy Analysis; or submitted by facsimile to the Agency’s office; or a scanned certification submitted by electronic mail by the certification due date. The Agency will send a certification package to the reporting entity once their data file is complete for certification. Upon receipt of a facility’s facilities signed certification form by the Agency, the facility is considered “certified” for the reporting quarter.

(2) Beginning with the ambulatory data reporting for the 1st quarter of the year 2010, Facilities not certified within five (5) calendar months following the last day of the reporting quarter shall be subject to penalties pursuant to Rule 59B-9.036, F.A.C. Extensions to this five (5) month period will be granted by the Agency Administrator, Office of Data Collection and Quality Assurance Unit or the Agency designee, for a maximum of 30 days following the certification due date in

~~response to a written request signed by the facilities chief executive officer, ambulatory center director or authorized executive officer designee. A facility will not be penalized for delays caused by AHCA which is documented by the reporting facility to include on line reporting system downtime or delays in receipt of reports from AHCA.~~

(3) Changes or corrections to certified data ~~may~~ will be accepted from facilities ~~to improve their data quality~~ for a period of ~~twelve (12) eighteen (18)~~ months following the initial submission due date. ~~The Agency may grant approval if it determines that resubmission will significantly impact data quality. The executive officer or administrator must provide a signed written request to the Agency to request resubmission. The Administrator, Office of Data Collection and Quality Assurance or designee will grant approval for resubmitting previously certified data in response to a written request signed by the facility's chief executive officer, Ambulatory Center director or authorized executive officer designee.~~ The written request must specify the reason for the corrections or changes, explain the cause contributing to the inaccurate reporting, describe a corrective action plan to prevent future errors, the total number of records affected by quarters and years, the data type and the date that the replacement file will be submitted to the Agency. Any changes to a facility's data after this ~~twelve eighteen~~ month period shall be subject to penalties pursuant to Rule 59B-9.036, F.A.C. Resubmission of previously certified data must be certified within thirty (30) days following receipt of the data file from the facility.

(4) The Agency must be notified when a change of the facility contact responsible for handling the data submission or the facility CEO or Administrator occur. Information must include full names, title, applicable phone and fax numbers, and email address.

Rulemaking Authority 408.08(1)(e), 408.15(8) FS. Law Implemented 408.061, 408.08, 408.15(11) FS. History—New 1-1-10, Formerly 59B-9.017, Amended 10-1-17.

59B-9.036 Penalties for Ambulatory Patient Data Reporting and Deficiencies.

(1) through (3) No change.

(4) The penalty period will begin on the first calendar day following the ~~initial due date and the first calendar day following the~~ certification due date for purposes of penalty assessments.

(5) Any ambulatory center which is delinquent for a reporting deficiency other than submission of a false report shall be subject to a fine of \$100 per day of violation for the first violation, \$350 per day of violation for the second violation, and \$1,000 per day of violation for the third or subsequent violations. Following four consecutive non-delinquent quarters, the fine violation matrix will reset to the

first violation rate. Violations will be considered those activities which necessitate the issuance of an administrative complaint by the Agency unless the administrative complaint is withdrawn or final order dismissing the administrative complaint is entered. All fines are to be fixed, imposed and collected by the Agency. Any ambulatory center which files a false report with the Agency or provides false information to the Agency shall be subject to a fine not exceeding \$1000 per day per violation, in addition to any other fine imposed hereunder, pursuant to Section 408.813, F.S.

Rulemaking Authority 408.15(8), 408.813 FS. Law Implemented 408.08, 408.061, 408.813 FS. History—New 1-1-10, Formerly 59B-9.022, 59B-9.016, Amended 10-1-17.

59B-9.037 Header Record.

The first record in the data file shall be a header record containing the information described below.

(1) through (3) No change.

(4) Data Type. Enter ~~AS10-3~~ AS10-2 for Ambulatory Data and Emergency Department Data. A required entry.

(5) through (6) No change.

(7) AHCA Facility Number. Enter the identification number of the ambulatory center as assigned by ~~the Agency AHCA~~ the Agency for reporting purposes. A valid identification number must contain at least eight digits and no more than 10 digits.

(8) though (16) No change.

Rulemaking Authority 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063 FS. History—New 1-1-10, Formerly 59B-9.018, Amended 10-1-15, 10-1-17.

59B-9.038 Ambulatory Data Elements, Codes and Standards.

~~Beginning with the ambulatory data reporting for the 1st quarter of the year 2010,~~ All data elements and data element codes listed below shall be reported. All facilities submitting data in compliance with Rules 59B-9.030 through 59B-9.039, F.A.C., shall report the following required data elements as stipulated by the Agency.

(1) AHCA Facility Number. An identification number assigned by ~~the Agency AHCA~~ the Agency for reporting purposes. The number must match the facility number recorded on the header record. A valid identification number must contain at least eight digits and no more than 10 digits. A required entry.

(2) Patient Control Number. An alpha-numeric code containing standard letters or numbers assigned by the facility as a unique identifier for each record submitted in the reporting period to facilitate retrieval of individual's account of services (accounts receivable) containing the financial billing records and any postings of payment. The 'Patient Control Number' is defined as 'Record id' in the schema. Up to twenty four (24) characters. Duplicate patient control numbers are not permitted.

The facility must maintain a key list to locate actual records upon request by the Agency AHCA. A required field.

(3) No change.

(4) Patient Social Security Number. The social security number (SSN) of the patient. A nine digit field to facilitate retrieval of individual case records, to be used to track multiple patient visits, and for medical research. Reporting 77777777 is acceptable for those patients where efforts to obtain the SSN have been unsuccessful or the patient is under two (2) years of age and does not have a SSN or for patients who are non-U.S. citizens who have not been issued SSNs. If only the last four digits of a patients SSN are known, report 7777XXXX where XXXX represent the last known four digits of the patient SSN. The last four digit SSN format must be used only when the full SSN is unknown and not as a substitute for all nine digit SSN's. A required entry.

(5) through (19) No change.

(20) Operating or Performing Practitioner Identification Number. The Florida license number of the medical doctor, osteopathic physician, dentist, podiatrist, chiropractor or advanced registered nurse practitioner who had primary responsibility for the principal procedure performed. The operating or performing practitioner may be the attending practitioner. An alpha-numeric field of up to eleven characters, alpha characters must be in upper case. For military physicians not licensed in Florida, use US99999999. ~~Use NA if the patient was not treated by a medical doctor, osteopathic physician, dentist, podiatrist, chiropractor, or advanced registered nurse practitioner.~~ A required entry. A blank or no entry is permitted if a principal procedure is not reported.

(21) through (43) No change.

~~(44) Principal ICD 10 PCS Procedure Code. The code representing the procedure or service most related to the principal diagnosis. If not space filled, must contain a valid ICD 10 PCS procedure code for the reporting period. Alpha characters must be in upper case.~~

~~(45) Other ICD 10 PCS Procedure Code (1), Other ICD 10 PCS Procedure Code (2), Other ICD 10 PCS~~

~~Procedure Code (3), Other ICD 10 PCS Procedure Code~~

~~(4) A code representing a procedure or service provided during the visit. If no principal ICD 10 PCS procedure is reported, another ICD 10 PCS procedure code must not be reported unless the patient status is "07" indicating the patient left against medical advice or discontinued care. No more than four other ICD 10 PCS procedure codes may be reported. If not space, filled, must contain a valid ICD 10 PCS procedure code for the reporting period. Alpha characters must be in upper case.~~

~~(44)(46)~~ Renumber only. No change.

