

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-2.021 Curriculum Guidelines

PURPOSE AND EFFECT: The rule is being created to establish curriculum guidelines.

SUBJECT AREA TO BE ADDRESSED: Establish guidelines.

RULEMAKING AUTHORITY: 464.006, 464.019 FS.

LAW IMPLEMENTED: 464.019 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: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399; Joe.Baker@flhealth.gov.

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-2.022: Clinical Training

PURPOSE AND EFFECT: The rule is being created to establish the uses and limitations of simulation technology in nursing programs.

SUBJECT AREA TO BE ADDRESSED: Establish the uses and limitations of simulation technology.

RULEMAKING AUTHORITY: 464.006, 464.019 FS

LAW IMPLEMENTED: 464.019 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: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald

Cypress Way, Bin #C02, Tallahassee, Florida 32399; Joe.Baker@flhealth.gov.

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

Medicaid

RULE NO.: RULE TITLE:

59G-4.251: Prescribed Drugs Reimbursement Methodology

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.251, Florida Administrative Code (F.A.C.), is to add definitions and update the dispensing fee for prescribed drugs service providers.

SUMMARY: The amendment specifies the dispensing fee used in the calculation of the reimbursement methodology, and adds definitions to clarify terms referenced in the rule.

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: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908, 409.912 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 17, 2018, 10:00 a.m. to 10:30 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308-5407.

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: Kym Holcomb. 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: Kym Holcomb, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida

32308-5407, telephone: (850)412-4251, e-mail: Kym.Holcomb@ahca.myflorida.com.

Please note that a preliminary draft of the reference material, if available, will be posted prior to the public hearing at <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

Official comments to be entered into the rule record will be received from the date of this notice until January 18, 2018. Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, please contact the person specified above.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.251 Prescribed Drugs Reimbursement Methodology.

(1) This rule applies to all prescribed drug service providers enrolled in the Florida Medicaid program that provide services under the fee-for-service delivery system in accordance with Rule 59G-4.250, F.A.C.

(2) Definitions.

(a) Actual Acquisition Cost for Prescribed Drugs – (AAC) – The National Average Drug Acquisition Cost (NADAC) will be used for the AAC, when available. If the NADAC is unavailable, the AAC will be equal to the wholesaler acquisition cost.

(b) State Maximum Allowable Cost – (SMAC) – The maximum allowable unit cost established by the state; SMAC may be manually set.

(c) Usual and Customary Charge – (U&C Charge) – The average charge to all other customers in any quarter for the same drug, quantity, and strength.

(d) Wholesaler Acquisition Cost – (WAC) – The cost wholesalers pay for a prescribed drug.

(3) Reimbursement Methodology.

(a) Florida Medicaid reimburses for drugs dispensed by an approved Florida Medicaid pharmacy provider, or a provider enrolled as a dispensing practitioner, in an amount not to exceed the lesser of:

1. The AAC plus a professional dispensing fee (PDF) of \$10.24.

2. The WAC plus a PDF of \$10.24.

3. The SMAC plus a PDF of \$10.24.

4. The provider's U&C Charge.

(b) The above reimbursement methodology applies to all of the following:

1. Covered outpatient drugs dispensed by a retail community pharmacy.

2. Specialty drugs dispensed primarily through the mail.

3. Drugs not purchased pursuant to the 340B program by a covered entity, as defined in section 340B(a)(4) of the federal Public Health Service Act.

4. Drugs acquired at a nominal price, except for drugs purchased through the 340B program or the Federal Supply Schedule (FSS).

5. Drugs dispensed in an institutional or long term care pharmacy, when not included as part of the floor stock contained in the institution's cost report.

(4) Florida Medicaid utilizes the actual purchased drug price plus a PDF in the reimbursement methodology for drugs acquired via the FSS.

(5) Florida Medicaid utilizes the actual purchased drug price plus a PDF in the reimbursement methodology for drugs acquired via nominal price.

(6) Florida Medicaid reimburses for drugs purchased under the 340B program at the actual purchased drug price, which cannot exceed the 340B ceiling price, plus a dispensing fee of \$10.24. This provision only applies to covered entities, Indian Health Services, tribal organizations, urban Indian pharmacies and federally qualified health centers that dispense drugs purchased at prices authorized under section 340B of the Public Health Services Act.

(7) Florida Medicaid reimburses for clotting factor to the vendor(s) awarded the state's hemophilia contract(s) at the negotiated price.

