Section I
Notice of Development of Proposed Rules and Negotiated Rulemaking

NONE

Section II
Proposed Rules

NONE

Section III
Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
Division of Consumer Services

RULE NOS.: RULE TITLES:
5J-17.002 Attendance at Board Meetings
5J-17.003 Applications for Licensure: Approved Schools and Colleges
5J-17.010 Grounds for Discipline
5J-17.011 Disciplinary Guidelines
5J-17.012 Payment of Fine
5J-17.015 Statement Regarding Lack of Insurance
5J-17.016 Time for Compliance With Final Order; Probation
5J-17.020 Applications for Licensure: Experience
5J-17.021 Applications for Licensure: Education
5J-17.022 Applications for Surveyor and Mapper Intern / Surveyor in Training
5J-17.025 Domestic Equivalency Education Program Criterias for Applicants Who Graduated from Non-ABET Accredited Surveying and Mapping Degree Programs
Foreign Degree Evaluation
Documentation of Substantially Equivalent Licensing Examination
Application for Retired Status
Application Deadlines
Written Examination Designated; General Requirements
Content of Examination
Grading
Re-examination
Licensure, Inactive Status, Delinquent Status, Reactivation
Continuing Education Requirements for Reactivation of Inactive License
Continuing Education Credit for Biennial Renewal
Proof of Continuing Education Credit Earned
Board Approval of Continuing Education Providers
Obligations of Continuing Education Providers
Definitions
Standards of Practice: General Survey, Map, and Report Content Requirements
Standards of Practice: Specific Survey, Map, and Report Requirements
Standards of Practice - Professional Matters in Surveying and Mapping
Seal and Signature
Procedures for Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents
Certificates of Authorization
Fees
Citations
Notices of Noncompliance

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Surveyors and Mappers and Amy Topol, Director, Division of Consumer Services
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Professional Surveyors and Mappers and Commissioner of Agriculture Adam H. Putnam
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: Board on October 24, 2016 and Department on March 29, 2017

DEPARTMENT OF TRANSPORTATION
RULE NO.: RULE TITLE:
14-46.005 Wireless Facilities
NOTICE OF CORRECTION
Notice is hereby given that the following correction has been made to the proposed rule in Vol. 43 No. 181, September 19, 2017 issue of the Florida Administrative Register. The rule workshop scheduled for 9:00 a.m. on October 3, 2017 at the Department of Transportation executive conference room has been cancelled. The rule workshop will be rescheduled to a date to be determined. Notice of the rescheduled date will be published in the FAR when available.

Section IV
Emergency Rules

DEPARTMENT OF CHILDREN AND FAMILIES
Substance Abuse Program
RULE NO.: RULE TITLE:
65DER17-2 Standards for Medication-Assisted Treatment for Opioid Addiction
SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: On May 3, 2017, the Governor of the State of Florida signed Executive Order Number 17-146 declaring that the opioid epidemic threatens the State with an emergency and that, as a consequence of this danger, a state of emergency exists. Also, in the executive order, the Governor directed the State Health Officer and Surgeon General to declare a statewide public health emergency, pursuant to its authority in section 381.00315, F.S. On June 29, 2017, the Governor signed Executive Order Number 17-177 to extend the state of emergency declaration.

The department was recently awarded a two-year grant to address this opioid epidemic. The department will use these funds in part to expand methadone medication-assisted treatment services in needed areas of the state as part of a comprehensive plan to address the opioid crisis. Revising the licensure requirements through an emergency rule is necessary to accommodate the critical need for more methadone medication-assisted treatment providers. Due to the impact of Hurricane Irma on providers and individuals in treatment, the department has determined that extending the submission dates for applicants is necessary.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The procedure is fair under the circumstances because it ensures equitable treatment of methadone medication-assisted treatment providers.

SUMMARY: This rule makes changes to permanent Rule 65D-30.014 F.A.C., relating to licensure requirements for methadone medication-assisted treatment programs.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Bill Hardin. He can be reached at William.Hardin@myflfamilies.com or Office of Substance Abuse and Mental Health, 1317 Winewood Boulevard, Building 6, Tallahassee, Florida 32399-0700.
THE FULL TEXT OF THE EMERGENCY RULE IS:

65DER17-2 (65D-30.014): Standards for Medication-Assisted Treatment for Opioid Addiction. 65DER17-2 supersedes 65DER17-1. In addition to Rule 65D-30.004, F.A.C., the following standards apply to Standards for Medication-Assisted Treatment for Opioid Addiction.

(1) State Authority. The state authority is the department’s Office of Substance Abuse and Mental Health.

(2) Federal Authority. The federal authority is the Center for Substance Abuse Treatment.

(3) Determination of Need.

(a) Criteria. In accordance with s. 397.427, F.S., the department shall not license any new medication-assisted treatment programs for opioid addiction until the department conducts a needs assessment to determine whether additional providers are needed in Florida. The determination of need shall only apply to methadone medication-assisted treatment programs for opioid addiction. Department of Correction facilities are excluded from this process. The department shall use a methodology based on a formula that identifies the number of people who meet the criteria for dependence or abuse of heroin or pain relievers who did not receive any treatment, and the number of opioid-caused deaths. This formula will be weighted, with 70 percent driven by the number of people with an unmet need for treatment and 30 percent driven by the number of deaths. In its effort to determine need, the department shall examine the following data:

1. Population estimates by age and by county;
2. Number of opioid-caused deaths;
3. Estimated number of past-year nonmedical pain reliever users; and
4. Estimated number of life-time heroin users;

(b) Procedure. By August 28, 2017, the department will conduct a needs assessment to determine whether additional methadone medication-assisted treatment providers are needed in Florida. The department will publish a determination of need in the Florida Administrative Register and on the department’s website at http://www.myflfamilies.com/service-programs/substance-abuse on August 30, 2017. If the department determines that additional providers are needed, the department will also publish instructions for submitting an appropriate application.


Applications must be complete and responsive to all of the questions on this form. Applications will be accepted at department headquarters from October 2, 2017 to October 13, 2017 at 5 p.m. Eastern Time. Applications must be delivered to the following address: Florida Department of Children and Families, Office of Substance Abuse and Mental Health, 1317 Winewood Boulevard, Building 6, Tallahassee, Florida 32399.


3. Should the number of applications for a new provider in a Florida county exceed the determined need, the selection of a provider shall be based on the order in which complete and responsive applications are received by the Office of Substance Abuse and Mental Health headquarters.

4. Applicants who are approved to apply for licensure will receive notices from the department by November 10, 2017.

5. Applicants who receive approval notices shall submit applications for licensure to the department’s regional Substance Abuse and Mental Health office(s) where the service will be provided. The regional Substance Abuse and Mental Health office will process applications for licensure in accordance with the standards and requirements in 65D-30, F.A.C.