~~(45)(47)~~ Service Location. A code designating services performed at an offsite emergency department location at facilities whose license includes a "offsite" emergency

department. For type of service "2", enter an upper case "A through Z" for services performed at each offsite emergency department location. Facilities with a single off-site location will use service location code "A". The Agency will assign an alpha service code to identify each location if a facility has more than one location. The Agency's Data Layout will reference the assigned offsite identifiers for each facility having more than one location. For type of service "2", enter an upper case "A" for services performed at the offsite emergency department location. Remove element tag No entry is permitted if type of service is "1" or for hospitals without an offsite emergency department location.

~~(46)(48)~~ Renumber only. No change.

~~(47)(49)~~ Renumber only. No change.

Rulemaking Authority 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063 FS. History—New 1-1-10, Amended 12-5-10, Formerly 59B-9.018, Amended 10-1-15, 10-1-17.

59B-9.039 Patient Data Release. Public Records.

(1) No change.

(2) Patient-specific records collected by the Agency pursuant to Rules 59B-9.030 through 59B-9.039. F.A.C., are exempt from disclosure pursuant to Section 408.061(7), F.S., and shall not be released unless modified to protect patient confidentiality as described in paragraph (2)(a) below and released in the manner described in paragraphs (2)(c) and (2)(d).

(a) The patient-specific record shall be modified to protect patient confidentiality as follows:

1. Patient Control Number	Delete or Substitute Sequential Number
2. Patient Social Security Number	Delete or Substitute a Record Linkage Number
3. Patient Birth Date	Substitute Age in years and an indicator of Age <29 Days except for persons 100 and older, substitute Age > 100 years
4. Visit Date	Substitute Quarter Indicator (1-4) (visit month cannot be substituted)
5. Medical or Health Record Number	Delete Substitute Sequential Number

(b) A record linkage number shall be assigned which does not identify an individual patient and cannot reasonably be used to identify individual patients through use of data available through the Agency, but which can be used for confidential data output for bonafide research purposes.

(c) through (d) No change.

(3) No change.

PROPOSED EFFECTIVE DATE: October 1, 2017

Rulemaking Authority 408.15(8) FS. Law Implemented 408.061 FS. History—New 1-1-10, Formerly 59B-9.023, Amended 10-1-17.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nancy Tamariz.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Justin M Senior.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 01, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 12, 2017

**AGENCY FOR HEALTH CARE ADMINISTRATION
Hospital and Nursing Home Reporting Systems and Other Provisions Relating to Hospitals**

RULE NOS.:	RULE TITLES:
59E-7.012	Inpatient Data Reporting Instructions
59E-7.021	Definitions
59E-7.022	Inpatient Data Reporting and Audit Procedures.
59E-7.023	Schedule for Submission of Inpatient Data and Extensions.
59E-7.025	Certification, Audits and Resubmission Procedures.
59E-7.026	Penalties for Hospital Inpatient Discharge Data Reporting Discrepancies.
59E-7.027	Header Record.
59E-7.028	Inpatient Data Elements, Codes and Standards.
59E-7.029	Public Records.
59E-7.030	General Provisions.

PURPOSE AND EFFECT: The agency is proposing these rule amendments to strike January 2010 references, update the internet submission URL, and change the Florida Center name effective July 1, 2016. The amendment deletes the initial due date extension and fine language; shortens resubmission time, and modifies the fine matrix to include a violation rate reset following non-delinquent submission periods. Additional revisions are amended for clarification, addition of comp rehab charge element, and update data release criteria.

SUMMARY: The agency is proposing these rule amendments to strike January 2010 references, update the internet submission URL, change the Florida Center name, delete outdated language, add an element.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein:

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

RULEMAKING AUTHORITY: 408.15(8), 408.061, 408.08, FS.

LAW IMPLEMENTED: 408.061, 408.062, 408.063, 408.08, 408.05, 408.07(2), 408.15(11) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: August 24, 2017, 10 a.m.

PLACE: Agency for Health Care Administration, First Floor Conference Room C, Building 3, 2727 Mahan Drive, Tallahassee, Florida 32308. Interested parties that would like to join the workshop by phone can do so by using a call-in number and passcode: Call-in Number: 1(888)670-3525, Participant Passcode: 535-061-8829#.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Nancy Tamariz at (850)412-3741. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Nancy Tamariz at 850-412-3741 or nancy.tamariz@ahca.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

CHAPTER 59E-7

INPATIENT PATIENT DATA COLLECTION

59E-7.012 Inpatient Data Reporting Instructions.

~~Beginning with the inpatient data report for the 1st quarter of the year 2010, All hospitals reporting their inpatient discharge data reporting facilities~~ shall submit a zipped inpatient discharge data file by Internet according to the specifications in subsections (1) through (3).

(1) The Internet address for the receipt of inpatient data is <https://apps.ahca.myflorida.com/patientdata/> ~~https://ahcaxnet.fdhc.state.fl.us/patientdata.~~

(2) Data ~~reported before fourth quarter 2017 submitted~~ to the Internet address shall be electronically transmitted with the

zipped inpatient data in a XML file using the Inpatient Data XML Schema available at: <http://ahca.myflorida.com/xmlschemas/PD10-3.xsd>. The Inpatient Data XML Schema (effective 10/01/2015) is incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-05412>

(3) ~~Beginning with fourth quarter 2017 data reporting period as defined in 59E-7.023(1)(c), Inpatient patient Data must be submitted using the Inpatient Data XML Schema available at: <http://ahca.myflorida.com/xmlschemas/PD10-4.xsd>. The Inpatient Data XML Schema (effective 10/01/2017) is incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.~~

(3) Renumber. No change.

Rulemaking Authority 408.061(1)(e) FS. Law Implemented 408.061, 408.062, 408.063 FS. History—New 12-15-96, Amended 1-4-00, 7-11-01, 7-12-05, 5-22-07, 1-1-10, 10-1-15, 10-01-17.

59E-7.021 Definitions.

~~As used in Rules 59E-7.021 through 59E-7.030, F.A.C., beginning with the inpatient data reporting for the 1st quarter of the year 2010:~~

(1) through (10) No change.

Rulemaking Authority 408.061(1)(e), 408.15(8) FS. Law Implemented 408.061 FS. History—New 1-1-10, Amended 12-5-10, Formerly 59E-7.011, Amended 10-1-15, 10-1-17.

59E-7.022 Inpatient Data Reporting and Audit Procedures.

(1) Hospitals licensed under Chapter 395, F.S., except state-operated hospitals, in operation for all or any of the reporting periods described in subsection 59E-7.023(1), F.A.C., below, shall submit hospital inpatient discharge data to the Agency according to the provisions in Rules 59E-7.012 and 59E-7.021 through 59E-7.030, F.A.C. ~~The amendments appearing herein are effective with the report period starting January 1, 2010.~~

(2) through (3) No change.

(4) Upon notification by the AHCA Agency staff, all hospitals shall provide access to all required information from the medical records and billing documents underlying and documenting the hospital inpatient discharge reports submitted, as well as other inpatient related documentation deemed necessary to conduct complete inpatient data audits of hospital data, subject to the limitations as set forth in Section 408.061(1)(d), F.S. No inpatient discharge records that support inpatient discharge data are exempt from disclosure to the Agency AHCA for audit purposes.

