

**Section I**  
**Notice of Development of Proposed Rules**  
**and Negotiated Rulemaking**

**PUBLIC SERVICE COMMISSION**

RULE NOS.:     RULE TITLES:  
25-30.130     Record of Complaints  
25-30.355     Complaints

PURPOSE AND EFFECT: To amend the rules to update water and wastewater utilities’ customer complaint recordkeeping requirements and requirements for responding to customer complaints

Undocketed.

SUBJECT AREA TO BE ADDRESSED: Water and wastewater utilities’ requirements for responding to and keeping record of customer complaints.

RULEMAKING AUTHORITY: 350.127(2), 367.121 FS.

LAW IMPLEMENTED: 367.121 FS.

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

DATE AND TIME: February 28, 2017, 1:30 p.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, FL 32399-0850.

One or more Commissioners may be in attendance and participate in the workshop.

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 Office of Commission Clerk at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kathryn G.W. Cowdery, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216, kcowdery@psc.state.fl.us. The agenda for the workshop and a copy of the preliminary draft of the proposed rule amendments will be available on the Commission’s website, www.floridapsc.com, on February 21, 2017.

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

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NOS.:	RULE TITLES:
64E-1.0015	Laboratory Certification Standards
64E-1.005	Records, Reports, and Contractual Agreements
64E-1.007	Fees and Certification Categories
64E-1.102	Certification Requirements
64E-1.104	On-Site Inspections
64E-1.105	Display of Certificate and Use of Certification
64E-1.106	Proficiency Testing Requirements
64E-1.107	Renewal of Annual Certification

PURPOSE AND EFFECT: The purpose of these amendments is to update the standards used as the criteria for determining environmental testing laboratory certification to the more recent version. In addition, since routine on-site inspections are conducted by contract assessment providers, these amendments also lower the certification fees charged to laboratories.

SUBJECT AREA TO BE ADDRESSED: Requirements to be a Certified Environmental Testing Laboratory.

RULEMAKING AUTHORITY: 403.0625(3), 403.863(1), (2) FS.

LAW IMPLEMENTED: 403.0625(1), (2), (3), 403.851, 403.863(1), (2), (3), (7), 403.8635(1), (2), (3) FS.

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

DATE AND TIME: March 10, 2017, 9:00 a.m.;

PLACE: Florida Department of Health, Public Health Laboratory, 1217 N. Pearl Street, Jacksonville, FL 32202

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Carl C. Kircher, Ph.D., Bureau of Public Health Laboratories, Florida Department of Health, 1217 N. Pearl Street, Jacksonville, FL 32202; (904)791-1502 or carl.kircher@flhealth.gov.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64E-1.0015 Laboratory Certification Standards.

(1) Any environmental testing laboratory certified or seeking certification pursuant to this rule shall comply with Sections 4.1.3, 4.6.1, 5.5.2.6, 6.2.2, and 6.8, National Environmental Laboratory Accreditation Conference (NELAC) Standards adopted June 5, 2003, which are incorporated herein by reference, and are available at <http://www.nelac-institute.org/docs/2003nelacstandard.pdf>.

(2) Additionally, any environmental testing laboratory certified or seeking certification pursuant to this rule shall comply with the following modules of Volume 1,

"Management and Technical Requirements for Laboratories Performing Environmental Analysis", of the NELAC Institute, National Environmental Laboratory Accreditation Program (TNI NELAP), hereinafter referred to as "the TNI Standards": Module 1, "Proficiency Testing" (EL-V1M1-2016) and Module 2 "Quality Systems General Requirements" (EL-V1M2-ISO-2016). In addition to these Standards, and as applicable, any environmental testing laboratory certified or seeking certification in the following disciplines pursuant to rules 64E-1.007(2)(a) and (b) of this rule chapter shall comply with Module 3, "Asbestos Testing" (EL-V1M3-2016), Module 4, "Chemical Testing" (EL-V1M4-2016), Module 5, "Microbiological Testing" (EL-V1M5-2016), Module 6, "Radiochemical Testing" (EL-V1M6-2016), and Module 7, "Toxicity Testing" (EL-V1M7-2009-Rev 0.1) of Volume 1, "Management and Technical Requirements for Laboratories Performing Environmental Analysis", of the NELAC Institute, National Environmental Laboratory Accreditation Program. All of the standards referenced in subsection (2) of this rule are incorporated herein by reference. These standards may be examined and inspected at the Florida Department of State, Room 701, The Capitol, Tallahassee, Florida 32399-0250 and at the Florida Department of Health, Bureau of Public Health Laboratories, 1217 North Pearl Street, Jacksonville, Florida 32202. The agency has determined that posting these publications on the internet for purposes of public inspection and examination would constitute a violation of federal copyright law.

Rulemaking Specific Authority 381.00591, 403.0625(3), 403.863(1), (2) FS. Law Implemented: 381.00591, 403.0625(1), (2), (3) (4), 403.863(1), (2), (3), (4); (7), 403.8635(1), (2) FS. History: New 4-16-00, Amended 6-30-03, 1-24-05, \_\_\_\_\_.

64E-1.005 Records, Reports, and Contractual Agreements.

(1) Laboratories shall maintain analytical performance according to Volume 1 of the TNI Standards Chapter 5 of the NELAC Standards, referenced in Rule 64E-1.0015, F.A.C., for those Fields of Accreditation (i.e., Matrix category group-test method-analyte combinations), for those analytes and test methods with which they have been certified or are seeking certification, through demonstrations of capability performed annually or within the past year, respectively. Each certified laboratory shall maintain the documentation required in Volume 1, Module 2 of the TNI Standards Chapter 5 of the NELAC Standards and comply with the laboratory report format and content requirements in Section 5.10 of Volume 1, Module 2 of the TNI Standards 5.5.10 of the NELAC Standards.

(2) For compliance with the Florida Safe Drinking Water Act, the laboratory will report the information described in paragraph 62-550.730(2)(a), F.A.C., revised on December 30,

2011 4-3-2003, incorporated herein by reference and available at

<https://www.flrules.org/gateway/ChapterHome.asp?Chapter=62-550> in the appropriate format approved by the Department of Environmental Protection.