(8) Florida Medicaid reimburses for prescribed drugs administered by a licensed practitioner in an office setting at WAC.

(9) Florida Medicaid reimburses for prescribed drugs administered in an outpatient facility at WAC.

(10) Florida Medicaid reimburses for prescribed drugs purchased under the 340B program administered in an outpatient facility at an amount not to exceed the 340B ceiling price.

(11) Florida Medicaid does not reimburse for investigational or experimental drugs.

~~Florida Medicaid reimburses for services in accordance with the provisions of Title 42, Code of Federal Regulations, sections 447.512 .516. Reimbursement amounts shall not exceed the lesser of:~~

~~(a) The wholesaler acquisition cost (WAC) plus 1.5%, plus a dispensing fee of \$3.73.~~

~~(b) The federal upper limit (FUL) established by the Centers for Medicare and Medicaid Services, plus a dispensing fee of \$3.73.~~

~~(c) The state maximum allowable cost (SMAC), plus a dispensing fee of \$3.73.~~

~~(d) The provider's usual and customary (U&C) charge, including the dispensing fee.~~

~~(e) The actual acquisition cost, plus a dispensing fee of \$7.50. This provision only applies to covered entities and federally qualified health centers or their contracted agents that dispense or administer drugs purchased at prices authorized under section 340B of the Public Health Service Act.~~

Rulemaking Authority 409.919 FS. Law Implemented 409.906, 409.908, 409.912 FS. History—New 1-28-09, Amended 8-23-09, 5-20-12, 6-2-16, .

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kym Holcomb

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 7, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 11, 2017

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-15.003 Application and Licensing Study

PURPOSE AND EFFECT: The Department intends to amend rule 65C-15.003, F.A.C., to clarify the licensing requirements for satellite offices.

SUMMARY: The amendments clarify that a full application packet is not required if an agency opens a satellite office during the licensed term. In addition, the amendments require licensed agencies to justify the need for services for satellite offices, with the exception of certain specified information.

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: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to require legislative ratification.

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: 409.175(5), FS.

LAW IMPLEMENTED: 409.175, FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jodi Abramowitz. Jodi can be reached at (850)717-4470 or Jodi.abramowitz@myflfamilies.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-15.003 Application and Licensing Study.

(1) No change.

(2) Child-placing agencies applying for initial licensure shall provide the Department with the following information:

(a) Description of the services the agency will provide;

(b) Need for the services to be provided in the geographic area served;

(c) Projected fees and costs for services, how fees are collected and refunds given, if applicable, including any and all contracts;

(d) Geographical area to be served; and

(e) Location of office, including city, state, street address, mailing address and telephone number.

~~Upon determination that the applicant meets the state licensing requirements, the Department shall issue a license to a specific agency, at a specific location.~~

(3) ~~Except as prescribed in subsection (6), of this rule, A~~ licensed agency may operate satellite offices without separate licenses for those offices. However, each satellite office must be disclosed in the application for license by submitting a copy of form CF-FSP 5135, incorporated in subsection (1), of this rule, for each office. If the agency opens a satellite office during the licensed term, the agency shall file form CF-FSP 5135 not less than 10 business days prior to the opening of the new office; a full application packet is not required.

(4) Child-placing agencies applying for satellite offices are required to provide the Department with the information required in subsection (2) of this rule with the exception of the following:

(a) Description of the services, if the satellite office will offer the same services as the parent agency; and

(b) Projected fees and costs for services, how fees are collected and refunds given, if applicable, including any and all contracts, if the information is the same as the parent agency.

(5)(4) The agency shall have an office and professional staff permanently housed within the state.

~~Need for Services. Child-placing agencies applying for initial licensure shall provide the Department with the following information:~~

(a) Description of the services the agency will provide;

~~(b) Need for the services to be provided in the geographic area served;~~

~~(c) Projected fees and costs for services, how fees are collected and refunds given, if applicable, including any and all contracts;~~

~~(d) Geographical area to be served; and,~~

~~(e) Location of office, including city, state, street address, mailing address and telephone number.~~

~~(6)(5) Upon determination that the applicant meets the state licensing requirements, the Department shall issue a license to a specific agency, at a specific location, noting all satellite office locations.~~

~~The agency shall have an office and professional staff permanently housed within the state.~~

~~(7)(6) Satellite offices of licensed child-placing agencies shall be required to submit be separately licensed if:~~