Rulemaking Authority 408.08(1)(e), 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063, 408.05, 408.08(1) FS. History—New 1-1-10, Formerly 59E-7.012, Amended 10-1-17.

59E-7.023 Schedule for Submission of Inpatient Data ~~and Extensions.~~

(1) All hospitals reporting their inpatient discharge data shall report according to the following schedule, ~~commencing with 1st quarter data 2010.~~

(a) through (d) No change.

~~(2) Extensions to the due dates in subsection 59E-7.023(1), F.A.C., will be granted by the Agency Administrator, Office of Data Collection and Quality Assurance Unit or the Agency designee for a maximum of 30 days from the initial submission due date in response to a written request signed by the hospital's chief executive officer or chief financial officer or authorized executive officer designee. The request must be received prior to the initial submission due date and the delay must be due to unforeseen factors beyond the control of the reporting hospital. These factors must be specified in the written request for the extension along with documentation of efforts undertaken to meet the filing requirements. Extensions shall not be granted verbally.~~

~~(2)(3) Failure to file the report on or before the certification initial submission due date as specified in paragraphs 59E-7.023(1)(a)-(d), F.A.C., without an extension, and failure to correct a report which has been filed but contains errors or deficiencies by the certification deadline is punishable by fine pursuant to Rule 59E-7.026, F.A.C. The Agency shall send notification of errors or deficiencies by certified mail, electronic mail, or fax. Rejected reports must be corrected, resubmitted and certified by the certification due date.~~

Rulemaking Authority 408.08(1)(e), 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063, 408.05, 408.07(2), 408.15(11) FS. History—New 1-1-10, Formerly 59E-7.012, Amended 10-1-17.

59E-7.025 Certification, Audits and Resubmission Procedures.

(1) Data submissions for a All hospitals centers must be submitting data in compliance with Rules 59E-7.012 and 59E-7.021 through 59E-7.030, F.A.C.; The executive officer or administrator shall certify that the data quarterly as data submitted for each quarter period is accurate, complete and verifiable by completing and signing using Certification Form for Inpatient Patient Data, AHCA Form 4200-002, July 2017, dated 10/93, revised 04/27/2009, and incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. The completed certification form attests The Agency will send a final certification packet to the reporting entity containing their summary reports generated by the Agency, the Certification of Ambulatory Patient Data certification form, and Agency contact information and instructions. The facility must complete and sign the certification form thereby "certifying" that they have examined the inpatient data report has been

examined and, to the best of their knowledge and belief, the information contained in this report is true, accurate, and complete, and has been prepared from the books and records of this facility, except as noted. The completed certification form must be either mailed to the Agency for Health Care Administration, 2727 Mahan Drive, MS #16, Tallahassee, Florida 32308. Attention: Florida Center for Health Information and Transparency Policy Analysis; or by facsimile to the Agency's office; or a scanned certification submitted by electronic mail by the certification due date. The Agency will send a certification package to the reporting entity once their data file is complete for certification. Upon receipt of a facility's facilities signed certification form by the Agency, the facility is considered "certified" for the reporting quarter.

(2) ~~Beginning with the inpatient data reporting for the 1st quarter of the year 2010, H~~ hospitals whose data is not certified within five (5) calendar months following the last day of the reporting quarter shall be subject to penalties pursuant to Rule 59E-7.026, F.A.C. ~~Extensions to this five (5) month period will be granted by the Agency Administrator, Office of Data Collection and Quality Assurance Unit or the Agency designee for a maximum of 30 days following the certification due date in response to a written request signed by the hospital's chief executive officer, chief financial officer, or authorized executive officer designee. A facility will not be penalized for delays caused by AHCA which is documented by the reporting facility to include on-line reporting system downtime or delays in receipt of reports from AHCA.~~

(3) Changes or corrections to certified hospital data may ~~will~~ be accepted from hospitals ~~to improve their data quality~~ for a period of twelve (12) eighteen (18) months following the initial submission due date. The Agency may grant approval if it determines that resubmission will significantly impact data quality. The executive officer or administrator must provide a signed written request to the Agency to request resubmission. ~~The Administrator, Office of Data Collection and Quality Assurance, or Agency designee, will grant approval for resubmitting previously certified data in response to a written request signed by the hospital's chief executive officer or chief financial officer, or authorized executive officer designee. The written request must specify the reason for the corrections or changes, explain the cause contributing to the inaccurate reporting, describe a corrective action plan to prevent future errors, the total number of records affected by quarters and years, the data type and the date that the replacement file will be submitted to the Agency. Any changes to a hospital's data after this twelve eighteen-month period shall be subject to penalties pursuant to Rule 59E-7.026, F.A.C. Resubmission of previously certified data must be certified within thirty (30) days following receipt of the data file from the facility.~~

(4) The Agency must be notified when a change of the facility contact responsible for handling the data submission or the facility CEO or Administrator occur. Information must include full names, title, applicable phone and fax numbers, and email address.

Rulemaking Authority 408.08(1)(e), 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063, ~~408.08(1), (2)~~, 408.15(11), 408.08(1)(2) FS. History—New 1-1-10, Formerly 59E-7.012, Amended 10-1-17.

59E-7.026 Penalties for Hospital Inpatient Discharge Data Reporting Discrepancies.

(1) through (3) No change.

(4) The penalty period will begin on the first calendar day following the ~~initial due date and the first calendar day following the~~ certification due date for purposes of penalty assessments.

(5) Any hospital which is delinquent for a certification deadline as specified in Rule 59E-7.023, F.A.C., shall be subject to a fine of \$100 per day of violation for the first violation, \$350 per day of violation for the second violation, and \$1,000 per day of violation for the third and all subsequent violations. Following four consecutive non-delinquent quarters, the fine violation matrix will reset to the first violation rate. Violations will be considered those activities which necessitate the issuance of an administrative complaint by the Agency unless the administrative complaint is withdrawn or final order dismissing the administrative complaint is entered. Any hospital which files false information to the Agency shall be subject to a fine not exceeding \$1000 per day per violation, in addition to any other fine imposed hereunder.

Rulemaking Authority 408.061(1)(e), 408.15(8), 408.813, FS. Law Implemented 408.08(2),(3),(5), 408.813 FS.. History—New 1-1-10, Amended 12-5-10, Formerly 59E-7.014, Amended 10-1-15, 10-1-17.

59E-7.027 Header Record.

~~Beginning with the inpatient data reporting for the 1st quarter of the year 2010, T~~ the first record in the data file shall be a header record containing the information described below.

(1) through (3) No change.

(4) Data Type. Enter PD10-4 ~~PD10-3~~ for Inpatient Data. A required field.

(5) through (6) No change.

(7) AHCA Facility Number. Enter the identification number of the facility as assigned by the Agency AHCA for reporting purposes. A valid identification number must contain at least eight (8) digits and no more than ten (10) digits. A required field.

(8) through (16) No change

Rulemaking Authority 408.061(1)(e), 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063 FS. History—New 1-1-10, Formerly 59E-7.014, Amended 10-1-15, 10-1-17.

59E-7.028 Inpatient Data Elements, Codes and Standards. ~~Beginning with the inpatient data reporting for the 1st quarter of the year 2010, All~~ hospitals submitting data in compliance with Rules 59E-7.012 and 59E-7.021 through 59E-7.030, F.A.C., shall report the required data elements and data element codes listed below as stipulated by the Agency.