(a) The laboratory may report presumptive positive microbiological results immediately without waiting for total coliform confirmation. The laboratory shall report confirmed positive total coliform results to the supplier of water no later than the end of the next business day after confirmed positive total coliform results are determined. The laboratory shall report positive fecal coliform or *E. coli* results to the supplier of water by the end of the day when the results are determined, unless the results are determined after the water supplier's office is closed, in which case the laboratory shall report the results to the water supplier before the end of the next business day. If a laboratory invalidates a sample due to heterotrophic interference as described in paragraph 62-550.518(9)(b), F.A.C., 62-550.518(10)(b), revised on July 7, 2015 and incorporated herein by reference and available at <http://www.flrules.org/gateway/ChapterHome.asp?Chapter=62-550> 4-3-2003, the replacement sample must be analyzed by a Department of Health (DOH)-certified laboratory using a method less susceptible to heterotrophic interference (e.g. MMO-MUG).

(b) Whenever a sample result, or the average of the results from an initial sample and a confirmation sample, exceeds the maximum contaminant level for nitrate, nitrite, or total nitrate-nitrite, the laboratory shall report the result to the supplier of water by the end of the day when the result was determined, unless the result was determined after the water supplier's office is closed, in which case the laboratory shall report the result to the water supplier before the end of the next business day.

(c) Whenever a sample result exceeds the maximum contaminant level for any other contaminant listed in Rule 62-550.310, F.A.C., revised on July 7, 2015 4-25-2003, or in Rule 62-550.320, F.A.C., revised on November 27, 2001 and both incorporated herein by reference and available at <https://www.flrules.org/gateway/ChapterHome.asp?Chapter=62-550> 4-27-04, the laboratory shall report the result to the supplier of water no later than the end of the next business day after the result was determined.

(d) For the purposes of this chapter, a result is considered determined when the laboratory director or his/her designee signs or authenticates the report with the results. The results shall be reported in such a manner that the supplier of water receives the results within the indicated timeframes in paragraphs (2)(a) through (2)(c) of this section.

Rulemaking Specific Authority 381.00591, 403.0625(3), 403.863(1), (2) FS. Law Implemented: 381.00591, 403.0625(1), (2), (3) (4),

403.851, 403.863(1), (2), (3), (4), (7), 403.8635(1), (2) FS. History: New 4-22-79, Amended 3-7-85, Formerly 10D-41.59, Amended 11-14-90, 8-5-93, 4-19-95, 4-25-96, Formerly 10D-41.059, Amended 4-16-00, 6-30-03, 1-24-05,\_\_\_\_\_.

#### 64E-1.007 Fees and Certification Categories.

(1) Application Fee - An applicant for certification must submit to ~~DOH the Department of Health~~ a non-refundable fee of \$200 for the evaluation and processing of each application. ~~DOH The Department of Health~~ shall assess an additional fee of \$200 for each subsequent application for additional Fields of Accreditation, as defined in Volume 1, Module 2 Appendix A to Chapter 1 of the TNI NELAC Standards, referenced in Rule 64E-1.0015, F.A.C.

(2) Certification Fee - In addition to the application processing fee, ~~DOH the Department of Health~~ shall charge nonrefundable fees for the initial certification and on application for annual renewal for each category of certification in each category group in subsections 64E-1.007(6) through 64E-1.007(10), F.A.C., below as follows:

(a) Chemical Testing, Asbestos Testing, Toxicity Testing, and Microbiological Testing: Chemistry, Toxicity, Microscopy, and Microbiology 1. One category - ~~\$400, \$500~~ 2- Two categories - ~~\$800, \$1000~~ 3. Three categories - ~~\$1200, and \$1500~~ 4. Four or more categories - ~~\$1600, \$2000~~

(b) Radiochemical Testing Radiochemistry - ~~\$400, \$500~~

(3) Laboratories approved after July 1 shall have the certification fees prorated on a quarterly basis beginning with the quarter in which the department issues certification.

(4) Except for inspections conducted for the purposes of contract oversight of the DOH contract assessment providers, DOH The Department of Health shall charge assess the travel expenses it incurs as a result of on-site inspections to both the in-state and out-of-state laboratories, in addition to the application and certification fees in this section. An in-state laboratory shall reimburse the department for on site inspection travel expenses if the department conducts an inspection, in addition to the inspection conducted pursuant to subsection 64E 1.104(1), F.A.C., at the laboratory's written request. If the department does not conduct the requested inspection within 60 days of the request, the department shall not charge these expenses to the laboratory.

(5) The laboratory shall pay all fees required by subsections (2) through (4) of this section within 90 days of the date of invoice. For annual renewal of certification, the laboratory shall pay the fees required by subsection (2) of this section by July 1 of each calendar year.

(6) For the Drinking Water Matrix category group, certification is available in the following categories: (a) Microbiology, (b) Primary Inorganic Contaminants, (c) Secondary Inorganic Contaminants, (d) Radiochemistry, (e) Synthetic Organic Contaminants, (f) Dioxin, (g) Other

Regulated Contaminants (e.g., Volatile Organic Contaminants), (h) Group I Unregulated Contaminants, (i) Group II Unregulated Contaminants, and (j) Group III Unregulated Contaminants.

(7) For the Non-Potable Water Matrix category group, including ambient monitoring of surface water and groundwater, certification is available in the following categories: (a) Microbiology, (b) Toxicity (Bioassay), (c) Radiochemistry, (d) Metals, (e) General Chemistry, (f) Volatile Organics, (g) Extractable Organics, and (h) Pesticides-Herbicides-PCB's.

(8) For the Solid and Chemical Materials Matrix category group, certification is available in the following categories: (a) Microbiology, (b) Toxicity (Bioassay), (c) Radiochemistry, (d) Metals, (e) General Chemistry, (f) Volatile Organics, (g) Extractable Organics, and (h) Pesticides-Herbicides-PCB's.