~~(a) The daily supervision of the social work staff is provided on site; and,~~

~~(b) The satellite office maintains client records and personnel files for review at the time of the child-placing agency's relicensing or any audit by the Department. The regional licensing staff may conduct scheduled or unannounced visits to a satellite office at any time pursuant to Rule 65C-15.004, F.A.C. on the premises.~~

Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History--New 12-19-90, Amended 10-27-93, Formerly 10M-24.005, Amended 11-14-16,_____

NAME OF PERSON ORIGINATING PROPOSED RULE:
Courtney Smith

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Carroll

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 12/11/17

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 12/15/17

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.:	RULE TITLE:
68B-14.0035	Size Limits: Amberjacks, Black Sea Bass, Gray Triggerfish, Grouper, Hogfish, Red Porgy, Snapper
68B-14.0036	Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Tilefish, Exception, Wholesale/Retail Purchase Exemption
68B-14.0041	Recreational Gulf Gray Triggerfish Season

PURPOSE, EFFECT AND SUMMARY: A federal stock assessment completed in 2015 showed that gray triggerfish

continue to be overfished in the Gulf of Mexico. The new rule would modify recreational harvest regulations in Gulf of Mexico state waters by decreasing the recreational bag limit from 2 to 1 fish per person per day, increasing the recreational size limit from 14 to 15 inches fork length, and adding a January 1 through end of February closed season to the current June 1 – July 31 closure. The purpose of these rules is to achieve consistency between the Commission’s Gulf gray triggerfish regulations and federal regulations in the Gulf of Mexico. The Secretary of Commerce has approved similar rules for Gulf of Mexico federal waters and these regulations take effect on January 16, 2018.

The effect of this rule amendment is that federal and state regulations can be applied more consistently to recreational harvest of gray triggerfish in the Gulf of Mexico. A consistent recreational bag limit, size limit, and closed season in state waters would contribute to the federal rebuilding plan and reduce the likelihood of catch exceeding federal annual catch limits. This should help ensure a sustainable harvest for the future.

Rule 68B-14.0035, F.A.C., would be modified to increase the minimum size limit for recreational harvest of gray triggerfish in the Gulf of Mexico from 14 to 15 inches fork length. Rule 68B-14.0036, F.A.C. would be modified to decrease the recreational bag limit from to 2 to 1 gray triggerfish in the Gulf of Mexico. Lastly, Rule 68B-14.0041, F.A.C. would be modified to add a recreational harvest closure from January 1 through the end of February each year. These changes were approved by the Commission at their July 10-11, 2017, meeting in Orlando.

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION

120.54(6), F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: Bud Vielhauer, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-14.0035 Size Limits: Amberjacks, Black Sea Bass, Gray Triggerfish, Grouper, Hogfish, Red Porgy, Snapper.

No person shall land, possess, unnecessarily destroy, purchase, exchange, sell or offer for sale any of the following species harvested in or from state waters, of a length less than set forth as follows:

(1) through (2) No change.

(3) Gray triggerfish.

(a) No change

(b) 1. Gray triggerfish harvested commercially in the Gulf of Mexico 14 inches fork length (consistent with Federal Standard established in 50 C.F.R §622.37(c)(1)(i) as of January 16, 2018)

2. Gray triggerfish harvested recreationally in the Gulf of Mexico 15 inches fork length (consistent with Federal Standard established in 50 C.F.R §622.37(c)(1)(ii) as of January 16, 2018)

(4) through (7) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 12-31-98, Amended 3-1-99, Formerly 46-14.0035, Amended 1-1-00, 1-1-01, 1-1-01, 1-1-03, 9-16-05, 7-1-06, 7-1-07, 4-1-08, 1-6-09, 8-27-09, 3-23-12, 6-10-13, 7-9-15, 1-4-16, 6-1-16, 7-1-16, 11-17-16, 1-1-17,_____.

68B-14.0036 Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Tilefish, Exception, Wholesale/Retail Purchase Exemption.

(1) through (7) No change.

(8) Gray Triggerfish.

(a) Except as provided elsewhere in this rule, no recreational harvester shall harvest in or from state waters of the Gulf of Mexico nor possess in or on the state waters of the Gulf of Mexico more than ~~two~~ one gray triggerfish at any time (consistent with the Federal Standard established in 50 C.F.R. §622.38(b)(5) as of January 16, 2018).

(b) No change.