(1) AHCA Facility Number. Enter the identification number of the hospital as assigned by the Agency AHCA for reporting purposes. A valid identification number must contain at least eight (8) digits and no more than ten (10) digits. A required field.

(2) Patient Control Number. An alpha-numeric code containing standard letters or numbers assigned by the facility as a unique identifier for each record submitted in the reporting period to facilitate retrieval of the individual's account of services (accounts receivable) containing the financial billing records and any postings of payment. The 'Patient Control Number' is defined as 'Record id' in the schema. Up to twenty four (24) characters. Duplicate patient control numbers are not permitted. A required field. The hospital must maintain a key list to locate actual records upon request by the Agency AHCA.

(3) No change.

(4) Patient Social Security Number. The social security number (SSN) of the patient. The SSN is a nine (9) digit number issued by the Social Security Administration used to facilitate retrieval of individual case records, track multiple patient discharges and for medical research. Reporting 77777777 is acceptable for those patients where efforts to obtain the SSN have been unsuccessful or the patient is under two (2) years of age and does not have a SSN or for patients who are non-U.S. citizens who have not been issued SSNs. If only the last four digits of a patients SSN are known, report 7777XXXX where XXXX represent the last known four digits of the patient SSN. The last four digit SSN format must be used only when the full SSN is unknown and not as a substitute for all nine digit SSN's. A required entry.

(5) through (56) No change.

(57) Comp Rehab Room Charges. Charges for comprehensive rehabilitation room charges for revenue codes 0118, 0128, 0138, 0148, 0158 as used in the UB-04. Report in dollars rounded to the nearest whole dollar, without dollar signs or commas, excluding cents. Report zero (0) if there are no charges. Negative amounts are not permitted unless verified separately by the reporting entity. A required entry.

(57) through (65) renumbered (58) through (66) No change.

Rulemaking Authority 408.061(1)(e), 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063 FS. History—New 1-1-10, Amended 12-5-10, Formerly 59E-7.014, Amended 10-1-15, 10-1-17.

59E-7.029 Patient Data Release. Public Records.

(1) No change.

(2) Patient-specific records collected by the Agency pursuant to Rules 59E-7.021-.030, F.A.C., are exempt from disclosure pursuant to Section 408.061(7), F.S., and shall not be released unless modified to protect patient confidentiality as described in paragraph (2)(a) below and released in the manner described in paragraphs (2)(c) and (2)(d).

(a) The patient-specific record shall be modified to protect patient confidentiality as follows:

1. Patient Control Number as assigned by the facility. Delete. Substitute sequential number.

2. Patient Social Security Number. Delete. Deleted. Indicators of readmission at any Florida reporting hospital within 30 days of discharge will be substituted when available. Readmission data will not be released for any quarter until each subsequent quarter is 100% percent certified.

3. Patient Birth Date. Substitute age in years and an indicator of Age < 29 Days except for persons 100 and older, substitute age > 100 years.

4. Admission Date. Delete. Deleted. (admit month cannot be substituted)

5. through 7. No change.

8. Infant Linkage ID. Delete. Deleted.

9. Medical or Health Record Number. Delete. Substitute sequential number.

10. No changes

(b) through (d) No change.

(3) Aggregate reports derived from patient-specific hospital records collected pursuant to Rules 59E-7.021 through 59E-7.030, F.A.C., are public records and shall be released as described in this rule, provided that the aggregate reports do not include the patient control number as assigned by the facility, patient social security number, record linkage number, patient birth date, admission date, discharge date, principal procedure date, other procedure date, ED date of arrival, infant linkage identifier or medical or health record number and provided the aggregate reports contain the combination of five or more records for any data disclosed.

Rulemaking Authority 408.15(8) FS. Law Implemented 408.061 FS. History—New 1-1-10, Formerly 59E-7.015, Amended. 10-1-17.

59E-7.030 General Provisions.

Hospitals submitting inpatient discharge data pursuant to the provisions contained in these rules shall be directed by the following specific general provisions for inpatient data reporting: ~~beginning 1st quarter 2010:~~

(1) through (3) No change.

Rulemaking Authority 408.061(1)(e), 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063 FS. History—New 1-1-10, Formerly 59E-7.016, Amended. 10-1-17.

PROPOSED EFFECTIVE DATE: October 1, 2017

NAME OF PERSON ORIGINATING PROPOSED RULE:
Nancy Tamariz.
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Justin M Senior
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: June 01, 2017
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: April 12, 2017

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. 107, June 2, 2017 issue of the Florida Administrative Register.
The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and discussion and subsequent vote by the board at a public meeting held June 21, 2017. The changes are as follows:

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-6.0524 Educational Alternatives Programs
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 43 No. 120, June 21, 2017 issue of the Florida Administrative Register.

6A-6.0524 Educational Alternatives Programs.

Educational alternatives programs are programs designed to serve students who are unmotivated or unsuccessful and shall have strong emphasis on appropriate agency coordination as specified in paragraph 6A-6.0521(2)(b), F.A.C.

- (1) No change.
- (2) Criteria for eligibility.
 - (a) Student has been retained;
 - (b) Student has failing grades or grades not commensurate with documented ability levels;
 - (c) Student has high absenteeism; or
 - (d) Student has low achievement test scores.;

~~(e) Student has performed successfully in an educational alternative program and wishes to remain enrolled in such programs; or~~

~~(f) According to district criteria, student exhibits behavior of a non disciplinary nature which interferes with school success. This behavior shall be documented by student services personnel.~~

(3) through (7) No change.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Board of Professional Engineers

RULE NO.: RULE TITLE:
61G15-23.004 Procedures for Digitally Signing and Sealing
 Electronically Transmitted Plans,
 Specifications, Reports or Other Documents
 NOTICE OF CHANGE

61G15-23.004 Procedures for Digitally Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents.

(1) Engineering plans, specifications, reports or other documents which must be signed, dated and sealed in accordance with the provisions of Section 471.025, F.S., and Rule 61G15-23.001, F.A.C. may be signed digitally as provided herein by the professional engineer in responsible charge. As used herein, the terms “certification authority,” and “digital signature” shall have the meanings ascribed to them in Sections 668.003(2); and (3) ~~and (4)~~, F.S.

(2) through (3) No change.

Rulemaking Authority 471.025(1), 471.033(2), 471.008 FS. Law Implemented 471.025, 471.033(1)(j)(4), 668.003, 668.006 FS. History—New 11-3-15,_____.

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-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on July 20, 2017, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code, from Blackwell Enterprises Inc. located in West Palm Beach. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within a nearby establishment under a different ownership for use by customers only.

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

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On July 12, 2017 the 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 handwash sink and the three compartment sink.