(9) For the Air and Emissions Matrix category group, the categories of certification available are: (a) General Chemistry, (b) Volatile Organics, (c) Extractable Organics, and (d) Pesticides-Herbicides-PCB's.

(10) For the Biological Tissue Matrix category group, certification is available in the following categories: (a) Microbiology, (b) Toxicity (Bioassay), (c) Radiochemistry, (d) Metals, (e) General Chemistry, (f) Volatile Organics, (g) Extractable Organics, and (h) Pesticides-Herbicides-PCB's.

Rulemaking Specific-Authority 381.00591, 403.0625(3), 403.863(1), (2), 403.8635(3) FS. Law Implemented: 381.00591, 403.0625(1), (3) (4), 403.863(2), (3) (4), 403.8635(3) FS. History: New 3-7-85, Formerly 10D-41.62, Amended 12-12-89, 8-5-93, 4-19-95, 4-25-96, Formerly 10D-41.062, Amended 4-16-00, 6-30-03,\_\_\_\_\_.

#### 64E-1.102 Certification Requirements.

(1) An application for certification shall be made in writing to ~~DOH the Department of Health~~ on Form DH 1762, December 2016, "Application for Certification of Environmental Testing Laboratories," which is herein incorporated by reference and is available by calling the department's Bureau of Public Health Laboratories (BPHL) at 904-791-1599, or at [http://www.floridahealth.gov/licensing-and-regulation/environmental-laboratories/environmental-laboratory-certification/ documents/certapp1.pdf](http://www.floridahealth.gov/licensing-and-regulation/environmental-laboratories/environmental-laboratory-certification/documents/certapp1.pdf). This application must be accompanied by the application fee, and the laboratory's Quality Manual. The If proficiency testing is available for the requested Fields of Testing, the laboratory must arrange for proficiency testing these results from the latest three testing round attempts to be submitted directly to DOH the Department of Health by the recognized proficiency test provider. DH 1762, "Application for Certification of Environmental Testing Laboratories," July 2004 is herein adopted by reference and is available by calling the department's Bureau of Laboratories at 904 791 1599.

(2) Separate application and certification shall be required for all laboratories maintained on separate premises even though operated under the same management; however, separate certification is not required for separate buildings on the same or adjoining grounds.

(3) An application is not completed until the laboratory has fulfilled all of the following requirements:

(a) The application reviewed by ~~DOH the Department of Health~~ was found to contain all the information required in Form DH 1762, "Application for Certification of Environmental Testing Laboratories," December 2016 Section 4.1.7 of the NELAC Standards, referenced in subsection (1) above Rule 64E-1.0015, F.A.C.

~~(b) The submitted Quality Manual contains all the information required in Section 5.4.2.3 and 5.4.2.4 of the NELAC Standards, referenced in Rule 64E-1.0015, F.A.C.~~

~~(b)(e)~~ Proficiency test samples are successfully analyzed in two of the most recent three testing rounds attempted, if available from a recognized proficiency testing provider, as required in Rule 64E-1.106, F.A.C.

~~(c)(d)~~ An on-site laboratory inspection has been conducted for the Fields of Accreditation for which the laboratory is seeking certification, as required in Rule 64E-1.104, F.A.C.

~~(d)(e)~~ All applicable fees are paid as required in Rule 64E-1.007, F.A.C.

(4) An out-of-state laboratory shall be eligible for reciprocal certification provided:

(a) The laboratory is certified by a National Environmental Laboratory Accreditation Program (NELAP) recognized Accreditation Body accrediting authority for those Fields of Accreditation in which the laboratory is requesting certification pursuant to this rule,

(b) The laboratory submits to ~~DOH the Department of Health~~ the application and fee required in subsection 64E-1.102(1), F.A.C.,

(c) The laboratory submits to ~~DOH the Department of Health~~ a current copy of the laboratory's unexpired certification from the NELAP Accreditation Body accrediting authority and the certifying agency's analyte sheet showing those Fields of Accreditation for which the laboratory is certified.

(5) If upon review of the documents listed in subsection (4) above, ~~DOH 64E-1.102(5), F.A.C., the Department of Health~~ determines that the application process is complete and that the laboratory is already certified by its NELAP-recognized primary Accreditation Body accrediting authority for the same Fields of Accreditation requested on its application, ~~DOH the Department of Health~~ will not require an on-site survey by its inspectors and certification will be

granted after the laboratory pays all applicable the certification fees required in Rule 64E-1.007, F.A.C.

(6) If upon review of the documents listed in subsection (4) above, ~~DOH 64E-1.102(5), F.A.C., the Department of Health~~ is unable to determine that the out-of-state certification program is equivalent to the requirements of this rule, ~~DOH or its authorized representatives will conduct an on-site inspection will be performed by the Department of Health.~~

(7) All certified or applicant laboratories The laboratory will be responsible for the travel expenses incurred by DOH or its authorized representatives for any the on-site inspection.

(8) The laboratory must report to DOH's BPHL within 30 calendar days of the change all significant changes relevant to its certification, including but not limited to its legal, organizational, commercial, or ownership status; the organization, top management, and key personnel; main policies; resources and premises; its certified Fields of Accreditation; and other such matters that may affect the laboratory's ability to fulfill the requirements of this rule.

(9) Unless the laboratory applies for reciprocal certification under subsection (4) above, the laboratory is not eligible for certification of any Fields of Accreditation available for certification through the NELAP-recognized Accreditation Body of the state where the laboratory is physically located.

Rulemaking Specific Authority 381.00591, 403.0625(3), 403.863(1), (2) FS. Law Implemented: 381.00591, 403.0625(1), (2), (3) (4), 403.851, 403.863(1), (2), (3), (4), (7), 403.8635(1), (2) FS. History: New 8-27-86, Amended 10-10-89, 6-29-94 2-13-96, 4-25-96, Formerly 10D-41.103, Amended 4-16-00, 6-30-03, 1-24-05,

64E-1.104 On-Site Inspections.

(1) Except as provided in subsection 64E-1.102(5), F.A.C., laboratories shall arrange for and submit to a comprehensive onsite inspection by DOH's authorized representatives at least once every two years and at such other times DOH deems necessary to determine continued compliance with this rule.