(9) through (10) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 12-31-98, Amended 3-1-99, Formerly 46-14.0036, Amended 10-22-99, 1-1-00, 3-6-00, 3-1-01, 1-1-03, 1-3-05, 9-16-05, 1-1-06, 7-1-06, 7-1-07, 4-1-08, 1-6-09, 8-27-09, 10-16-09, 1-19-10, 12-30-11, 7-1-12, 6-10-13(4), 6-10-13(8), 3-13-14, 5-7-15, 7-1-16, 11-17-16, 1-1-17, 5-30-17,_____.

68B-14.0041 Recreational Gulf Gray Triggerfish Season.

In all state waters of the Gulf of Mexico the recreational harvest and possession of gray triggerfish shall be prohibited January 1 through the end of February, and June 1 through July

31, each year (consistent with the Federal Standard established in 50 C.F.R. § 622.34(f) as of January 16, 2018).

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 6-10-13,_____.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: RULE TITLE:

68B-35.006 Closed Season

PURPOSE AND EFFECT: The purpose of this rule amendment is to provide for the further conservation of permit by modifying the spawning season closure for permit inside the Special Permit Zone (SPZ) established in rule 68B-35.006, Florida Administrative Code.

In 2011, the Commission developed a suite of management measures for permit in response to staff and stakeholder concerns about the potential impacts of anglers targeting spawning aggregations in the Keys and a lack of permit-specific regulations in federal waters. In addition to a variety of other changes, the SPZ was established in south Florida with separate management measures for permit intended to manage this fishery as a catch and release/trophy fishery. These management measures included a spawning season closure in May, June, and July.

Recently, stakeholders have expressed concerns that the spawning season closure for permit inside the SPZ is not providing the level of conservation to permit spawning aggregations as originally intended. Recent and on-going telemetry research confirms that spawning-size permit are visiting known multi-species spawning sites during the months of April through July.

The effect of this rule will be to add the month of April to the existing May – July spawning season closure for permit inside the SPZ.

SUMMARY: This rule will lengthen the existing spawning season closure for permit inside the SPZ by one month, making the closure run April – July. The modification will address stakeholder concerns and provide for additional conservation of permit aggregating in south Florida waters during the spawning season.

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: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: During the Commission’s regular meeting February 7-8, 2018, 8:30 a.m. – 5:00 p.m. each day.

PLACE: Florida Public Safety Institute, 85 Academy Drive, Havana, FL, 32333.

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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, and (850)487-0554.

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-35.006 Closed Season.

Inside the Special Permit Zone, no person shall harvest, possess, purchase, sell or exchange any permit within or without state waters during the months of April, May, June, and July of each year. During this closed season, the possession of permit while in or on the waters of the Special Permit Zone, including any dock, pier, bridge, beach, or other fishing site adjacent to such waters is prohibited.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., Art. X, Sec. 16, Fla. Const., 379.407 FS. History–New 8-29-11, Amended 11-15-12, _____.

PROPOSED EFFECTIVE DATE: April 1, 2018

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE

FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 7, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 5, 2017

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: **RULE TITLE:**

64B8-44.0055: Notice of Non-Compliance - Minor Violations
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. 173, September 6, 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 meeting held December 1, 2017. The changes are as follows:

64B8-44.0055 Notice of Non-Compliance – Minor Violations

(1) A Notice of noncompliance is a notification by the department issued to a licensee as a first response to a minor violation of ~~Board Council~~ rule. It is not accompanied by a fine or other disciplinary penalty.

(2) The ~~Board council~~ designates the following as minor violations for which a notice of noncompliance may be issued for the first violation thereof:

(a) Failure to notify the Department of a change of address within 60 days, in violation of ~~Section 456.035(3), F.S., and Rule 64B8-40.008, F.A.C.~~

(b) Failure to display license, in violation of ~~Section 468.512, F.S.~~ Rule 64B8-44.002, F.A.C.

Rulemaking Authority 120.695, 456.073(3), 468.507 FS. Law Implemented 120.695, 456.073(3) FS. History—New

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Dietetic and Nutrition Practices Council, Board of Medicine, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255.

**Section IV
Emergency Rules**

NONE

**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

NOTICE IS HEREBY GIVEN that on December 14, 2017, the Southwest Florida Water Management District received a petition for a variance or waiver.

Petitioner’s Name: Village of Glenwood Condominium Association, Inc.

Rule No.: 40D-22.201

Nature of the rule for which variance or waiver is sought: lawn and landscape irrigation

The Petition has been assigned tracking No. 18-4273.