(4) through (6) No change.

Rulemaking Authority 397.321(5) F.S. Law Implemented 397.311(25)(a), 397.321(1), 397.419, FS. History—New 5-25-00, Amended 4-3-03, Amended 8-25-17, Amended 9-19-17.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 9/19/2017
Section V
Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS
Southwest Florida Water Management District
RULE NO.: RULE TITLE:
40D-22.201 Year-Round Water Conservation Measures
The Southwest Florida Water Management District hereby gives notice that on September 18, 2017, it has issued an order granting a variance.
Petitioner's Name: Ventura Village HOA, Inc. – File Tracking No. 17-4264
Date Petition Filed: June 26, 2017
Rule No.: 40D-22.201, F.A.C.
Nature of the rule for which variance or waiver was sought: Lawn and landscape irrigation
Date Petition Published in the Florida Administrative Register: June 30, 2017
General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statute implemented by the rule.
A copy of the Order or additional information may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext. 2298, water.variances@watermatters.org.

AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need
RULE NO.: RULE TITLE:
59C-1.044 Organ Transplantation
NOTICE IS HEREBY GIVEN that on September 5, 2017, the Agency for Health Care Administration received a petition for d/b/a Nicklaus Children’s Hospital. The Petition has been assigned Agency case number 2017010257. The Petition requests variance of Florida Administrative Code Rule 59C-1.044, related to pediatric organ transplantation program requirements for certificate of need. Any interested person may file comments within 14 days of the publication of this notice with Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2017-158).
A copy of the Petition for Variance or Waiver may be obtained by contacting: Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Division of Hotels and Restaurants
RULE NO.: RULE TITLE:
61C-5.001 Safety Standards
NOTICE IS HEREBY GIVEN that on September 14, 2017, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Citibank Center at 3800, 3830, 3840, and 3850 Citibank Center, Tampa, FL. Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 204.2c, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires a minimum open vent area in the cab which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Division of Hotels and Restaurants
RULE NO.: RULE TITLE:
61C-4.010 Sanitation and Safety Requirements
The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:
On August 31, 2017, the Division of Hotels and Restaurants received a Petition for a Routine Variance for Paragraph 4-301.12(A), 2009 FDA Food Code, subsection 61C-4.010(5), Florida Administrative Code, paragraph 61C-1.004(1)(a), Florida Administrative Code, Section 5-203.13, 2009 FDA Food Code from Gnarly Barley Downtown located in Orlando. The above referenced F.A.C. addresses the requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided and that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water. They are requesting to the warewashing and mopsink facilities located within a business located in the same building under the same ownership.
The Petition for this variance was published in Vol. 43, No. 171, F.A.R., on September 1, 2017. The Order for this Petition was
signed and approved on September 19, 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 warewashing and mopsink facilities located within Franks & Steins,(SEA5812705) are maintained in a clean and sanitary manner and are available during all hours of operation. The Petitioner shall also ensure that the warewashing and mopsink facilities are provided with hot and cold running water under pressure. If the ownership of Gnarly Barley Downtown (Johnnie Pleicones) and/or Franks & Steins (Franks & Steins LLC) changes, an updated signed agreement for use of the warewashing and mopsink facilities will be required immediately.

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.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regularly scheduled meeting of the Florida Amusement Device and Attraction Advisory Committee to discuss industry-related issues.

A copy of the agenda may be obtained by contacting: Michelle Faulk, (850)410-3820.

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: Michelle Faulk. 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
State Board of Education
The Florida Rehabilitation Council for the Blind and the Division of Blind Services announce a telephone conference call to which all persons are invited.

DATE AND TIME: October 5, 2017, 2:00 p.m.
PLACE: Teleconference number: 1(888)670-3525, participant code: 1242528392#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is to examine the issue of Community Rehabilitation Program Contracts and Referrals.

A copy of the agenda may be obtained by contacting: the Division of Blind Services, 325 West Gaines Street, Turlington Bldg., Room 1114, Tallahassee, FL 32399, (850)245-0329, email: Selena.Sickler@dbs.fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: the Division of Blind Services, 325 West Gaines Street, Turlington Bldg., Room 1114, Tallahassee, FL 32399, (850)245-0329, email: Selena.Sickler@dbs.fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: The Division of Blind Services, 325 West Gaines Street, Turlington Bldg., Room 1114, Tallahassee, FL 32399, (850)245-0329, email: Selena.Sickler@dbs.fldoe.org.

Section VI
Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
Division of Plant Industry
The Lettuce Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: October 4, 2017, 12:00 Noon – 2:45 p.m.
PLACE: Everglades Research & Education Center; 3200 E Palm Beach Rd.; Belle Glade, FL 33430

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Bayer Crop Science Portfolio and Update for Leafy Greens
Exploring plant growth regulators to reduce bolting in cilantro
Recent Insect Pest Trial Results
Division of Plant Industry Representatives
EREC staff project updates
A copy of the agenda may be obtained by contacting Christian Miller; (561)233-1718

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
Division of Consumer Services
The Department of Agriculture and Consumer Services announces a public meeting to which all persons are invited.

DATE AND TIME: September 28, 2017, 11:00 a.m.
PLACE: Andretti Indoor Karting, 9299 Universal Blvd., Orlando, Florida 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Bayer Crop Science Portfolio and Update for Leafy Greens
Exploring plant growth regulators to reduce bolting in cilantro
Recent Insect Pest Trial Results
Division of Plant Industry Representatives
EREC staff project updates
A copy of the agenda may be obtained by contacting Christian Miller; (561)233-1718

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
Division of Consumer Services
General Manager, Department of Agriculture and Consumer Services, 325 West Gaines Street, Turlington Bldg., Room 1114, Tallahassee, FL 32399, (850)245-0329, email: Selena.Sickler@dbs.fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Selena.Sickler@dbs.fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Selena.Sickler@dbs.fldoe.org.