~~The Department of Health shall inspect the premises and operations of laboratories certified or seeking certification, except as provided in subsection 64E-1.102(6), F.A.C., and Section 4.6.2 of the NELAC Standards, referenced in Rule 64E-1.0015, F.A.C. Such inspections shall occur at least once every 2 calendar years and at such other times as the Department of Health deems necessary to determine continued compliance with this rule.~~

~~(2) Inspections will be unannounced in those cases in which DOH the Department of Health determines this approach necessary to establish compliance. Factors such as past record, proficiency test performance, personnel and~~

~~overall laboratory performance will be considered in making this determination.~~

(3) The laboratory shall ensure that its Quality Manual, analytical methods, quality control data, proficiency test data, laboratory standard operating procedures, and all records needed to verify compliance with the TNI and NELAC Standards, referenced in Rule 64E-1.0015, F.A.C., and this rule are available for review during the on-site laboratory inspection. The laboratory shall allow ~~DOH's the department's~~ authorized representatives ~~personnel~~ to examine records; observe the laboratory's facilities, procedures, and equipment; and interview staff during the on-site inspection.

(4) Inspections will include on-site proficiency test samples when ~~DOH the Department of Health~~ is unable to determine compliance using more conventional methods.

(5) The laboratory shall submit to DOH, or DOH's authorized representatives, as applicable, within 30 calendar days of receiving the written on-site inspection report, ~~the Department of Health~~ a Plan of Correction and estimated completion date for each deficiency noted during the on-site inspection evaluation. Proposed corrective-action plans and completion dates must be completed on or attached to the "Statement of Deficiencies and Plan of Correction" form, DH 1137, 12/16, incorporated 3/97, adopted by reference herein, and available at [http://www.floridahealth.gov/licensing-and-regulation/environmental-laboratories/environmental-laboratory-certification/ documents](http://www.floridahealth.gov/licensing-and-regulation/environmental-laboratories/environmental-laboratory-certification/documents).

(6) ~~DOH or its authorized representatives The Department of Health~~ may conduct on-site inspections of the laboratory at any time.

Rulemaking Specific Authority: 381.00591, 403.0625(3), 403.863(1), (2) FS. Law Implemented: 381.00591, 403.0625(1), (2), (3) (4), 403.851, 403.863(1), (2), (3), (4), (7), 403.8635(1), (2) FS. History: New 8-27-86, Amended 10-10-89, 6-29-94, 4-25-96, Formerly 10D-41.105, Amended 4-16-00, \_\_\_\_\_.

#### 64E-1.105 Display of Certificate and Use of Certification.

A current certification document shall be displayed at all times in a prominent place in each certified laboratory. DH 1697, 12/16 7/04, which includes the Laboratory Scope of Accreditation and is entitled "Environmental Testing Laboratory Certificate," is incorporated adopted by reference herein. ~~DOH The department~~ shall issue the Certificate to the laboratory only upon completion of the requirements of this rule. The laboratory must also comply with Sections 6.8(a)(1), (2), (3), and (4) and 6.8(b)(1) and (2) of the NELAC Standards, June 5, 2003, referenced in Rule 64E-1.0015, F.A.C.

Rulemaking Specific Authority: 381.00591, 403.0625(3), 403.863(1), (2) FS. Law Implemented: 381.00591, 403.0625(1), (2), (3) (4), 403.863(1), (2), (3) (4), (7), 403.8635(1) FS. History: New 8-27-86, Amended 6-29-94, 4-25-96, Formerly 10D-41.106, Amended 4-16-00, 6-30-03, 1-24-05, \_\_\_\_\_.

#### 64E-1.106 Proficiency Testing Requirements.

(1) Applicant and certified laboratories shall participate in a proficiency testing program, also known as Performance Evaluation, from a TNI-accredited provider. The list of accredited Proficiency Testing Providers and the tabular listing of analytes available for proficiency testing by matrix, delineated as NELAP Fields of Proficiency Testing, are available at <http://www.nelac-institute.org> ~~a provider recognized by the Department of Health as being compliant with the procedures and criteria in Sections 2.0, 2.3, 2.6, and 2.7 and in Appendices A, B, C, D, E, F, G, and H to Chapter 2 of the NELAC Standards, referenced in Rule 64E-1.0015, F.A.C.~~ Participation means that the laboratory will analyze and report to the provider the results of all proficiency test samples required by the approved program for which the laboratory desires and maintains certification. Laboratories certified or seeking certification for Fields of Accreditation in the Drinking Water Matrix category group must also comply with Performance Evaluation requirements in Title 40 Code of Federal Regulations sections 141.23(k)(3), 141.24(f)(17), 141.24(h)(19), 141.89(a)(1), and 141.131(b)(2), July 2016 edition, which are all incorporated herein by reference, and is also \_\_\_\_\_ available \_\_\_\_\_ at <https://www.gpo.gov/fdsys/browse/collectionCfr.action?selectYearFrom=2016&go=Go>.

(2) Laboratories shall bear the cost of any subscription to a proficiency testing program required by DOH the Department of Health for compliance purposes. ~~DOH The Department of Health~~ shall not be charged a fee for the analysis of any proficiency testing performance evaluation samples.

(3) Unless associated with the submittal of an application form as provided in subsection 64E-1.102(1), F.A.C., the laboratory must authorize the ~~recognized~~ provider, on or prior to the testing round closing date, to submit the proficiency testing results to DOH the department concurrently with the submittal of these results to the laboratory. After the closing date, no modification to any aspect of the reported results, method/technology, measurement units, or the associated report information shall be made unless it is necessary due to a documented error made by the accredited proficiency testing program provider.

(4) All Fields of Accreditation within each Matrix category group for which a laboratory is certified or is pending certification must be satisfactorily analyzed, if available, on two of the most recent three proficiency testing rounds attempted. Proficiency test sample results shall be considered satisfactory when they are within the acceptance limits established by the accredited recognized proficiency test sample provider. If a laboratory reports more than one result

for a Field of Proficiency Testing on a proficiency testing round, any unsatisfactory result constitutes a failed testing attempt for the corresponding certified or pending Field of Accreditation.