A copy of the Petition for Variance or Waiver may be obtained by contacting Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext. 2298, water.variances@watermatters.org. Any interested person or other agency may submit written comments within 14 days after the publication of this notice. (A2017063-1).

DEPARTMENT OF MANAGEMENT SERVICES

Division of Facilities Management

RULE NO.: RULE TITLE:

60H-1.017: Turnkey Lease

The Department of Management Services hereby gives notice: On December 22, 2017, the Department issued an Order. The Order was in response to a Petition for Waiver of paragraph 60H-1.017(1)(a), F.A.C., filed by the Department of Health on December 6, 2017. Notice of the Petition was published in the Florida Administrative Register on December 7, 2017 in Vol.

43, No. 235. The Order on the Petition grants a waiver of paragraph 60H-1.017(1)(a), F.A.C., which requires the agency to have one unsuccessful competitive procurement of existing space pursuant to Rule 60H-1.015, F.A.C., before conducting a procurement for a build-to-suit or Turnkey Lease. Petitioner demonstrated that it would suffer a substantial financial hardship in the form of substantial costs if required to comply with this rule and that granting the waiver would achieve the underlying purpose of the statute by serving the best interest of the state.

A copy of the Order or additional information may be obtained by contacting Diane Wint, Agency Clerk at diane.wint@dms.myflorida.com, 4050 Esplanade Way, Suite 160, Tallahassee, FL 32399.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052: Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

NOTICE IS HEREBY GIVEN that on December 11, 2017, the Board of Accountancy received a petition for variance or waiver filed by Michele A. Belush, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed.

A copy of the Petition for Variance or Waiver may be obtained by contacting Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-14.023: Personnel and Staffing Requirements

NOTICE IS HEREBY GIVEN that on December 5, 2017, the Department of Children and Families, received a petition for waiver of paragraph 65C-14.023(15)(c), Florida Administrative Code, from VisionQuest and Kahnetta Brown, assigned Case No. 17-041W. Paragraph 65C-14.023(15)(c), F.A.C., requires staff responsible for the supervision, evaluation and monitoring of the direct care staff to have a bachelor’s degree in social work, or in a related area of study from an accredited college or

university, and at least two (2) years of experience working with children or two (2) years of college and four (4) years of experience working with children.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Cultural Affairs

The Florida Division of Cultural Affairs, Florida Council on Arts and Culture announces a public meeting to which all persons are invited.

DATE AND TIME: January 25, 2018, 9:00 a.m. until conclusion

PLACE: Florida State Capitol, 400 S. Monroe St., 22nd Floor, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Florida Council on Arts and Culture; election of officers.

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/calendar.

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: Rachelle Ashmore at (850)245-6490 or 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: The Division of Cultural Affairs website at http://dos.myflorida.com/cultural or call (850)245-6470.

DEPARTMENT OF LEGAL AFFAIRS

The Florida Commission on the Status of Women announces telephone conference calls to which all persons are invited.

DATE AND TIME: January 4, 2018 at 2018 at 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Essay Contest Task Force

DATE AND TIME: January 9, 2018, 9:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee

DATE AND TIME: January 11, 2018, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Full Commission

DATE AND TIME: January 16, 2018, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Awards & Recognition Committee

DATE AND TIME: January 17, 2018, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Bylaws Committee

DATE AND TIME: January 18, 2018, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Policy Committee

DATE AND TIME: January 18, 2018, 2:00 p.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Essay Contest Task Force

DATE AND TIME: January 24, 2018, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Outreach Committee

DATE AND TIME: January 25, 2018, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Policy Committee

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, fax (850)921-4131.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, fax (850)921-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050 PHONE: (850)414-3300 FAX: (850)921-4131

STATE BOARD OF ADMINISTRATION

RULE NO.: RULE TITLE:

19-8.029: Insurer Reporting Requirements and Responsibilities

The Florida Hurricane Catastrophe Fund Advisory Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 9, 2018, 1:30 p.m. (ET) until conclusion of meeting

PLACE: To participate dial 1(888)670-3525, enter conference code 7135858151

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Notice of Proposed Rule for Rule 19-8.029, F.A.C., Insurer Reporting Requirements and Responsibilities, was published on December 18, 2017, providing the public with 21 days from that date to request a rule hearing. If a rule hearing is timely requested, the Advisory Council will meet by conference call on January 9, 2018, to review comments made by the public at the rule hearing. In addition, other general business of the Council may be addressed.