The Petition for this variance was published in Vol. 43, No. 135, F.A.R. on July 13, 2017. The Order for this Petition was signed and approved on July 20, 2017. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink and the three compartment sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink and the three compartment sink are provided with hot and cold running water under pressure, and that the handwash sink is provided with soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information 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

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that on July 11, 2017, the Construction Industry Licensing Board received a petition for variance and waiver filed by Fred R. Dudley, Esq., on behalf of Anthony LaCampo. Petitioner seeks a variance or waiver of subsections 61G4-12.011(11), 61G4-12.011(12), 61G4-15.006(1), and 61G4-15.0021(3), F.A.C., regarding the requirements for an individual seeking to become a qualified agent and the financially responsible officer for a foreign company. Comments on this petition should be filed with Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daniel Biggins, Executive Director, Construction Industry Licensing Board, at above address, (850)487-1395 or by email to Donald.Shaw@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-33.006 Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees

The Board of Accountancy hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, filed on May 5, 2017, by Cristina Martell. The Notice of Petition for Waiver or Variance was published May 16, 2017 in Vol. 43, No. 95 of the, Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61H1-33.006(2)(c), Florida Administrative Code, entitled "Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees," that requires for each Florida certified public accountant, who became delinquent and desires to return his/her license to active status, shall satisfy the requirements of his/her most recent biennium plus 200 additional CPE hours in the following manner: at least 40 hours of Accounting/Auditing, at least 4 hours in Ethics, no more than 20 hours in behavioral, for a total of 280 hours. The Board considered the instant Petition at a duly-noticed public meeting, held June 2, 2017, in Orlando, Florida.

The Board's Order, filed on June 29, 2017, denied the petition finding that Petitioner failed to establish that the purpose of the underlying statute would be met by granting a variance from paragraph 61H1-33.006(2)(c), F.A.C. The Board further found

that Petitioner failed to establish that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship. A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-27.002 Concentrations in Accounting and Business

The Board of Accountancy hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, filed on April 12, 2017, by Melvin Mathew. The Notice of Petition for Waiver or Variance was published April 26, 2017 in Vol. 43, No. 81 of the Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61H1-27.002(2)(a), Florida Administrative Code, entitled "Concentrations in Accounting and Business," that requires an applicant for licensure to have at least 150 semester hours of college education that includes 36 semester hours in accounting at the upper division level including coverage of accounting, cost and managerial accounting, financial accounting, accounting information systems, and taxation. The Board considered the instant Petition at a duly-noticed public meeting, held June 2, 2017, in Orlando, Florida.

The Board's Order, filed on June 29, 2017, granted the petition finding that Petitioner established that the purpose of the underlying statute would be met by granting a variance from paragraph 61H1-27.002(2)(a), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-5.003 Technologist

The Board of Clinical Laboratory Personnel hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on November 2, 2016, by Debbie Jenkins. The Notice of Petition for Waiver or Variance was published December 16, 2016 in Volume 42, Number 235 of the, Florida Administrative Register. The Petitioner was

seeking a waiver or variance of paragraph 64B3-5.003(3)(a), Option 1, Florida Administrative Code, entitled "Technologist," which sets forth the education, training/experience and examination requirements for a specialty licensure as a technologist. The Board considered the instant Petition at a duly-noticed public telephonic meeting held June 2, 2017.

The Board's Order, filed on June 20, 2017, denied the petition finding that Petitioner had failed to establish that the purpose of the underlying statute would be met by granting a variance or waiver from paragraph 64B3-5.003(3)(a), Option 1, F.A.C. The Board further finds that Petitioner failed to establish that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-11.001 Continuing Education

The Board of Clinical Laboratory Personnel hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on April 13, 2017, by Darlene Keppel. The Notice of Petition for Waiver or Variance was published April 21, 2017 in Volume 43, Number 78, of the Florida Administrative Register. The Petitioner was seeking a waiver or variance of subsection 64B3-11.001(1), Florida Administrative Code, entitled "Continuing Education," which requires that in order to renew a clinical laboratory personnel license, a minimum of 24 contact hours of continuing education shall be earned during each biennium including a minimum of one contact hour for each of the categories in which the individual is licensed. The Board considered the instant Petition at a duly-noticed public telephonic meeting held June 2, 2017.

The Board's Order, filed on June 20, 2017, granted the petition finding that Petitioner had established that the purpose of the underlying statute would be met by granting a variance or waiver from subsection 64B3-11.001(1) Option 1, F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

NOTICE IS HEREBY GIVEN that on July 20, 2017, the Board of Physical Therapy Practice received a petition for Variance or Waiver filed by Nestor Mora Casares. Petitioner seeks a variance or waiver of Rule 64B17-3.007, F.A.C., regarding licensure as a physical therapist to get Florida Board approval for FCCPT (Foreign Credentialing Commission on Physical Therapy) to evaluate the credentials of the Petitioner's studies and educational credentials as described in the petition. Comments on this petition should be filed with the Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253, Allen.Hall@flhealth.gov, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, at the above address.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Cultural Affairs

The Florida Division of Cultural Affairs announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 22, 2017, 9:00 a.m. until conclusion

PLACE: This meeting will be held via teleconference.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and score grant applications for the 2018-2019 Multidisciplinary Projects grants under the General Program Support and Specific Cultural Project Grant Programs.

A copy of the agenda may be obtained by contacting: The Division of Cultural Affairs at (850)245-6470 or by visiting our website: www.florida-arts.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 days before the workshop/meeting by contacting: Rachelle Ashmore at rachelle.ashmore@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).

For more information, you may contact: Hillary Crawford, (850)245-6462, hillary.crawford@dos.myflorida.com.

DEPARTMENT OF STATE

Division of Cultural Affairs

The Florida Division of Cultural Affairs announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 23, 2017, 9:00 a.m. until conclusion

PLACE: This meeting will be held via teleconference.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and score grant applications for the 2018-2019 Multidisciplinary Level 1 grants under the General Program Support and Specific Cultural Project Grant Programs.

A copy of the agenda may be obtained by contacting: The Division of Cultural Affairs at (850)245-6470 or by visiting our website: www.florida-arts.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 days before the workshop/meeting by contacting: Rachelle Ashmore at rachelle.ashmore@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).

For more information, you may contact: Hillary Crawford, (850)245-6462, hillary.crawford@dos.myflorida.com.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

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

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

PLACE: Florida Horse Park; 11008 S Highway 475, Ocala, FL 34480

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Executive Committee to discuss general business.

A copy of the agenda may be obtained by contacting: Emily Holmes, (352)607-6699, events@flhorsepark.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Emily Holmes at (352)607-6699 or email at events@flhorsepark.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

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

DATE AND TIME: Thursday, August 3, 2017, 10:00 a.m.

PLACE: Florida Agriculture Center and Horse Park, 11008 S. Highway 475, Ocala, FL 34480

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Biosecurity Committee to discuss general business.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Emily Holmes at (352)307-6699. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF EDUCATION

Education Practices Commission

The Education Practices Commission announces hearings to which all persons are invited.

DATE AND TIME: August 2, 2017, 9:30 a.m., Phone Hearing

PLACE: U.S. toll-free: 1(888)419-5570, participant code: 827 268 62

DATE AND TIME: August 2, 2017. 11:00 a.m., Phone Hearing Committee Meeting

PLACE: U.S. toll-free: 1(877)809-7265, participant code: 217 461 59#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators. The Phone Hearing Committee Meeting will be to discuss the phone hearing and processes.

A copy of the agenda may be obtained by contacting: Gretchen Kelley Brantley at (850)245-0455.

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: Gretchen Kelley Brantley at (850)245-0455. 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: Lisa Forbess or Gretchen Kelley Brantley at (850)245-0455.

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces its regularly scheduled Commission Conference, to which all interested persons are invited.

DATE AND TIME: Thursday, August 3, 2017, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366, and 367, F.S. Persons who may be affected by Commission action on certain items on the Conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C. The Commission Conference Notice, Agenda, related documents, and FPSC contact information are available at www.floridapsc.com.

ADA: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact: the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770; (Florida Relay Service 1(800)955-8770 Voice or 1(800)955-8771 TDD). Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.