DEPARTMENT OF EDUCATION
Division of Florida Colleges
The Florida State College at Jacksonville District (FSCJ) Board of Trustees with members of the FSCJ Foundation Board of Directors announce their attendance at a Ribbon Cutting Ceremony, which is open to the public. The event will be held at the College’s North Campus, 4501 Capper Road, Jacksonville, FL 32218.
DATE AND TIME: Tuesday, September 26, 2017, 2:00 p.m. – 3:00 p.m.
PLACE: College’s North Campus, 4501 Capper Road, Jacksonville, FL 32218
GENERAL SUBJECT MATTER TO BE CONSIDERED: FSCJ’s Ribbon Cutting Ceremony – Opening of the Chartland Family Chemistry Lab.
If special accommodations are required, please advise the Office of the College President twenty-four (24) hours in advance of the event by contacting: District Board of Trustees Project Coordinator Kimberli Sodek at (904)632-3205 or Kim.Sodek@fscj.edu.
Florida State College at Jacksonville, hereby reaffirms the principle of equal opportunity for all persons regardless of race, disability, color, ethnicity, national origin, religion, gender, age, sex, sexual orientation/expression, marital status, veteran status, pregnancy or genetic information. Equal opportunity principle applies with regard to employment, delivery of educational programs and services, and all other appropriate areas in which the College is involved.
Florida State College at Jacksonville, Dr. Cynthia A. Bioteau, College President

DEPARTMENT OF TRANSPORTATION
The Florida Transportation Commission announces the cancellation of a telephone conference call.
DATE AND TIME: September 21 2017, 10:00 a.m.
PLACE: Florida Transportation Commission, 605 Suwannee Street, Tallahassee, Florida 32399
GENERAL SUBJECT MATTER TO BE CONSIDERED: Conference call canceled.
A copy of the agenda may be obtained by contacting: No agenda.
For more information, you may contact: the FTC, 605 Suwannee Street, MS9, Tallahassee, Florida 32399, (850)414-4105.

REGIONAL PLANNING COUNCILS
Central Florida Regional Planning Council
The Heartland Regional Transportation Planning Organization (HRTPO) announces a public meeting to which all persons are invited.
DATE AND TIME: October 4, 2017, 10:00 a.m.
PLACE: Highlands County Board of County Commissioners Board Room, 600 South Commerce Avenue, Sebring, FL 33875
GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Heartland Regional Transportation Planning Organization (HRTPO).
A copy of the agenda may be obtained by contacting Marybeth Soderstrom, (863)534-7130, msoderstrom@cfrpc.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 3 days before the workshop/meeting by contacting Marybeth Soderstrom, (863)534-7130, msoderstrom@cfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF CORRECTIONS
The Florida Department of Corrections announces a public meeting to which all persons are invited.
DATE AND TIME: Wednesday, September 27, 2017, 1:00 p.m. – 3:00 p.m.
PLACE: Secretary’s Conference Room, FDC
GENERAL SUBJECT MATTER TO BE CONSIDERED: Advisory Board for Career and Technical Education.
A copy of the agenda may be obtained by contacting: April Kalnin, Assistant Bureau Chief, Programs, (850)717-3158.

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: September 27, 2017, 1:00 p.m. – 3:00 p.m.
PLACE: St. Johns River Water Management District, Maitland Service Center, 601 South Lake Destiny Road, Wekiva and Econ Rooms, Maitland, FL 32751
GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed 2017 Minimum Flows and Levels (MFL) Priority List and Schedule Public Meeting for the Central Florida Water Initiative (CFWI) Area. Representatives from the Southwest Florida Water Management District, St. Johns River Water Management District, and South Florida Water Management District will provide information and hear public comments on the proposed 2017 MFL Priority List and Schedule with a focus on the CFWI Area.
A copy of the agenda may be obtained by contacting: Doug Leeper, MFLs Program Lead, SWFWMD, 2379 Broad Street, Brooksville, FL 34604, (352)796-7211, ext. 4272.
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 Director, (352)796-7211, ext. 4701; 1(800)423-1476 (FL only), ext. 4701 or email...
to 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).

For more information, you may contact: Doug Leeper, MFLs Program Lead, SWFWMD, 2379 Broad Street, Brooksville, FL 34604, (352)796-7211, ext. 4272 A2017002

REGIONAL UTILITY AUTHORITIES
Tampa Bay Water - A Regional Water Supply Authority
Tampa Bay Water - A Regional Water Supply Authority announces a public meeting to which all persons are invited.
DATE AND TIME: Wednesday, October 4, 2017, 10:00 a.m. (Eastern Time)
PLACE: Tampa Bay Water Infrastructure and Emergency Management Building – Magnolia Room, 8865 Pump Station Road, Land O’Lakes, FL 34639
GENERAL SUBJECT MATTER TO BE CONSIDERED: The IHM-INTB Steering Committee will conduct a public meeting to finalize their recommendations for the IHM-INTB Five Year Roadmap. The roadmap includes recommended activities over a five-year time span that support the IHM, the INTB model, and user support for both models.
A copy of the agenda may be obtained by contacting: Records Department at (727)796-2355.
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: Records Department at (727)796-2355. 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: Records Department at (727)796-2355.

AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid
The Medicaid Drug Utilization Review Board announces a public meeting to which all persons are invited.
DATE AND TIME: Thursday, October 26, 2017, 2:00 p.m. – 5:00 p.m. (originally scheduled for September 21, 2017)
PLACE: Holiday Inn Tampa Westshore/Airport, 700 N. Westshore Blvd., Tampa, FL 33609, (813)289-8200
GENERAL SUBJECT MATTER TO BE CONSIDERED: Recommendations for drugs to be included on the Preferred Drug List are made at this meeting. Members of the public who wish to testify at this meeting must contact Vern Hamilton at: Vern.Hamilton@ahca.myflorida.com. The number of speakers is limited and spaces were filled from the original P&T Meeting date. Previously scheduled speakers do not need to reapply. Because of unforeseen events that may cause further changes, interested parties are encouraged to monitor the website at: http://www.ahca.myflorida.com/Medicaid/Prescribed_Drug/meetings.shtml.
A copy of the agenda may be obtained by contacting: Vern.Hamilton@ahca.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Board of Employee Leasing Companies
The Board of Employee Leasing Companies announces public meetings to which all persons are invited.
DATES AND TIMES: Wednesday, September 20, 2017, 9:00 a.m. - cancelled; Thursday, September 21, 2017, 9:00 a.m. - cancelled
PLACE: Cancelled - Hutchinson Island Marriott Beach Resort & Marina, 555 NE Ocean Blvd., Stuart, FL 34996
GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting cancelled.
For more information, you may contact: Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984.
p.m.; Thursday, October 12, 2017, 9:00 a.m.
PLACE: Floridays Resort Orlando, 12562 International Drive, Orlando, FL 32821
GENERAL SUBJECT MATTER TO BE CONSIDERED:
Wednesday, October 11, 2017, 1:00 p.m. - Disciplinary Hearings, and Thursday, October 12, 2017 at 9:00 a.m. - General Board and Business Meeting.
A copy of the agenda may be obtained by contacting: Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984.
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.
For more information, you may contact: the Board of Veterinary Medicine, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1981.