A copy of the agenda may be obtained by contacting: Donna Sirmons, Florida Hurricane Catastrophe Fund, P.O. Drawer 13300, Tallahassee, FL 32317-3300, donna.sirmons@sbafla.com, (850)413-1349.

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

agency at least 7 days before the workshop/meeting by contacting: Donna Sirmons at the email or number listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 8, 2018, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd Ste. 100 Pinellas Park Florida 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Tampa Bay Regional Planning Council will meet to discuss Sea Level Rise and Climate Resiliency.

A copy of the agenda may be obtained by contacting: Wren Krahl, Wren@tbrpc.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 4 days before the workshop/meeting by contacting: Wren Krahl, Wren@tbrpc.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: Wren Krahl, Wren@tbrpc.org.

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

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

DATE AND TIME: January 19, 2018, 9:30 a.m.

PLACE: Indian River State College Chastain Campus, Wolf High Technology Center, 2400 SE Salerno Road, Stuart, Florida 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Treasure Coast Regional Planning Council will hold its monthly board meeting.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org.

DEPARTMENT OF ELDER AFFAIRS

Division of Volunteer and Community Services

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

DATE AND TIME: Friday, January 12, 2018, 10:00 a.m.

PLACE: Tidewell Hospice, 5957 Rand Blvd., Sarasota, FL 34238

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Dementia Cure and Care Initiative Task force for the City of Sarasota. The goal of the DCCI Task force is to engage communities across the state to be more dementia friendly, promote better care for Floridians affected by dementia, and support research efforts to find a cure. The vision of the DCCI Task Force is to see all Florida communities engaged in providing better care for those affected by dementia while we work towards a cure.

A copy of the agenda may be obtained by contacting: Christine Sherrill, Department of Elder Affairs, (850)414-2028, sherrillc@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Christine Sherrill, Department of Elder Affairs, (850)414-2028, sherrillc@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Christine Sherrill, Department of Elder Affairs, (850)414-2028, sherrillc@elderaffairs.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: RULE TITLE:

61D-6.011: Penalty Guidelines for Class I-V Drug Violations in Horses

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, January 10, 2018, 1:00 p.m. – 5:00 p.m.

PLACE: Florida Department of Revenue Conference Room; Building 2 Room 1250, Capital Circle Office Center, 2450 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Penalty Guidelines for Drug Violations in Horses.

A copy of the agenda may be obtained by contacting Bryan Barber, Division of Pari-Mutuel Wagering, bryan.barber@myfloridalicense.com, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1761.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary

The Florida Greenways and Trails Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 11, 2018, 8:00 a.m. until completion of business

PLACE: Blackburn-Hunt Building at the Florida Sheriffs Association, 2617 Mahan Dr, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will meet to conduct general business and will vote on the proposed 2018-2022 Florida Greenways and Trails System Plan and Maps. The Council will consider designation of the following proposed projects as components of the Florida Greenways and Trails System: Royal Palm Beach Pines Natural Area; Indian River Lagoon and St Lucie Paddling Trails; Ocheesee Pond Paddling Trail. The Council will also consider the proposed Florida Trail Town Program and designating Dunedin as the first official Florida trail town.

A copy of the agenda may be obtained by contacting: Ashley Killough, Office of Greenways and Trails, Division of Recreation and Parks, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 795, Tallahassee, Florida 32399-3000, Ashley.Killough@dep.state.fl.us, (850)245-2078.

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: Ashley Killough, Office of Greenways and Trails, Division of Recreation and Parks, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 795, Tallahassee, Florida 32399-3000, Ashley.Killough@dep.state.fl.us, (850)245-2078. 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 HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation announces public meetings to which all persons are invited.

DATES AND TIMES: Wednesday, January 24, 2018, 10:00 a.m.; Wednesday, April 4, 2018, 10:00 a.m.

PLACE: Rick Seltzer Conference Room, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida, 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED:

These review committee meetings will be to discuss the responses received from qualified Respondents in response to ITN 2017-04, for a Multifamily Pipeline System, answer any questions the Review Committee may have regarding the responses, give the scores, and at the final meeting, to submit a recommendation to Florida Housing’s Board of Directors.