(5) A laboratory that meets the requirements of subsection (4) of this section for a particular Field of Proficiency Testing is eligible for obtaining and maintaining certification for the corresponding Field of Accreditation. Otherwise, certification shall be denied, suspended, or revoked for that Field of Accreditation.

(6) A laboratory shall participate in at least two testing rounds from a recognized proficiency test sample provider per calendar fiscal (July 1 — June 30) year, with no more than seven months between consecutive testing rounds in terms of closing dates for each proficiency testing attempt, for each available Field of Proficiency Testing that corresponds to a pending or certified Field of Accreditation.

(7) The laboratory shall comply with all requirements in Volume 1, Module 1 Section 2.5 of the TNI NELAC Standards, referenced in Rule 64E-1.0015, F.A.C., in analyzing proficiency test samples. In addition Pursuant to Section 2.5.1(c) of the NELAC Standards, the laboratory shall not submit proficiency test sample results generated by another laboratory facility as its own.

(8) Proficiency test sample providers shall report laboratory results for proficiency test samples in a format approved by DOH the Florida Department of Health.

(9) In addition to the requirements in subsections (1) through (8) above, laboratories certified or seeking certification for Fields of Accreditation in the Drinking Water Matrix category group for the Microbiology category for total coliforms and/or fecal coliforms (or E. coli) must receive acceptable scores for both the total coliforms and for the fecal coliforms (or E. coli) portions of a proficiency testing round for performance on those Fields of Accreditation in that testing round to be acceptable.

Rulemaking Specific Authority 381.00591, 403.0625(3), 403.863(1), (2) FS. Law Implemented: 381.00591, 403.0625(1), (2), (3) (4), 403.851, 403.863(1), (2), (3), (4), (7), 403.8635(1), (2) FS. History: New 8-27-86, Amended 10-10-89, 6-29-94, 2-13-96, 4-25-96, Formerly 10D-41.107, Amended 4-16-00, 6-30-03, 1-24-05,

64E-1.107 Renewal of Annual Certification

DOH The Department of Health will renew certifications after receipt of a renewal invoice and fee, provided the laboratory is maintaining compliance with this chapter and rule, attests to such compliance, and has reported acceptable proficiency test values for the categories certified within the previous year. Laboratories meeting renewal certification criteria will be renewed annually on July 1. The "Renewal Confirmation Attestation of Compliance," DH 1907, 12/16,

3/98 and Environmental Testing Laboratory Renewal Invoice, DH 1906, 3/98 are both herein incorporated adopted by reference, is and are available by calling DOH's BPHL the department's Bureau of Laboratories at (904)791-1599 and is also available at http://www.floridahealth.gov/licensing-and-regulation/environmental-laboratories/environmental-laboratory-certification/ documents.

(1) The Department of Health will mail renewal notices at least 30 days prior to July 1. Failure to receive a renewal notice from DOH does not exempt laboratories from meeting the renewal date requirement of July 1 of each year.

(2) All laboratory certifications shall expire on July 1 of each calendar year.

(3) The certification of any laboratory which fails to pay the required renewal fee and to return the completed attestation form to DOH the department by July 1 shall automatically expire without notice or further proceeding. A laboratory whose certification has expired may reapply for certification in accordance with subsection 64E-1.102(1), F.A.C.

Rulemaking Specific Authority 381.00591, 403.0625(3), 403.863(1), (2) FS. Law Implemented: 381.00591, 403.0625(1), (2), (3) (4), 403.851, 403.863(1), (2), (3), (4), (7), 403.8635(1), (2) (3) FS. History: New 8-27-86, Amended 6-29-94, 4-25-96, Formerly 10D-41.108, Amended 4-16-00,

Section II  
Proposed Rules

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-6.090  
RULE TITLE: Payment Methodology for County Health Departments

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-6.090, Florida Administrative Code (F.A.C.), is to incorporate by reference the Florida Title XIX County Health Department Reimbursement Plan (the Plan), Version XIX, effective July 1, 2016.

SUMMARY: The rule is being updated to incorporate changes to the amended reimbursement plan.

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: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not 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: 409.919 FS.

LAW IMPLEMENTED: 409.908, 409.913 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: Chanda Farcas, Bureau of Medicaid Program Finance, 2727 Mahan Drive, Mail Stop 23, Tallahassee, Florida 32308-5407, telephone: (850)412-4097, e-mail: Chanda.Farcas@ahca.myflorida.com.

Please note that a preliminary draft of the reference material, if available, will be posted 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 5:00 p.m. March 1, 2017. Comments may be e-mailed to [MedicaidRuleComments@ahca.myflorida.com](mailto:MedicaidRuleComments@ahca.myflorida.com). For general inquiries and questions about the rule, or to request a hearing in accordance with section 120.54(3)(c)1 FS., please contact the person specified above.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.090 Payment Methodology for County Health Departments.

Reimbursement to participating county health departments for services provided shall be in accordance with the Florida Title XIX County Health Department Reimbursement Plan (the Plan), Version ~~XIX XIII~~ XIX ~~XIII~~, effective date July 1, ~~2015~~ 2016, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07930>, ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-06902>~~, incorporated by reference. The Plan is applicable to the fee-for-service delivery system. A copy of the Plan as revised may be obtained by writing to the Bureau of Medicaid Program Finance, Agency for Health Care Administration, Deputy Secretary for Medicaid, 2727 Mahan Drive, Building 3, Mail Stop #23 8, Tallahassee, Florida 32308.

Rulemaking Authority 409.919 FS. Law Implemented 409.908, 409.913 FS. History—New 6-3-93, Formerly 10P-6.090, Amended 7-21-02, 3-10-94, 11-21-04, 1-11-09, 3-24-10, 2-23-11, 5-3-12, 4-3-13, 4-23-14, 5-3-15, 8-10-15, 6-15-16, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Chanda Farcas

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 20, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 6, 2016

### Section III Notice of Changes, Corrections and Withdrawals

#### DEPARTMENT OF MANAGEMENT SERVICES

##### Division of Purchasing

RULE NO.: RULE TITLE:

60A-1.041 Solicitation Requirements

##### NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 43 No. 25, February 7, 2017 issue of the Florida Administrative Register.