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, September 25, 2017, 9:00 a.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: Michael Davis, Division of Real Estate, at (407)481-5662. 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 the 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 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, October 16, 2017, 3:00 p.m.
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.
DATES AND TIMES: Tuesday, October 17, 2017, 8:30 a.m., ET; meeting will reconvene on Wednesday, October 18, 2017, 8:30 a.m. ET and Thursday, October 19, 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. 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).
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 ENVIRONMENTAL PROTECTION
Division of Recreation and Parks
The Division of Recreation and Parks announces a public meeting to which all persons are invited.
DATE AND TIME: Wednesday, September 27, 2017, 5:30 p.m. – 8:00 p.m.
PLACE: Woodville Community Center, 8000 Old Woodville Road, Tallahassee, FL 32305
GENERAL SUBJECT MATTER TO BE CONSIDERED: An opportunity for the public to provide input on future management of the Horn Springs Addition at Natural Bridge Battlefield Historic State Park.
A copy of the agenda may be obtained by contacting: Robert Lacy, Park Manager, Tallahassee-St. Marks Administration, 3600 Indian Mounds Road, Tallahassee, FL 32303, (850)922-6007, fax: (850)488-0366, email: Rob.Lacy@dep.state.fl.us. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 days before the workshop/meeting by contacting: Robert Lacy, Park Manager, Tallahassee-St. Marks Administration, 3600 Indian Mounds Road, Tallahassee, FL 32303, (850)922-6007, fax: (850)488-0366, email: Rob.Lacy@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
For more information, you may contact: Robert Lacy, Park Manager, Tallahassee-St. Marks Administration, 3600 Indian Mounds Road, Tallahassee, FL 32303, (850)922-6007, fax: (850)488-0366, email: Rob.Lacy@dep.state.fl.us.

DEPARTMENT OF HEALTH
Division of Family Health Services
The Florida Department of Health, Bureau of Chronic Disease Prevention announces a telephone conference call to which all persons are invited.
DATE AND TIME: September 26, 2017, 1:00 p.m. – 2:00 p.m.
PLACE: Conference call only: 1(888)670-3525, participant
GENERAL SUBJECT MATTER TO BE CONSIDERED: The Diabetes Advisory Council (DAC) Quarterly Meeting.

“This call will be recorded. By staying on the line, you are agreeing to be recorded.”

A copy of the agenda may be obtained by contacting: Daphnie Francois, MPH, Florida Department of Health at (850)558-9574.

DEPARTMENT OF HEALTH
Division of Public Health Statistics and Performance Management
The Florida Department of Health announces a public meeting to which all persons are invited.
DATE AND TIME: September 27, 2017, 10:30 a.m. – 12:30 p.m.
PLACE: Capital City Office Complex, Building 4052, Room 301, Tallahassee, FL 32399
Dial in information:
Please register for SHIP Steering Committee Meeting - Health Equity on September 27, 2017, 10:30 a.m., ET at: https://attendee.gotowebinar.com/register/951004276129529858
After registering, you will receive a confirmation email containing information about joining the webinar.
• United States (Toll-free): 1(877)309-2071
• Access Code: 926-381-117
• Your audio pin is unique and will appear on the screen.
• Submit questions using the Question box in the control panel. Questions will be answered periodically during the webinar.
GENERAL SUBJECT MATTER TO BE CONSIDERED:
*This meeting has been cancelled or rescheduled for a later date*

The purpose of this meeting is for the State Health Improvement Plan (SHIP) Steering Committee to finalize goals, strategies and objectives for the first seven (7) priority areas; and present and get feedback on the goals, strategies and objectives for the Health Equity Priority Area.

A copy of the agenda may be obtained by contacting: Community Health Assessment at (850)245-4009.

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: Community Health Assessment at (850)245-4009.
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: Community Health Assessment at (850)245-4009.

NAVIGATION DISTRICTS
West Coast Inland Navigation District
The West Coast Inland Navigation District announces a public meeting to which all persons are invited.
DATE AND TIME: Monday September 25, 2017, 3:00 p.m.
PLACE: Venice City Hall, 401 W. Venice Ave., Venice, FL 34285
GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regular business of the Navigation District.
A copy of the agenda may be obtained by contacting WCIND, 200 E. Miami Avenue, Venice, FL 34285.
If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

FISH AND WILDLIFE CONSERVATION COMMISSION
Division of Law Enforcement
The Wildlife Alert Reward Association, Inc. announces a public meeting to which all persons are invited.
DATE AND TIME: October 6, 2017, 1:00 p.m. – 4:00 p.m.
PLACE: FWC Headquarters, Bryant Building Room G72, 620 S Meridian St., Tallahassee, FL 32399
GENERAL SUBJECT MATTER TO BE CONSIDERED:
The Board of Directors of the Wildlife Alert Reward Association will conduct administrative business of the Association including the Director update, Marketing update and Financial update.
A copy of the agenda may be obtained by contacting: Sara Burke, 620 S Meridian St., Tallahassee, Florida 32399, (850)617-9595.
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
For more information, you may contact: Sara Burke, 620 S Meridian St., Tallahassee, Florida 32399, (850)617-9595.
FLORIDA ASSOCIATION OF COURT CLERKS
The Florida Local Government Investment Trust announces a public meeting to which all persons are invited.
DATE AND TIME: Friday, September 22, 2017, 2:00 p.m.
PLACE: Online at Webex: https://flclerks.webex.com/flclerks/j.php?MTID=m4bea246242fc6ac93d3c69dffe739971
GENERAL SUBJECT MATTER TO BE CONSIDERED:
Discussion of Rating Policies.
A may be obtained by contacting: Bryant Gries, (850)284-7471, bgries@flclerks.com.
For a copy of the agenda or more information, contact: Bryant Gries, (850)284-7471, bgries@flclerks.com.

TREASURE COAST EDUCATION AND RESEARCH DEVELOPMENT AUTHORITY
The Treasure Coast Education and Research & Development Authority announces a public meeting to which all persons are invited.
DATE AND TIME: September 21, 2017, 3:00 p.m.
PLACE: St. Lucie County Annex Building, 2300 Virginia Avenue, Fort Pierce, FL 34982
GENERAL SUBJECT MATTER TO BE CONSIDERED: The Treasure Coast Research Park meeting has been postponed until a later date.
A copy of the agenda may be obtained by contacting: The Treasure Coast Education and Research & Development Authority at (772)467-3107.
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Treasure Coast Education and Research & Development Authority at (772)467-3107. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.
For more information, you may contact: The Treasure Coast Education and Research & Development Authority at (772)467-3107.

Section VII
Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF FINANCIAL SERVICES
Division of State Fire Marshal
NOTICE IS HEREBY GIVEN that the Department of Financial Services has received the petition for declaratory statement from Neil Martin on September 18, 2017. The petition seeks the agency’s opinion as to the applicability of Section 526.141(4)(a), Florida Statutes, as it applies to the petitioner. Petitioner alleges pumps at a particular station are more than 100 feet from the attendant control station. Petition seeks declaratory interpretation to justify why his findings of the distance the pumps at this station exist in patent contravention to the manifest legislative intent promulgated in the controlling statute.
A copy of the Petition for Declaratory Statement may be obtained by contacting: Catherine Speidel at Catherine.Speidel@myfloridacfo.com.