A copy of the agenda may be obtained by contacting: Jenny Marshall, (850)488-4197 or Jenny.Marshall@floridahousing.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: Jenny Marshall at (850)488-4197 or Jenny.Marshall@floridahousing.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.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

The Florida Fish and Wildlife Conservation Commission announces a public meeting to which all persons are invited.

DATE AND TIME: January 8, 2018, 1:00 p.m.

PLACE: Teleconference only; dial (712)770-5108, use participant code 166264

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of FY 17-18 Florida’s Wildlife Legacy Initiative’s State Wildlife Grants project proposals.

A copy of the agenda may be obtained by contacting Andrea Alden, Fish and Wildlife Conservation Commission, State Wildlife Grants Coordinator at (850)617-9558.

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: Andrea Alden, Fish and Wildlife Conservation Commission, State Wildlife Grants Coordinator at (850)617-9558.

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

The Rules Committee of the Board of Funeral, Cemetery, and Consumer Services, operating under Chapter 497, Florida Statutes announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 18, 2018, beginning at 10:00 a.m. and ending at 3:00 p.m.

PLACE: Florida Department of Health, Bureau of Vital Statistics, Porter Building, 2nd Floor Conference Room, 1217 North Pearl Street, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: to discuss Rule Chapter 69K-30, F.A.C.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ellen Simon, Assistant Division Director, Division of Funeral, Cemetery, and Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361, (850)413-4985, Ellen.Simon@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

QCAusa

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

DATE AND TIME:., Thursday, January 4, 2018, 6:00 p.m. – 800 p.m.

PLACE: Riverside Baptist Church Fellowship Hall, 10775 SW 104 Street, Miami, FL 33176

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a Public Meeting for an intersection enhancement project at State Road (SR) 94/SW 88 Street/Kendall Drive and SR 985/SW 107 Avenue in Miami-Dade County, to discuss the project. The project identification numbers are 434776-1-52-01/02. The public meeting will follow an informal format allowing the public to arrive at any time from 6:00 p.m. to 8:00 p.m. Graphic displays will be shown during the meeting, and FDOT representatives will provide an overview of the project and will be available to answer questions.

A copy of the agenda may be obtained by contacting:

Community Outreach Specialist, Heather M. Leslie at (305) 905-5876, email: heather@hmlpublicoutreach.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 7 days before the workshop/meeting by contacting: Ivette Ruiz-Paz at (305)470-5349 or in writing: FDOT, 1000 N.W. 111 Avenue, Miami, FL 33172, email: Ivette.ruiz-paz@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Community Outreach Specialist, Heather M. Leslie at (305)905-5876, email: heather@hmlpublicoutreach.com.

Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001: Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Aquatic Design Services, LLC on October 31, 2017. The following is a summary of the agency's disposition of the petition:

Petitioner sought an answer to the following question regarding the application of the Florida Building Code to a commercial pool it was designing: Is the grout line allowed to be included in the measurement of a 1" x 1" tile installed on a commercial pool per section 454.1.2.1, when the tile is sold and distributed as 1" x 1"? On December 18, 2017, the Commission issued an order stating that the answer to the question is yes, pursuant to the definition of the term "Nominal" in Section 202, Florida Building Code, Building, 5th Edition (2014), and Section 202, Florida Building Code, Building, 6th Edition (2017), the grout line can be included when meeting the 1"x 1" tile requirements set forth in Section 454.1.2.1, Florida Building Code, Building, 5th Edition (2014) and Section 454.1.2.1, Florida Building Code, Building, 6th Edition (2017), if the tile is sold and distributed as 1"x 1" nominal or trade size tile.

A copy of the Order Disposing of the Petition for Declaratory

Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)921-0342, AGC.Filing@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-3.001: Scope

61G20-3.002: Definitions

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Global Fireproof Solutions, Inc. on November 3, 2017. The following is a summary of the agency's disposition of the petition:

Petitioner produces fire and mold protection products that are spray-applied to structural components. Petitioner stated that its products are Class A fire retardants that are non-structural in nature. Petitioner requested an answer to the question of whether its products fall within the scope of Rule Chapter 61G20-3, F.A.C.. On December 18, 2017, the Commission issued an order stating that the answer to the question is no, the products in question are not elements of the building envelope or structural frame and, therefore, fall outside of the scope of the state product approval program pursuant to Rule Chapter 61G20-3, Florida Administrative Code. However, the products in question are subject to review and approval at the local level. A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)921-0342, AGC.Filing@myfloridalicense.com.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has issued an order disposing of the petition for declaratory statement filed by III CRE Bridge Loan Fund L.P. on November 21, 2017. The following is a summary of the agency's disposition of the petition:

On November 21, 2017, the Florida Office of Financial Regulation (Consumer Finance) received a Petition for declaratory statement from III CRE Bridge Loan Fund L.P. The petition sought a declaratory statement from the Office on whether an individual guarantor is a "borrower" for the purpose of section 494.001(24)(b), Florida Statutes, so as to make a loan secured by commercial real property to an entity and guaranteed by an individual a "mortgage loan" and the institutional investor

making the loan a “mortgage lender” as defined at Section 494.001(23), Florida Statutes. On December 21, 2017, the Florida Office of Financial Regulation issued a Final Order on the Petition for Declaratory Statement. The Office determined that under the circumstances described, an individual guarantor is not a "borrower" for the purposes of section 494.001(24)(b), Florida Statutes.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9784, Agency.Clerk@flofr.com, or online at <https://real.flofr.com/ConsumerServices/SearchLegalDocuments/LDSearch.aspx#/searchLegalDocuments>.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9784, Agency.Clerk@flofr.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:

NONE

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

Harold Rudisill and Patricia Rudisill vs. Department of Business and Professional Regulation; Case No.: 17-4868RU; Petitioner failed to demonstrate that Respondent's approval of timeshare developers' requests to provide purchasers with required documentation via a website link amounts to an unadopted rule or an invalid exercise of delegated legislative authority

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**

NONE

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 8:00 a.m., Monday, December 18, 2017 and 3:00 p.m., Friday, December 22, 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
6C7-8.009	12/19/2017	1/8/2018
6C7-8.010	12/19/2017	1/8/2018
33-602.210	12/21/2017	1/10/2018
33-602.211	12/21/2017	1/10/2018
33-602.212	12/21/2017	1/10/2018
61C-5.001	12/22/2017	1/11/2018
62-204.800	12/20/2017	12/20/2017
64ER17-8	12/20/2017	12/20/2017
65C-30.019	12/22/2017	1/11/2018
69A-64.005	12/19/2017	1/8/2018

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
40C-2.101	8/2/2017	**/**/****
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.020	12/15/2017	**/**/****
69L-7.100	12/15/2017	**/**/****
69L-7.501	12/15/2017	**/**/****

The VOCA application may be accessed using the Office of the Attorney General’s online system EGrants, which can be accessed through <https://egrants.myfloridalegal.com/> on January 8, 2018. If you need assistance you may contact (850)414-3380 or email contact.voca@myfloridalegal.com.

The deadline for applying for a VOCA grant under this notice is no later than 5:00 p.m. Eastern Standard Time on Friday, February 23, 2018. Applicant agencies are encouraged to submit the completed application as soon as possible prior to the deadline. Mailed, faxed, or hand delivered applications or required documentation will not be accepted.

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.

DEPARTMENT OF LEGAL AFFAIRS
 Division of Victim Services and Criminal Justice Programs
 Notice of Availability
 December 2017

NOTICE OF AVAILABILITY VOCA Grant Funds

Announcement: The Office of the Attorney General (OAG) is pleased to announce the anticipated availability of Victims of Crime Act (VOCA) grant funds from the U.S. Department of Justice. The purpose of the VOCA grant reimbursement program is to support the provision of services to victims of crime. Services are defined as those efforts that respond to the emotional and physical needs of crime victims, assist victims of crime to stabilize their lives after victimization, assist victims to understand and participate in the criminal justice system, and provide victims of crime with a measure of safety and security. Eligibility to apply for VOCA funds is limited to victim assistance programs administered by state or local government agencies or not-for-profit corporations registered in Florida, or a combination thereof, that can demonstrate the following:

- 1) Proof that the Internal Revenue Service recognizes the organization as being tax exempt under 501(c)(3) of the Internal Revenue Code;
- 2) A statement from a state taxing body or state secretary of state certifying that the organization is a nonprofit organization and that no part of the organization's net earnings may benefit any private shareholder or individual;
- 3) A certified copy of a certificate of incorporation or similar document establishing nonprofit status; or
- 4) Any of the above, if it applies to a state or national parent organization, with a statement by the state or national parent organization that the applicant is a local nonprofit affiliate.

The funding cycle for the VOCA grant funds under this notice is October 1, 2018, through September 30, 2019.

Application and Deadline: Organizations may participate in the annual competitive grant process which involves submission of an application followed by an application review.