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 economic review conducted 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.

### 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 February 6, 2017, the Southwest Florida Water Management District received a petition for a variance or waiver.

Petitioner's Name: Richard W. Abbott

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. 17-4247.

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. R2017013.

**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 February 6, 2017, the Southwest Florida Water Management District received a petition for a variance or waiver.

Petitioner's Name: Baywood at Oak Creek Townhomes 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. 17-4248.

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. R2017014.

**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 February 6, 2017, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received

a petition for Yorktown Association, Inc. at 1500 Presidential Way, West Palm Beach, FL. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3 as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations 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 (VW2017-009).

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 February 6, 2017, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Pointe Orlando at 9101 International drive, Orlando, FL. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.8.3.3.1, as adopted by subsection 61C-5.001(1), Florida Administrative Code, 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 (VW2017-010).

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.

## Section VI Notice of Meetings, Workshops and Public Hearings

**DEPARTMENT OF AGRICULTURE AND CONSUMER  
SERVICES**

Division of Plant Industry

The Division of Plant Industry/Lettuce Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: February 22, 2017, 12:00 Noon

PLACE: Everglades Research & Education Center, 3200 East Palm Beach Road, Belle Glade, FL 33430

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- \* Orondis and Minecto Pro- a new broad-spectrum pesticide for lepidopteran pests, mites and thrips.
  - \* Int'l Responsible Council Farming Standard
  - \* Update on breeding lettuce for high resistance to bacterial leaf spot
  - \* Presentation on the Management of Stemphylium on Spinach
- A copy of the agenda may be obtained by contacting: Christian F. Miller, (561)233-1718.

EXECUTIVE OFFICE OF THE GOVERNOR

The Florida Faith-Based and Community-Based Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: February 15, 2017, 12:00 Noon – 5:00 p.m.

PLACE: Juvenile Welfare Board of Pinellas County, 14155 58th Street North, Clearwater FL 33760

GENERAL SUBJECT MATTER TO BE CONSIDERED:

12:15 p.m. – 1:15 p.m.: Advisory Council members will convene the Criminal Justice and Child Welfare workgroups in advance of the regular business meeting of the Florida Faith-Based and Community-Based Advisory Council beginning at 1:30 p.m.

A copy of the agenda may be obtained by contacting: Frenchie Yon, Governor’s Office of Adoption and Child Protection, (850)717-9261 or frenchie.yon@eog.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Frenchie Yon, Governor’s Office of Adoption and Child Protection, (850)717-9261 or frenchie.yon@eog.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Frenchie Yon, Governor’s Office of Adoption and Child Protection, (850)717-9261 or frenchie.yon@eog.myflorida.com.

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

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

DATE AND TIME: February 22, 2017, 10:00 a.m., ET

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

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Public Hearing on Consideration of Florida Forever 2017 Five-Year Work Plan for Land Acquisition. All or part of this public hearing may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: Savannah White, (850)539-5999 or online at <http://www.nwfwater.com/About/Governing-Board/Board-Meetings-Agendas>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Wendy Dugan. 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.

REGIONAL UTILITY AUTHORITIES

Withlacoochee Regional Water Supply Authority

The Withlacoochee Regional Water Supply Authority (WRWSA) announces a public meeting to which all persons are invited.

DATE AND TIME: Cancellation of a Board meeting scheduled for February 15, 2017 at 3:30 p.m.

PLACE: 3600 W Sovereign Path, Room 166, Lecanto, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The WRWSA Board of Directors regular board meeting scheduled for Wednesday, February 15, 2017 at 3:30 p.m. has been cancelled. The next regularly scheduled meeting is Wednesday, March 15, 2017 at 3:30 p.m. in Room 166 at the Lecanto Government Building, 3600 W. Sovereign Path, Lecanto, Florida.

A copy of the agenda may be obtained by contacting: LuAnne Stout, 3600 W Sovereign Path, Suite 228, Lecanto, FL 34461, [lstout@wrwsa.org](mailto:lstout@wrwsa.org) or by calling (352)527-5795.

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: LuAnne Stout, 3600 W Sovereign Path, Suite 228, Lecanto, FL 34461, [lstout@wrwsa.org](mailto:lstout@wrwsa.org) or by calling (352)527-5795. 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: LuAnne Stout, 3600 W Sovereign Path, Suite 228, Lecanto, FL 34461, [lstout@wrwsa.org](mailto:lstout@wrwsa.org) or call (352)527-5795.

**DEPARTMENT OF ELDER AFFAIRS**

The Department of Elder Affairs announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, February 27, 2017, 10:00 a.m. – 11:30 a.m.

PLACE: Telephone conference call: 1(888)670-3525, participant code: 962 076 0613

GENERAL SUBJECT MATTER TO BE CONSIDERED: General updates on departmental programs. First quarter advisory council conference call.

For more information and/or a copy of the agenda, you may contact: Jenny Rojas at [rojasj@elderaffairs.org](mailto:rojasj@elderaffairs.org) or (850)414-2000.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

The Board of Employee Leasing Companies announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, March, 15, 2017, 10:00 a.m.

PLACE: Telephone conference call: 1(888)670-3525, participant code: 2295006118

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Meeting.

A copy of the agenda may be obtained by contacting: Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1492.

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: Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1492. If you are hearing or speech impaired, please contact the agency

using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1492.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

DATE AND TIME: February 21, 2017, 2:00 p.m.

PLACE: SFWMD Lower West Coast Service Center, 2301 McGregor Boulevard, Ft. Myers, FL 33901

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

This is a public meeting of interested stakeholders to discuss the Caloosahatchee Estuary Basin Management Action Plan (BMAP). The BMAP is the means for implementation of the adopted Total Maximum Daily Loads (TMDLs). The primary purpose of this meeting is to provide the annual update on the on the adopted BMAP.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sara C. Davis, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, [Sara.C.Davis@dep.state.fl.us](mailto:Sara.C.Davis@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: Sara C. Davis, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, [Sara.C.Davis@dep.state.fl.us](mailto:Sara.C.Davis@dep.state.fl.us).