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:
Keith St. Germain Nursery Farms, A Sole Proprietorship vs. Florida Department of Health, an Executive Branch Agency of the State Of Florida; Case No.: 17-5011RU
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

WATER MANAGEMENT DISTRICTS
St. Johns River Water Management District
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
Design of pump station for the c-10 water management area
REQUEST FOR QUALIFICATIONS #28919 Second Call
The District’s Evaluation Committee has scheduled a meeting
date for the above referenced project, to discuss the fee
proposals: September 26, 2017 at 9:00 p.m. at the District’s
headquarters.

AULD & WHITE CONSTRUCTORS, LLC
NOTICE TO SUBCONTRACTORS AND SUPPLIERS
FLORIDA SCHOOL FOR THE DEAF AND THE BLIND –
GORE HALL RENOVATION REQUEST FOR BIDS
NOTICE IS HEREBY GIVEN that Auld & White
Constructors, LLC, in conjunction with the Florida School for
the Deaf and the Blind (FSDB), will be accepting sealed
proposals, which will be received until 2:00 p.m., September
25, 2017, at Auld & White Constructors, LLC, 4168 Southpoint
Parkway, Suite 101, Jacksonville, Florida 32216, or at FSDB,
Attention: Charles Meyers, Contract Administrator, Building
#28, Purchasing Department, 207 North San Marco Ave., St.
Augustine, Florida 32084, between the hours of 10:00 a.m. –
1:59 p.m. for the referenced project. Bids shall be opened
publicly at the campus of the Florida School for the Deaf and the
Blind, 207 San Marco Ave., Moore Hall Building, Room
126 St. Augustine, Florida 32084 at 3:30 p.m..
SCOPE DESCRIPTION: Gore Hall is a 25,000 SF existing 2-
story K-5th grade classroom building built in the 1960’s. The
current plan is to completely gut the building, expand the
footprint at the exterior walls on the ground floor growing the
total existing building square footage to 27,500 SF and
completely renovate the interior for new classrooms and
support space including all new MEP and infrastructure. The
scope also includes a 5,000 SF Early Learning Center Addition.

Site improvements and utility work are included as well as all
major construction trades including but not limited to concrete
footings and slabs, helical pile foundations, masonry, carpentry
and millwork, roofing and waterproofing, glass and glazing
systems interior/exterior with integral sunshades, doors, frames
and hardware, drywall and framing, acoustical ceilings,
flooring, painting, toilet partitions and accessories, classroom
accessories, window treatments, all mechanical, electrical,
plumbing and fire protection trades (MEPF). Elevator
refurbishment is anticipated as well.
Interested Bidders are required to notify Auld & White
Constructors, LLC, of their Intent to Bid, in writing, no later
than Wednesday, September 13, 2017. Interested Bidders who
fail to notify Auld & White Constructors, LLC, of their intent
to bid by the date referenced above MAY NOT be permitted to
bid. Bid drawings and specifications will be available on Auld
& White Constructors, LLC’s website (www.auld-white.com),
on August 25, 2017. All interested bidders shall submit their
Notice of Intent to Elizabeth Wilcox by email at
awcestimating@auld-white.com.
Florida School for the Deaf and the Blind and Auld & White
Constructors, LLC are committed to provide equal opportunity
and strongly encourage all interested M/WBE and small
business firms and suppliers to submit bids.
Auld & White Constructors, LLC reserves the right to reject any
and all bids that are not in compliance with the Bid Form,
associated Bid Packages, Bid Drawings & Specifications and
Addendums. The Bidding process and Subcontractor &
Supplier selection will be in accordance with the Florida School
of the Deaf and the Blind procurement requirements.

VISIT FLORIDA
I-95 Welcome Center Lobby Design RFQ
VISIT FLORIDA seeks a vendor to provide a commercial
design for the interior of the lobby at the I-95 Florida Welcome
Center. The I-95 Welcome Center is open to the general public,
these visitors can enjoy free Florida citrus juice and relax in the
4,000 square foot air-conditioned lobby. The Florida
Department of Transportation owns and maintains the I-95
Welcome Center facility and the grounds. VISIT FLORIDA
operates the interior of the I-95 Welcome Center facility and as
such, is responsible for any changes, upgrades and renovations
to the interior of the building. The proposed design will only
focus on the lobby of the building. The Welcome
Center provides a one-stop resource for planning a Florida
vacation.
The final design will need to be provided to VISIT FLORIDA
for review by November 15, 2017. The selected vendor may be
requested to assist with the selection of construction firms, implementation of design into final plans, and project oversight. The construction will be scheduled to be completed by June 30, 2018.

Proposals are due: October 9, 2017
For more information, please visit https://www.visitflorida.org/work-together/submit-a-proposal/rfps-its/.

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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., Wednesday, September 13, 2017 and 3:00 p.m., Tuesday, September 19, 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.

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LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES

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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
Florida Forest Service
RULE NO.: RULE TITLE:
5I-7.004 Application Procedures and Requirements
Open Application Cycle Due Date Extension
The Department announced on July 28, 2017 an open application cycle for the Rural and Family Lands Protection Program beginning on August 1, 2017. Due to impacts from Hurricane Irma, the open application cycle has been extended for two weeks until Monday, October 16, 2017. The previous deadline was October 2, 2017.
For information on the Rural and Family Lands Protection Program visit: www.FreshFromFlorida.com/RFLPP.

WATER MANAGEMENT DISTRICTS
Northwest Florida Water Management District
Notice of Publication of the Annual Regulatory Plan
As required by section 120.74, Florida Statutes, the Northwest Florida Water Management District (District) is providing notice that the District’s Annual Regulatory Plan (ARP) was published on August 29, 2017. Interested parties may access the ARP on our website, http://www.nwfwater.com/Data-Publications/Reports-Plans/Annual-Regulatory-Plans, or contact the following staff member for further information: Caitlin Brongel, Director of External Affairs, 81 Water Management Drive, Havana, Florida 32333-4712, (850)539-5999, Caitlin.Brongel@nwfwater.com.
AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need
NOTICE OF TENTATIVE PUBLIC HEARINGS
The Agency for Health Care Administration has received and accepted the following Certificate of Need applications for review in the batched Hospital Beds and Facilities review cycle with an application due date of September 6, 2017.