EMERGENCY CANCELLATION OF CONFERENCE: If a named storm or other disaster requires cancellation of the Conference, Commission staff will attempt to give timely notice. Notice of cancellation will be provided on the Commission's website (www.floridapsc.com) under the Hot Topics link on the home page. Cancellation can also be confirmed by calling the: Office of Commission Clerk at (850)413-6770.

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces its Internal Affairs Meeting, to which all interested persons are invited.

DATE AND TIME: Thursday, August 3, 2017, immediately following the Commission Conference which commences at 9:30 a.m. in Joseph P. Cresse Hearing Room 148.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters affecting Commission

operations. Internal Affairs Agendas and FPSC contact information are available at www.floridapsc.com.

ADA: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact: the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770; (Florida Relay Service, 1(800)955-8770 Voice or 1(800)955-8771 TDD). Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.

EMERGENCY CANCELLATION OF MEETING: If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely notice. Notice of cancellation will be provided on the Commission's website (www.floridapsc.com) under the Hot Topics link on the home page. Cancellation can also be confirmed by calling: the Office of Commission Clerk at (850)413-6770.

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces a Special Commission Conference in the following docket, to which all interested persons are invited.

DOCKET NO: 20160101-WS

DATE AND TIME: Thursday, August 3, 2017, following the Internal Affairs Meeting which commences immediately after the Commission Conference in Gerald L. Gunter Building Room 105.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and make a decision regarding the application for increase in water and wastewater rates in Charlotte, Highlands, Lake, Lee, Marion, Orange, Pasco, Pinellas, Polk, and Seminole Counties by Utilities, Inc. of Florida.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350 and 367, F.S. The Special Commission Conference Notice, Agenda, related documents, and contact information are available at www.floridapsc.com.

ADA: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact: the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770; (Florida Relay Service, 1(800)955-8770 Voice or 1(800)955-8771 TDD). Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.

EMERGENCY CANCELLATION OF CONFERENCE: If a named storm or other disaster requires cancellation of the Conference, Commission staff will attempt to give timely notice. Notice of cancellation will be provided on the Commission's website (www.floridapsc.com) under the Hot Topics link on the home page. Cancellation can also be confirmed by calling: the Office of Commission Clerk at (850)413-6770.

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

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

DATE AND TIME: August 2, 2017, 2:00 p.m., ET

PLACE: District Headquarters, 81 Water Management Drive, Havana, FL 32333

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with the timeframe set forth in section 120.525, Florida Statutes, a public opening is hereby noticed within the timeline for the Invitation to Bid (ITB) 17B-017 - 2017 AERIAL SITE PREPARATION PROJECT.

A copy of the agenda may be obtained by contacting: Tyler Macmillan, (850)539-5999, Tyler.macmillan@nfwwater.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 72 hours before the workshop/meeting by contacting: Division of Administration, (850)539-5999. 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: Tyler Macmillan, (850)539-5999, Tyler.macmillan@nfwwater.com.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

DATE AND TIME: August 2, 2017, 9:00 a.m.

PLACE: 7601 HWY 301 N, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting to obtain feedback from interested persons on current pending permit applications.

A copy of the agenda may be obtained at: www.watermatters.org/calendar/calendar.php/ or by contacting Justin J. Eddy, (813)985-7481, ext. 2097.

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: SWFWMD, Human Resources Bureau Chief at 1(800)423-1476, ext. 4702; TDD (FL only) 1(800)231-6103 or email: ADACoordinator@swfwmd.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 BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

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

DATE AND TIME: September 12, 2017, 3:30 p.m.

PLACE: Conference number: 1(888)670-3525, participant code: 7335214083#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Board of Cosmetology, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Cosmetology, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Cosmetology, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1395.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Florida Real Estate Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 15, 2017, 8:30 a.m., ET; meeting will reconvene on Wednesday, August 16, 2017, 8:30 a.m., ET

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission; topics include proposed legislation affecting Chapter 475, Part I, F.S., Chapter 61J2 rule discussion to include the annual rules review for the Annual Regulatory Plan, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, disciplinary actions and real estate applications. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Mike Davis at michael.davis@myfloridalicense.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: Division of Real Estate, (407)481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Probable Cause Panel of the Florida Real Estate Commission announces a hearing to which all persons are invited.

DATE AND TIME: Monday, August 14, 2017, 3:00 p.m.

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Probable Cause Panel will meet to conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Probable Cause Panel or its counsel.

A copy of the agenda may be obtained by contacting: Mike Davis at michael.davis@myfloridalicense.com. Only public portions of the agenda are available upon request.

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: Division of Real Estate, (407)481-5662. 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

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

DATE AND TIME: Tuesday, August 8, 2017, 2:00 p.m. – 5:00 p.m., ET

PLACE: Department of Health, 4025 Esplanade Way, Capital Circle Office Center (CCOC), Conference Room 301, Tallahassee, FL 32399; telephone conference: 1(888)670-3525, participant code: 7921255877#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Special Needs Shelter Interagency Committee Meeting is being hosted by the Florida Department of Health, Bureau of Preparedness and Response, to identify and resolve challenges related to special needs shelters that are not currently addressed in the state comprehensive plan. The meeting shall also serve as a forum to develop policies and procedures which support sheltering best practices throughout the state. The continuation of the committee work assures the best quality service to clients with special medical needs and Florida's persons with access and functional needs.

A copy of the agenda may be obtained by contacting: Valerie Beynon, (850)617-1527, Valerie.beynon@flhealth.gov. The meeting may be accessed via conference call.

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: Valerie Beynon, (850)617-1527, Valerie.beynon@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).

For more information, you may contact: Valerie Beynon, (850)617-1527, Valerie.beynon@flhealth.gov.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

The Agency for Persons with Disabilities announces a public meeting to which all persons are invited.

DATE AND TIME: August 2, 2017, 9:00 a.m. – 4:00 p.m.

PLACE: 404 South Monroe Street, Senate Office Building, Room 401, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting to fulfill the duties of the Task Force on Transportation Disadvantaged pursuant to Ch. 2017-71, Laws of Florida.

A copy of the agenda may be obtained by contacting: Grendy Henry, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-5855, grendy.henry@apdcares.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 5 days before the workshop/meeting by contacting: Grendy Henry, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-5855, grendy.henry@apdcares.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: Grendy Henry, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-5855, grendy.henry@apdcares.org.

FLORIDA HOUSING FINANCE CORPORATION

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

DATE AND TIME: August 8, 2017, 9:30 a.m. Tallahassee local time

PLACE: Florida Housing Finance Corporation offices, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to provide additional financing for the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Timber Sound Apartments, a 240-unit multifamily residential rental development located at 4897, 4903 and 4963 Raleigh Street, Orlando, Orange County, FL. The owner and operator of the development is Timber Sound Preservation, L.P., 595 Madison Avenue, Suite 1601, New York, NY 10022 or such successor in interest in which Timber Sound Preservation, L.P., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is WR South LLC, 3030 Hartley Road, Suite 320, Jacksonville, FL 32257. The tax-exempt bond amount is not to exceed \$18,150,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by

5:00 p.m. Tallahassee local time on August 4, 2017, and should be addressed to the attention of Brantley Henderson, Assistant Director of Multifamily Programs. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Brantley Henderson, Assistant Director of Multifamily Programs, Florida Housing Finance Corporation at (850)488-4197 at least five calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

For a copy of the agenda or more information contact: Brantley Henderson, Assistant Director of Multifamily Programs.