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

DATE AND TIME: February 22, 2017, 10:00 a.m.

PLACE: SFWMD Lower West Coast Service Center, 2301 McGregor Boulevard, Ft. Myers, FL 33901

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 This is a public meeting of interested stakeholders to discuss the Everglades West Coast Watershed Basin Management Action Plan (BMAP). The BMAP is the means for implementation of the adopted Total Maximum Daily Loads (TMDLs). The primary purpose of this meeting is to provide the annual update on the on the adopted BMAP.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sara C. Davis, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, Sara.C.Davis@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: Sara C. Davis, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, Sara.C.Davis@dep.state.fl.us.

**DEPARTMENT OF HEALTH**

The board of Pharmacy Probable Cause Panel announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, October 19, 2017, 9:00 a.m.

**PLACE:** Telephone conference: 1(888)670-3525, participant code: 5134896685

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review those cases on which a determination of existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: the Board of Pharmacy at (850)245-4292.

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 Board of Pharmacy at (850)245-4292. 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 Board of Pharmacy at (850)245-4292.

**DEPARTMENT OF HEALTH**

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

**DATES AND TIMES:** June 6, 2017, 8:00 a.m.; June 7, 2017, 8:00 a.m.

**PLACE:** Embassy Suites Orlando LBV South, 4955 Kyngs Heath Road, Kissimmee, FL, 34746

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Tuesday, June 6, 2017, 8:00 a.m., general board business to be followed by general discussion and action on rules and compounding rules.

Wednesday, June 7, 2017, 8:00 a.m., general board business, to include discipline.

A copy of the agenda may be obtained by contacting: the Board of Pharmacy at (850)245-4292.

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 Board of Pharmacy at (850)245-4292. 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 Board of Pharmacy at (850)245-4292.

**DEPARTMENT OF HEALTH**

The Board of Pharmacy Rules Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, June 6, 2017, immediately following general board business.

**PLACE:** Embassy Suites Orlando LBV South, 4955 Kyngs Heath Rd., Kissimmee, FL 34746

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General committee business.

A copy of the agenda may be obtained by contacting: the Board of Pharmacy at (850)245-4292.

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 Board of Pharmacy at (850)245-4292. 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 Board of Pharmacy at (850)245-4292.

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**DEPARTMENT OF HEALTH**

The Board of Pharmacy Compounding Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, June 6, 2017, immediately following rules committee

**PLACE:** Embassy Suites Orlando LBV South, 4955 Kyngs Heath Rd., Kissimmee, FL 34746

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General committee business.

A copy of the agenda may be obtained by contacting: the Board of Pharmacy at (850)245-4292.

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 Board of Pharmacy at (850)245-4292. 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 Board of Pharmacy at (850)245-4292.

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**DEPARTMENT OF HEALTH**

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

**DATES AND TIMES:** Tuesday, August 15, 2017, 8:00 a.m.; Wednesday, August 16, 2017, 8:00 a.m.

**PLACE:** Embassy Suites Fort Lauderdale, 1100 SE 17th Street, Ft. Lauderdale, FL 33316

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Tuesday, August 15, 2017, 8:00 a.m., general board business to be followed by general discussion and action on rules and compounding rules.

Wednesday, August 16, 2017, 8:00 a.m., general board business, to include discipline.

A copy of the agenda may be obtained by contacting: the Board of Pharmacy at (850)245-4292.

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 Board of Pharmacy at (850)245-4292. 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 Board of Pharmacy at (850)245-4292.

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**DEPARTMENT OF HEALTH**

The Board of Pharmacy Rules Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, August 15, 2017, immediately following general board business

**PLACE:** Embassy Suites Fort Lauderdale, 1100 SE 17th Street, Ft. Lauderdale, FL 33316

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General committee business.

A copy of the agenda may be obtained by contacting: the Board of Pharmacy at (850)245-4292.

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 Board of Pharmacy at (850)245-4292. 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 Board of Pharmacy at (850)245-4292.

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**DEPARTMENT OF HEALTH**

The Board of Pharmacy Compounding Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, August 15, 2017, immediately following rules committee

**PLACE:** Embassy Suites Fort Lauderdale, 1100 SE 17th Street, Ft. Lauderdale, FL 33316

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
General committee business.

A copy of the agenda may be obtained by contacting: the Board of Pharmacy at (850)245-4292.

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 Board of Pharmacy at (850)245-4292. 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 Board of Pharmacy at (850)245-4292.

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**DEPARTMENT OF HEALTH**

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

**DATES AND TIMES:** Tuesday, October 3, 2017, 8:00 a.m.;  
Wednesday, October 4, 2017, 8:00 a.m.

**PLACE:** Rosen Plaza Hotel, 9700 International Drive, Orlando, FL 32819

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
Tuesday, October 3, 2017, 8:00 a.m., general board business to be followed by general discussion and action on rules and compounding rules.

Wednesday, October 4, 2017, 8:00 a.m., general board business, to include discipline.

A copy of the agenda may be obtained by contacting: The Board of Pharmacy at (850)245-4292.

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 Board of Pharmacy at (850)245-4292. 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 Board of Pharmacy at (850)245-4292.

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**DEPARTMENT OF HEALTH**

The Board of Pharmacy Rules Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, October 3, 2017 immediately following general board business

**PLACE:** Rosen Plaza Hotel, 9700 International Drive, Orlando, FL 32819

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
General committee business.

A copy of the agenda may be obtained by contacting: the Board of Pharmacy at (850)245-4292.

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 Board of Pharmacy at (850)245-4292. 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 Board of Pharmacy at (850)245-4292.

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**DEPARTMENT OF HEALTH**

The Board of Pharmacy Compounding Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, October 3, 2017, 8:00 a.m.

**PLACE:** Rosen Plaza Hotel, 9700 International Drive, Orlando, FL, 32819

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
General committee business.