County: Escambia  District: 1
CON # 10495  Application Receipt Date: 9/6/2017
Facility/Project: Encompass Health Rehabilitation Hospital of Escambia County, LLC
Applicant: Encompass Health Rehabilitation Hospital of Escambia County, LLC
Project Description: Establish a 50-bed comprehensive medical rehabilitation hospital

County: Lake  District: 3
CON # 10496  Application Receipt Date: 9/6/2017
Facility/Project: Florida Hospital Waterman
Applicant: Florida Hospital Waterman, Inc.
Project Description: Establish a 12-bed comprehensive medical rehabilitation unit

County: Alachua  District: 3
CON # 10497  Application Receipt Date: 9/6/2017
Facility/Project: North Florida Regional Medical Center
Applicant: North Florida Regional Medical Center, Inc.
Project Description: Establish a bed comprehensive medical rehabilitation unit of up to 24 beds

County: Marion  District: 3
CON # 10498  Application Receipt Date: 9/6/2017
Facility/Project: Munroe Regional Medical Center
Applicant: Munroe HMA Hospital, LLC
Project Description: Establish a bed comprehensive medical rehabilitation unit of up to 12 beds

County: Marion  District: 3
CON # 10499  Application Receipt Date: 9/6/2017
Facility/Project: West Marion Community Hospital
Applicant: Marion Community Hospital, Inc.
Project Description: Establish a bed comprehensive medical rehabilitation unit of up to 40 beds

County: Sarasota  District: 8-6
CON # 10500  Application Receipt Date: 9/6/2017
Facility/Project: Sarasota Memorial Hospital
Applicant: Sarasota County Public Hospital District
Project Description: Establish an acute care hospital of up to 200 beds

County: Sarasota  District: 8-6
CON # 10501  Application Receipt Date: 9/6/2017
Facility/Project: North Port Hospital, LLC
Applicant: North Port Hospital, LLC
Project Description: Establish an acute care hospital of up to 120 beds

County: Miami-Dade  District: 11-1
CON # 10502  Application Receipt Date: 9/6/2017
Facility/Project: The Public Health Trust of Miami-Dade County, Florida
Applicant: The Public Health Trust of Miami-Dade County, Florida
Project Description: Establish a 100-bed acute care hospital

County: Miami-Dade  District: 11-1
CON # 10503  Application Receipt Date: 9/6/2017
Facility/Project: Homestead Hospital
Applicant: Homestead Hospital, Inc.
Project Description: Establish a comprehensive medical rehabilitation unit of up to 23 beds

IF REQUESTED, tentative public hearings have been scheduled as follows:

PROPOSALS: CON #’s 10495  District: 1
DATE/TIME:  Tuesday, October 17, 2017 @ 10:00 a.m. – 12:00 p.m. CST/11:00 a.m. -1 p.m. EST
PLACE:  Board Room of the Panama City/Bay County Chamber of Commerce
235 West 5th Street
Panama City, Florida 32401

PROPOSALS: CON #’s 10496, 10497, 10498 & 10499  District: 3
DATE/TIME:  Tuesday, October 17, 2017 @ 9:00 a.m. – 2:00 p.m.
PLACE:  WellFlorida Council, Inc.
1785 N.W. 80th Boulevard
Gainesville, Florida 32606

PROPOSALS: CON #’s 10500 & 10501  District: 8
DATE/TIME:  Thursday October 19, 2017 @ 10:00 a.m. – 2:00 p.m.
PLACE:  Health Planning Council of Southwest Florida, Inc.
8961 Daniels Center Drive, #401
Fort Myers, Florida 33912

4064
The Florida Department of Environmental Protection (DEP) has determined that the Town of Jennings’ project involving rehabilitation of their existing wastewater collection and transmission facilities is not expected to generate controversy over potential environmental effects. The total estimated construction cost is $2,500,000. The project may qualify for a Florida Statutes. The person to be contacted regarding the proposed regulations or to submit comments is: Courtney Coppola at Courtney.Coppola@flhealth.gov.

THE TEXT OF THE PROPOSED REGULATION IS:

For the purposes of Department of Health (the “department”) medical marijuana treatment center rules and regulations, the following words and phrases shall have the meanings indicated:

(1) Applicant – An individual or entity that meets the requirements of section 381.986(8)(b), F.S., and applies for registration as a medical marijuana treatment center pursuant to Article X, Section 29 of the Florida Constitution and consistent with section 381.986(8)(a)2.b. and c., F.S.

(2) Approval – Written notification from the department to an applicant that its application for registration as a medical marijuana treatment center has been found to be in compliance with the provisions of department rules and regulations and that the department is awaiting notification that the medical marijuana treatment center is prepared to be inspected and authorized to begin cultivation, processing, and dispensing.

(3) Certified financials – Financial statements that have been audited in accordance with Generally Accepted Auditing Standards (GAAS) by a Certified Public Accountant, licensed pursuant to Chapter 473, F.S.

(4) Contingent licensee – An applicant that has been granted approval contingent upon the initial registration of 100,000 active patients in the Medical Marijuana Use Registry in accordance with section 381.986(8)(a)4., F.S.

(5) Cultivation – Growth of marijuana plant source material.

(6) Cultivation authorization – Written notification by the department to a medical marijuana treatment center that it may begin cultivating marijuana.

(7) Cultivation facility – Any area designated in the application to be used for cultivation of marijuana.

(8) Derivative product – Forms of marijuana suitable for routes of administration.

(9) Dispensing authorization – Written notification by the department to a medical marijuana treatment center that it may begin dispensing derivative product.

(10) Dispensing facility – Any area designated in the application where derivative product and marijuana delivery devices are dispensed at retail.

(11) Employee – Any person whose duties involve any aspect of the cultivation, processing, or dispensing of marijuana whether or not compensated for the performance of such duties.

(12) Financial Statements – A presentation of financial data, including accompanying notes, derived from accounting records that purports to show actual or anticipated financial position and intended to communicate an entity’s economic resources or obligations at a point in time, and the results of operations and cash flows for a period of time, in accordance
with generally accepted accounting principles or a comprehensive basis of accounting other than generally accepted accounting principles. Financial presentations included in tax returns are not financial statements. The method of preparation (for example, manual or computer preparation) is not relevant to the definition of a financial statement.

(13) Interests – Any form of ownership in or control of an applicant or a medical marijuana treatment center, including, but not limited to ownership of stock, membership interests, partnership interests, a sole proprietorship or otherwise and which convey to the holder thereof, an ownership right or an interest in or right to the profits, capital, or voting with respect to such applicant or medical marijuana treatment center.

(14) Majority ownership – Ownership of more than 50% of the interests of an applicant or registered medical marijuana treatment center, such ownership being determined by application of the requirements in subsection (16) below.

(15) Manager – Any person with the authority, directly or indirectly, to exercise or contribute to the operational control, direction or management of an applicant or a medical marijuana treatment center or who has direct or indirect authority to supervise any employee of an applicant or a medical marijuana treatment center. The term shall be interpreted broadly and shall include, but not be limited to, all officers, managers, and members of board of directors as well as any other person engaged to undertake management or control of the applicant or a medical marijuana treatment center or any person or persons in control of an entity engaged to undertake management or control of the applicant or medical marijuana treatment center.