FLORIDA SELF-INSURERS GUARANTY ASSOCIATION
The Florida Self-Insurers Guaranty Association, Inc. Audit Committee of its Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 8, 2017, 12:00 Noon

PLACE: Orlando World Center Marriott, 8701 World Center Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Brian Gee, Executive Director, (850)222-1882.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Jane Strickland, Administrative Assistant, Florida Self-Insurers Guaranty Association at (850)222-1882. 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).

FLORIDA SELF-INSURERS GUARANTY ASSOCIATION
The Florida Self-Insurers Guaranty Association, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 8, 2017, 2:30 p.m.

PLACE: Orlando World Center Marriott, 8701 World Center Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will meet to discuss general business of the Association.

A copy of the agenda may be obtained by contacting: Brian Gee, Executive Director, Florida Self-Insurers Guaranty Association, Inc., 1427 E. Piedmont Drive, Tallahassee, FL 32308, (850)222-1882.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Jane Strickland, Administrative Assistant, Florida Self-Insurers Guaranty Association at (850)222-1882. 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.

Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that Construction Industry Licensing Board has received the petition for declaratory statement from Robert C. Meacham, Esq., on behalf of South Bay Builders, LLC, on July 5, 2017. The petition seeks the agency's opinion as to the applicability of Section 489.113(9)(a), F.S., as it applies to the petitioner.

Petitioner is a Certified Building Contractor seeking a determination from the Board regarding whether Petitioner can subcontract the portion of the work on a contract (demolition) that is not within its license to a certified general contractor.

Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, (850)487-1395, or by email to Donald.Shaw@myfloridalicense.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-624.200 Definitions

Amended Notice of Declaratory Statement – Pinellas County vs. DEP

NOTICE IS HEREBY GIVEN that on, June 22, 2017, the Department of Environmental Protection received an Amended Petition for Declaratory Statement from Pinellas County (Petitioner). Petitioner seeks a declaratory statement as to the applicability of Section 403.0885, Florida Statutes, and Rule 62-624.200(8), F.A.C., to Petitioner’s municipal separate storm sewer system (MS4). Petitioner seeks a declaratory statement as to whether Lake Sylvia is part of the Petitioner’s MS4.

A copy of the Amended Petition for Declaratory Statement may be obtained by contacting: Department of Environmental Protection, Agency Clerk, 3900 Commonwealth Blvd., MS 35, Tallahassee, Florida 32399-3000, 850-245-2242, Agency_Clerk@dep.state.fl.us.

Please refer all comments to: Douglas Beason, Esq., Office of the General Counsel, 3900 Commonwealth Blvd., MS 35, Tallahassee, Florida 32399-3000, 850-245-2292. The Department will accept comments concerning the petition for 21 days from the date of publication of this notice.

Persons whose substantial interests may be affected by the requested declaratory statement may file a motion to intervene or a petition for administrative hearing within 21 days from the date of the publication of this notice. A motion or petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

Miami Dade College - RFP 2017-GG-02 Installation, Repairs, Inspections and Maintenance of Fire Suppression Systems and Fire Alarms

DISTRICT BOARD OF TRUSTEES

MIAMI DADE COLLEGE

11011 S.W. 104th STREET

MIAMI, FL 33176-3393

Responses to the Request for Proposals (RFP) listed below will be accepted in the PURCHASING DEPARTMENT, Room 9254, by 3:00 p.m. on Friday, August 25, 2017.

Prospective proposers may obtain the RFP solicitation at the College’s Purchasing Department website, www.mdc.edu/purchasing, or by calling (305)237-2402.

BID NUMBER BID TITLE

RFP 2018-GG-02INSTALLATION, REPAIRS, INSPECTIONS AND MAINTENANCE OF FIRE SUPPRESSION SYSTEMS AND FIRE ALARMS

Miami Dade College is releasing this Request for Proposals with the intent to solicit responses to select a firm or firms that are routinely engaged in providing inspection, testing, maintenance, and repair services on fire extinguishers, backflow preventers, stationary fire suppression systems, sprinkler systems, and fire alarm systems, as needed, excluding monthly inspections of portable fire extinguishers.

If a person decides to appeal any decision with respect to any matter considered at the above cited meeting, that person will need a record of the proceedings, and for such purpose may

need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. A copy of the agenda may be obtained by writing to: Miami Dade College, Office of the Purchasing Director, 11011 S.W. 104 Street, Miami, FL 33176 or by calling (305)237-2402.

DEPARTMENT OF EDUCATION

University of North Florida

RFQ 18-02 A/E Services - Science and Engineering, Building 50

NOTICE TO PROFESSIONAL CONSULTANTS

REQUEST FOR QUALIFICATIONS

RFQ 18-02 A/E SERVICES - SCIENCE AND ENGINEERING BUILDING 50

The University of North Florida Board of Trustees, a public body corporate, announces that professional services are required in the discipline of architecture for the programming and design of the Science and Engineering Building 50 project located at the University of North Florida, 1 UNF Drive, Jacksonville, FL 32224.

Project information

The scope of services for this project includes providing programming, design and construction administration services for the reassignment of space in the Science and Engineering Building 50. The project includes renovations for a variety of space types to allow for expansion of the Chemistry and Physics programs. This includes identifying departments and their needs, designing modifications and addressing any required infrastructure changes that will be necessary to accomplish the moves. It is anticipated that the programming will include approximately 130,000 square feet of space planning and the associated renovations are anticipated to include approximately 40,000 square feet. Other than schematic space allocation, no technical information is available at this time. The construction budget for this project is \$5,600,000.

The proposed schedule for this project is:

Advertisement	July 21, 2017
Non-mandatory pre-submittal meeting	August 2, 2017 at 11:00 a.m.
Submittals Due	August 22, 2017 at 2:00 p.m.
Evaluation Meeting(s)	September 2017
Interviews/Award	September/October 2017

Firms wishing to apply for consideration shall submit a Letter of Application/Interest with the appropriate documents from RFQ 18-02 titled A/E Services - Science and Engineering Building 50.

The Letter of Application should have attached:

1. The most recent version of the "Professional Qualifications Supplement," completed by the applicant. Applications on any other form will not be considered.

2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

3. Six complete copies of the above requested data bound and in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

Minority business participation is strongly recommended and supported by the University of North Florida.

Blanket professional liability insurance will be required for this project in the amount of \$2,000,000 and will be provided as part of the Basic Services (each, aggregate and per occurrence).

As required by §287.133, Fla. Stat., a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$15,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplemental forms, descriptive project information and selection criteria may be obtained online at the UNF Procurement Services website at https://www.unf.edu/procurement/Bids_and_Notices.aspx.

Submit one original and five complete copies of submittals per directions. RFQ submittals must be received no later than 2:00 p.m. on August 22, 2017. Facsimile (fax) or email submittals are not acceptable and will not be considered.

CITY OF MIAMI

Mural Advertising Miami Entertainment Complex, EUE Screen Gems Studio

City of Miami

Notice of Unsolicited Proposal

RFP No.: 16-17-055

Title: Mural Advertising, Miami Entertainment Complex, EUE Screen Gems Studio

RFP Due Date Wednesday, August 23, 2017, 2:00 p.m.