(16) Owner – Any person who, directly or indirectly, owns (actually or beneficially) or controls, a 5% or greater share of interests of the applicant or a medical marijuana treatment center. In the event that one person owns a beneficial right to interests and another person holds the voting rights with respect to such interests, then in such case, both shall be considered the owner of such interests. In determining the owners of the applicant or a medical marijuana treatment center, the attribution of ownership rules set forth in the Treasury Regulations cited as 26 CFR 1.414(c)-4(b) and (c) (4-1-17 edition) shall apply, but with the following exceptions and additions:

(a) The use of the term “option” in 26 CFR 1.414(c)-4(b) shall be interpreted broadly to include, but not be limited to, any and all options, warrants, calls, rights of first refusal and any other right to acquire an interest (as defined herein), whether such right is vested or unvested and regardless of whether such right is then exercisable or becomes exercisable at a future date or upon the occurrence of a future event.

(b) The exception for attribution of a spouse’s interest, as defined in subsection (13), as set forth in 26 CFR 1.414(c)-4(b)(5)(ii) is eliminated and shall not apply.

(c) The age limitation contained in 26 CFR 1.414(c)-4(b)(6) is amended to 18 years. The term interest as used in 26 CFR 1.414(c)-4(b)(6) shall have the meaning as set forth in subsection (13).

(d) In the event that a person under the age of 18 owns or is deemed an owner of an interest, such person must be disclosed to the department. Persons under the age of 18 shall only be required to submit to a background screening in the event that the interest or ownership was not imputed to another family member or guardian as outlined in paragraph (c) above.

(e) To the extent that the above alterations to the provisions of 26 CFR 1.414(c)-4 alter the outcome of any of the examples set forth therein, then, in such case, such example is deemed eliminated.

(f) As used in 26 CFR 1.414(c)-4(b)(3), the term “actuarial interest” shall be interpreted broadly and shall include, but not be limited to the right of a beneficiary of a trust or an estate to receive either income or principal distributions with respect to an interest held by such trust or estate.

(g) With regard to publicly traded companies with ownership interests in the applicant, any person who holds 10% or more interest in the publicly traded company shall be considered an owner.

(17) Processing authorization – Written notification by the department to a medical marijuana treatment center that it may begin processing marijuana to derivative product.

(18) Processing facility – Any area designated in the application to be used for processing of derivative product.

(19) Registration – Approval and licensure as a medical marijuana treatment center pursuant to Article X, Section 29 of the Florida Constitution and consistent with section 381.986(8), F.S.

(20) Resident – A person who meets the requirements of section 381.986(5)(b), F.S.

(21) Routes of administration – means the path by which a derivative product is ordered by a physician to be taken into the body of the qualified patient, but does not include smoking.

2-1.01 Application for Registration of Medical Marijuana Treatment Centers.

Pursuant to Article X, Section 29 of the Florida Constitution and consistent with section 381.986, F.S., all applicants seeking registration with the department as a medical marijuana treatment center shall comply with the registration process detailed below. The registration process set forth in this
regulation does not apply to individuals requesting registration pursuant to section 381.986(8)(a)2.a., F.S.
(1) Each individual or entity that meets the requirements of section 381.986(8)(b), F.S., desiring to be registered as a medical marijuana treatment center pursuant to Article X, Section 29 of the Florida Constitution and section 381.986, F.S., shall submit an application to the department using Form DH8013-OMMU-08/2017, “Application for Medical Marijuana Treatment Center Registration” herein incorporated by reference and available at http://www.floridahealth.gov/programs-and-services/office-of-medical-marijuana-use/mmmtc-applicants/index.html. The application must comply with the page limits, blind grading, format, and organization instructions detailed in the application. The application, once submitted to the department, shall be considered final. The department will not accept any amendments or supplements to the initial application. The applicant must include with the application at the time of submission, the following:

(a) A non-refundable application fee of $60,830.00.
(b) Written documentation from the Department of State or the Department of Revenue, as applicable under Florida law, demonstrating that the applicant has been registered to do business in Florida for the prior five consecutive years and that the applicant possesses a valid certificate of registration issued by the Department of Agriculture and Consumer Services pursuant to section 581.131, F.S. The name of the applicant as submitted to the department must match the name on any documents provided in accordance with this paragraph.
(c) A list of all owners, officers, board members, and managers indicating the date of each individual’s most recent Level-2 background screening consistent with section 381.986(9), F.S. within the calendar year prior to application. Each owner, officer, board member, and manager shall go to the Florida Department of Law Enforcement (FDLE) or one of its approved vendors for fingerprinting and, at such time, shall give to FDLE or the FDLE approved vendor the entity ORI number FL924890Z (DOH – OFFICE OF MEDICAL MARIJUANA USE). The report will be sent directly to the Office of Medical Marijuana Use. To be eligible for registration, all of the applicant’s owners, officers, board members, and managers must have successfully passed a Level-2 background screening.
(d) For applicants seeking registration consistent with section 381.986(8)(a)2.b., F.S., the applicant must provide evidence that it is majority-owned by (an) African-American farmer(s) who:
  a. Documentation from Poorman-Douglass Corporation (now Epiq Systems Inc.) that the applicant received a consent decree case number in *Pigford*;
  b. Documentation that the applicant was granted class status by the *Pigford* adjudicator;
  c. Court documents or United States Department of Agriculture (USDA) documents showing that the applicant received judgment discharging debt, providing a cash payment, or providing injunctive relief in *Pigford*;
  d. Documentation that the applicant was determined to be a class member by Epiq Systems Inc. in *BFDL*;
  e. Documentation that the applicant received a settlement award in *BFDL*; or
  f. Other court documents or USDA documents demonstrating that the applicant was granted class member status in either *Pigford* or *BFDL*.
  2. Is currently a member of the Black Farmers and Agriculturists Association – Florida Chapter.
  3. A letter from the Black Farmers and Agriculturists Association – Florida Chapter certifying that the applicant meets subparagraph 1. and 2. will be accepted as sufficient evidence that the applicant qualifies for registration consistent with section 381.986(8)(a)2.b., F.S.
  4. Applicants seeking registration consistent with section 381.986(8)(a)2.b., F.S., are exempt from the evidentiary requirements of paragraph (1)(b) above and therefore, are also exempt from the provisions of paragraph (3)(b) below. However, if an applicant wishes to be considered under both sections 381.986(8)(a)2.b. and 381.986(8)(a)2.c., F.S., the applicant must provide the documentation required in paragraph (1)(b).
(e) For applicants seeking preference for registration consistent with section 381.986(8)(a)3., F.S., the applicant must provide evidence that:
  1. The property at issue currently is or was previously used for the canning, concentrating, or otherwise processing of citrus fruit or citrus molasses. In order to demonstrate the property meets this criteria the applicant may provide documentation that the applicant currently holds or has held a registration certificate or a citrus fruit dealer license pursuant to sections 601.40 and 601.55, F.S., respectively. A letter from the Department of Citrus certifying that the property currently is or was previously used for the canning, concentrating, or otherwise processing of citrus fruit or citrus molasses will be accepted as sufficient evidence;
  2. The applicant as an individual holds, in his or her name, or the applicant as an entity holds, in the legal name of the entity the deed to property meeting the criteria set forth in subparagraph 1. above; and
3. A brief explanation of how the property will be used for purposes of growing, processing or dispensing medical marijuana if the applicant is awarded a license.

(2) If the applicant intends to claim any exemption from public records disclosure under section 119.07, F.S., or any other exemption from public records disclosure provided by law for any part of its application, it shall indicate on the application the specific sections for which it claims an exemption and the statutory basis for the exemption. The applicant shall submit a redacted copy of the application redacting those items identified as exempt concurrent with the submission of the application for approval under subsection (4) below. Failure to provide a redacted copy of the application at the time of submission, or failure to identify and redact information claimed as trade secret will result in the release of all application information in response to a public records request unless the information falls under another public records exemption. All identified trade secrets are subject to the department review in accordance with section 381.83, F.S.

(3) Failure to provide the following at the time of submission of the application shall result in the application being denied prior to any scoring as contemplated in subsection (5) of this regulation:

(a) The $60,830.00 application fee;

(b) Documentation required under paragraph (1)(b); or

(c) The list of owners, officers, board members, and managers required under paragraph (1)(c).

(4) The department shall publish in the Florida Administrative Register and on its website the date upon which the department will begin accepting applications and the deadline to receive all applications. Applications and all required exhibits and supporting documents shall be hand delivered to the Department of Health at 4052 Bald Cypress Way in Tallahassee, Florida, during normal business hours, but no earlier than 10:00 a.m. (Eastern Time), on the date the department begins accepting applications and no later than 5:00 p.m. (Eastern Time) on the last date upon which the applications are accepted. Applications submitted after 5:00 p.m. Eastern Time on the final day of the application period will be denied.


(a) The subject matter experts shall have the following qualifications:

1. Subject matter experts reviewing Sections 1-3 of the application, the cultivation components, shall have at least 2 years of professional experience or advanced degree in one of the following areas: agriculture, horticulture, or agronomy, or comparable field.

2. Subject matter experts reviewing Sections 4-5 of the application, the processing components, shall have at least 2 years of professional experience or advanced degree in chemistry, biology, or biochemistry.

3. Subject matter experts reviewing Sections 6-8 of the application, the dispensing components, shall have at least 2 years of professional experience or advanced degree related to operating a business in a highly regulated environment.

4. Subject matter experts reviewing Sections 9, 10, 12, and 16 of the application, the compliance components, shall have at least 2 years of professional experience or advanced degree in industrial engineering, supply chain management, or strategic management.

5. Subject matter experts reviewing Section 13 of the application shall have at least 2 years of management experience within a business operating in a regulated industry or at least 2 years of experience working in human resources.

6. Subject matter experts reviewing Section 11 of the application shall have at least 2 years of management experience within a business operating in the health care industry or an active, unrestricted license as a medical doctor or doctor of osteopathic medicine.

7. Subject matter experts reviewing Sections 14-15 of the application, the legal and financial components, shall have an active CPA license or an active license to practice law and experience in business structuring.

Subject matter experts will certify that they do not have a conflict of interest and will evaluate and score each section of the application according to the rubric set forth in DH8014-OMMU-08/2017.

(b) Scores for each Section of the application will be combined to create an applicant’s total score. The department shall generate a final ranking of the applicants in order of highest to lowest scores. Any application which demonstrates a failure to comply with the minimum statutory requirements for cultivation, processing, dispensing, security, or general operations, as identified in DH8014-OMMU-08/2017, shall be denied and will not be considered in the final ranking of applications.

(c) Consistent with section 381.986(8)(a)3., F.S., the two highest scoring applicants that own one or more facilities that are, or were, used for the canning, concentrating, or otherwise processing of citrus fruit or citrus molasses and will use or convert the facility or facilities for the processing or marijuana will receive an additional 35 points to their respective total score.
(6) Licenses will be awarded, subject to availability, consistent with s. 381.986(8)(a)2., F.S., based on the highest total score in the following manner:
(a) The highest scoring applicant that is a recognized member of Pigford or BFDL and a member of the Black Farmers and Agriculturalists Association-Florida Chapter, will receive a license
(b) The remaining highest scoring applicants, after the addition of the preference for applicants that own citrus and molasses facilities, will receive licenses up to the statutory cap set forth in section 381.986(8)(a)2., F.S.
(c) The next four highest scoring applicants, after removing any preference points for citrus applicants provided under paragraph (5)(c) above, will receive notification of approval as contingent licensees. The contingent license will not become active until such time as the department provides notification of the registration of 100,000 active patients in the Medical Marijuana Use Registry. The department will provide notification to the contingent licensee of the activation of its license within 30 days of the registration of the first 100,000 active patients.
(d) In the event of a tie, the following tiebreakers will be applied:
1. The first tiebreaker shall be the score for Section 14 – Financials: Certified Financial Documents. The applicant with the highest score in Section 14 shall be awarded a license. In the event that this does not resolve the tie:
2. The second tiebreaker shall be the score for Section 15 – Financials: Business Structure. The applicant with the highest score in Section 15 shall be awarded a license. In the event that this does not resolve the tie:
3. The third tiebreaker shall be the score for Section 13 – Diversity Plan. The applicant with the highest score in Section 13 shall be awarded a license. In the event that this does not resolve the tie:
4. The final tiebreaker shall be the score for Section 10 – Accountability: Operations.
(7) Upon notification that it has been approved as a medical marijuana treatment center as an active license, the applicant shall have 10 business days to:
(a) Post a performance bond, provide an irrevocable letter of credit payable to the department or provide cash to the department in the amount of $5 million (collectively “financial assurance”) consistent with section 381.986(8)(b)7., F.S. If a bond is provided, the bond shall:
1. Be payable to the department in the event the medical marijuana treatment center’s approval is revoked;
2. Be written by an authorized surety company rated in one of the three highest rating categories by a nationally recognized rating service; and
3. Be written so that the individual or entity name on the bond corresponds exactly with the applicant name.
4. The surety company can use any form it prefers for the performance bond as long as it complies with this regulation.
(b) Provide documentation supporting representations related to property ownership and/or leases made in the application.
(8) If a financial assurance is canceled or revoked in any manner and the medical marijuana treatment center fails to provide new financial assurance to the department in the required amount on or before the effective date of cancellation or revocation, the medical marijuana treatment center’s approval shall be revoked.
(9) If a selected applicant fails to post the financial assurance or supporting property ownership and/or use documents within the required timeframe, the applicant with the next highest score shall be selected and notified.


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.