The Omni Redevelopment District Community Redevelopment Agency ("CRA"), received an unsolicited proposal to operate a successful mural advertising program on a CRA owned facility known as, the Miami Entertainment Complex, EUE Screen Gems Studio.

(Deadline to request additional information/clarification: Wednesday, August 9, 2017, 2:00 p.m.)

Sealed proposals will be received by the City of Miami City Clerk's office located at City Hall, 3500 Pan American Drive, Miami, FL 33133.

For additional information, including a copy of the RFP, please visit the Department of Procurement webpage at: <http://www.miamigov.com/Procurement>
 THIS SOLICITATION IS SUBJECT TO THE “CONE OF SILENCE” IN ACCORDANCE WITH SECTION 18-74 OF THE CITY CODE. Daniel J. Alfonso, City Manager.

**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., Friday, July 14, 2017 and 3:00 p.m., Thursday, July 20, 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
33-601.731	7/18/2017	8/7/2017
33-601.732	7/18/2017	8/7/2017
59G-4.295	7/17/2017	8/6/2017
59G-6.010	7/17/2017	8/6/2017
65G-2.008	7/17/2017	8/6/2017
74-5.001	7/14/2017	8/3/2017
74-5.003	7/14/2017	8/3/2017

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	**/**/****

**AGENCY FOR HEALTH CARE ADMINISTRATION
 Certificate of Need**

NOTICE OF HOSPITAL FIXED NEED POOLS FOR PSYCHIATRIC AND SUBSTANCE ABUSE BEDS

The Agency for Health Care Administration has projected fixed bed need pools for adult and children and adolescent psychiatric and adult substance abuse beds for January 2023 pursuant to the provisions of Rules 59C-1.008, 59C-1.040, and 59C-1.041, F.A.C. Net bed need projections for adult and children and adolescent psychiatric and adult substance abuse hospital beds have been adjusted according to occupancy rate thresholds as prescribed by the above-mentioned rules. A fixed need pool projection for children and adolescent substance abuse beds is not made because the administrative rule governing this service does not include a mathematical formula for the calculation of need. An applicant seeking approval for these types of beds must establish need in its application. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 1, Room 226 MS 28, 2727 Mahan Drive, Tallahassee, Florida, 32308, on or before 5:00 p.m. August 7, 2017.

Any person who identifies an error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Register. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the agency clerk at 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida, 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

Psychiatric and Substance Abuse Net Bed Need

	Adult Psychiatric Beds Net Adjusted Bed Need	Children & Adolescent Psychiatric Beds Net Adjusted Bed Need	Adult Substance Abuse Beds Net Adjusted Bed Need
District 1	0	0	0
District 2	0	0	0
District 3	0	0	0
District 4	0	0	0
District 5	0	0	0
District 6	0	0	0
District 7	0	0	0
District 8	0	0	0
District 9	0	0	0
District 10	0	0	2
District 11	0	0	0
Total	0	0	2
Statewide			

Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the agency clerk at 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

Fixed Need Pool Projections
Neonatal Intensive Care Level II & Level III Services

	Level II Net Need	Level III Net Need
District 1	0	0
District 2	0	0
District 3	0	0
District 4	0	0
District 5	1	0
District 6	0	0
District 7	0	9
District 8	0	0
District 9	0	0
District 10	0	0
District 11	0	0
Statewide Total	1	9

AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need
NOTICE OF FIXED NEED POOL FOR NEONATAL INTENSIVE CARE SERVICES FOR LEVEL II AND LEVEL III BEDS

The Agency for Health Care Administration has projected a fixed need pool for Level II and Level III neonatal intensive care unit services for January 2020 pursuant to the provisions of Rules 59C-1.008 and 59C-1.042, F.A.C. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 1, Room 226 MS 28, 2727 Mahan Drive, Tallahassee, Florida, 32308, on or before 5:00 p.m. August 7, 2017.

Any person who identifies an error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Register. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to

AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need
NOTICE OF HOSPITAL FIXED NEED POOLS FOR COMPREHENSIVE MEDICAL REHABILITATION BEDS

The Agency for Health Care Administration has projected a fixed bed need pool for comprehensive medical rehabilitation hospital beds for January 2023 pursuant to the provisions of Rules 59C-1.008 and 59C-1.039, F.A.C. Net bed need projections for comprehensive medical rehabilitation hospital beds have been adjusted according to occupancy rate thresholds as prescribed by the above-mentioned rules. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 1, Room 226, MS 28, 2727 Mahan Drive, Tallahassee, Florida, 32308, on or before 5:00 p.m. August 7, 2017.

Any person who identifies an error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and

republished in the first available edition of the Florida Administrative Register. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the agency clerk at 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

Comprehensive Medical Rehabilitation Bed Need

	Net Adjusted Bed Need
District 1	0
District 2	0
District 3	12
District 4	0
District 5	0
District 6	0
District 7	0
District 8	0
District 9	0
District 10	0
District 11	0
Total Statewide	12

DEPARTMENT OF ECONOMIC OPPORTUNITY
 Division of Community Development
 Final Order No. DEO-17-130
 In re: A LAND DEVELOPMENT REGULATION
 ADOPTED BY ISLAMORADA, VILLAGE OF
 ISLANDS, FLORIDA, ORDINANCE NO. 17-06

FINAL ORDER
APPROVING ISLAMORADA ORDINANCE NO. 17-06
 The Department of Economic Opportunity ("Department") hereby issues its Final Order, pursuant to sections 380.05(6) and

380.0552(9), Florida Statutes, approving land development regulations adopted by the Islamorada, Village of Islands, Florida, Ordinance No. 17-06 (the "Ordinance").

FINDINGS OF FACT

1. The Florida Keys Area is designated by section 380.0552, Florida Statutes, as an area of critical state concern. Islamorada, Village of Islands, is a local government within the Florida Keys Area.
2. The Ordinance was adopted by Islamorada, Village of Islands, on April 20, 2017, and rendered to the Department on May 26, 2017.
3. The Ordinance amends the Islamorada, Village of Islands, Code of Ordinances to eliminate the Development Review Committee (DRC) and remove its formal public meeting process. The responsibilities of the DRC are transferred to the representatives from the Village departments responsible for review of proposed development.

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* sections 380.05(6) and 380.0552(9), Florida Statutes.
5. Islamorada, Village of Islands, is a local government within the Florida Keys Area of Critical State Concern. *See* section 380.0552, Fla. Stat.
6. "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.
7. The Ordinance is consistent with the Islamorada, Village of Islands, Comprehensive Plan generally, and specifically Policy 3-1.1.10, as required by section 163.3177(1), Florida Statutes.
8. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. *See* sections 380.05(6) and 380.0552(9), Florida Statutes. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in section 380.0552(7), Florida Statutes.
9. The Ordinance is consistent with the Principles for Guiding Development, as a whole, and is specifically consistent with the following Principle(s):

(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.

WHEREFORE, IT IS ORDERED that the Department finds that the Islamorada, Village of Islands, Ordinance No. 17-06 is consistent with the Islamorada, Village of Islands, Comprehensive Plan and the Principles for Guiding

Development for the Florida Keys 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. MEDIATION IS NOT AVAILABLE.

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 20th 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 Deb Gillis, Mayor
Islamorada, Village of Islands Council
86800 Overseas Highway
Islamorada, FL 33036

Kelly Toth, Clerk
Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, FL 33036

Cheryl Cioffari
Director of Planning
86800 Overseas Highway
Islamorada, FL 33036

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.