A copy of the agenda may be obtained by contacting: the Board of Pharmacy at (850)245-4292.

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 Board of Pharmacy at (850)245-4292. 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 Board of Pharmacy at (850)245-4292.

DEPARTMENT OF HEALTH

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

DATES AND TIMES: Tuesday, December 12, 2017, 8:00 a.m.; Wednesday December 13, 2017, 8:00 a.m.

PLACE: Rosen Plaza Hotel, 9700 International Drive, Orlando, FL, 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tuesday, December 12, 2017, 8:00 a.m., general board business to be followed by general discussion and action on rules and compounding rules.

Wednesday, December 13, 2017, 8:00 a.m., general board business, to include discipline.

A copy of the agenda may be obtained by contacting: the Board of Pharmacy at (850)245-4292.

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 Board of Pharmacy at (850)245-4292. 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 Board of Pharmacy at (850)245-4292.

DEPARTMENT OF HEALTH

The Board of Pharmacy Rules Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 12, 2017, immediately following general board business

PLACE: Rosen Plaza Hotel, 9700 International Drive, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: General committee business.

A copy of the agenda may be obtained by contacting: the Board of Pharmacy at (850)245-4292.

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 Board of Pharmacy at (850)245-4292. 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 Board of Pharmacy at (850)245-4292.

DEPARTMENT OF HEALTH

The Board of Pharmacy Compounding Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 12, 2017, immediately following rules committee

PLACE: Rosen Plaza Hotel, 9700 International Drive, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: General committee business.

A copy of the agenda may be obtained by contacting: the Board of Pharmacy at (850)245-4292.

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 Board of Pharmacy at (850)245-4292. 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 Board of Pharmacy at (850)245-4292.

WALTON COUNTY HEALTH DEPARTMENT

The Walton County Health Department announces a public meeting to which all persons are invited.

DATE AND TIME: February 16, 2017, 11:30 a.m.

PLACE: Walton County Health Department

GENERAL SUBJECT MATTER TO BE CONSIDERED: Various Board information.

A copy of the agenda may be obtained by contacting: Patricia Hall, (850)892-8040, ext. 1174.

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: Patricia Hall, (850)892-8040, ext. 1174. 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: Patricia Hall, (850)892-8040, ext. 1174.

**BROWARD SOIL AND WATER CONSERVATION DISTRICT**

The Broward Soil & Water Conservation District announces public meetings to which all persons are invited.

**DATES AND TIMES:** February 16, 2017, 6:30 p.m.; March 16, 2017, 6:30 p.m.; April 20, 2017, 6:30 p.m.; May 18, 2017, 6:30 p.m.; June 15, 2017, 6:30 p.m.; July 20, 2017, 6:30 p.m.; August 17, 2017, 6:30 p.m.; September 21, 2017, 6:30 p.m.; October 19, 2017, 6:30 p.m.; November 16, 2017, 6:30 p.m.

**PLACE:** Emma Lou Olson Civic Center, 1801 NE 6 St., Pompano Beach, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Business of the District.

A copy of the agenda may be obtained by contacting: Fred Segal, (954)849-0745.

**CARPE DIEM COMMUNITY SOLUTIONS, INC.**

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

**DATE AND TIME:** Thursday, February 16, 2017, 5:30 p.m. – 6:30 p.m., CT

**PLACE:** Lyndell Center, 423 Lyndell Lane, Panama City Beach, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The corridor alternatives public meeting is for the U.S. 98 (S.R. 30A)/Panama City Beach Parkway Project Development and Environment (PD&E) Study. This study will evaluate possible improvements for U.S. 98 from Mandy Lane to the Thomas Drive intersection in Bay County, Florida.

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 14, 2016 and executed by the Federal Highway Administration and FDOT.

A copy of the agenda may be obtained by contacting: Sherry Alaghemand, P.E., FDOT Project Manager, toll-free at: 1(888)638-0250, extension 1510 or at sherry.alaghemand@dot.state.fl.us.

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

participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Sherry Alaghemand, P.E., FDOT Project Manager, toll-free at: 1(888)638-0250, extension 1510 or at sherry.alaghemand@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ian Satter, District Three Public Information Director, toll-free at: 1(888)638-0250, extension 1205 or at ian.satter@dot.state.fl.us.

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

NONE

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

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

NONE

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

NONE

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

NONE

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

NONE

## Section XI Notices Regarding Bids, Proposals and Purchasing

**DEPARTMENT OF TRANSPORTATION**

Bid Request for Milling & Resurfacing Paved Areas at the Perry and St. Augustine Maintenance

Sealed bids will be received and publicly opened and read aloud by the Florida Department of Transportation at the following date, location, and local time: March 22, 2017 @ 11:00 a.m. at the Lake City District Office, 1109 South Marion Avenue, Lake City, Florida 32025-5874, for the following projects: E2W42, Supply all equipment, materials, labor and incidental to mill and resurface the paved areas to include providing maintenance of traffic at the Perry Maintenance yard. 30 Calendar Days. Budget estimate is \$352,000. A Mandatory Pre-Bid Meeting will be held at the Perry Maintenance Yard, 657 Plantation Road Perry, Florida 32348 on March 1, 2017 at 11:00 a.m. E2W43, 41801277217, Provide all equipment, materials, labor and incidentals to mill and resurface the asphalt within the St. Augustine Maintenance Office. 75 Calendar Days. Budget Estimate is \$435,000. A Mandatory Pre-Bid Meeting will be held at the St. Augustine Maintenance - 3600 DOT Road, St. Augustine, FL 32084 on March 2, 2017 at 11:00 a.m. Complete letting advertisement information for this project is available on our website at <http://www.fdot.gov/contracts/d2/FCO/FCO.shtm> or by calling (386)758-3798.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

FWC 16/17-94 - Parker Hammock Slough Canal Restoration

The intent of this Bid request is to obtain an offer to Perform work to dredge Parker Hammock Slough canal as part of the Three Lakes Wildlife Management Area (TLWMA) Hydrologic Restoration Project in Osceola County, Florida, in accordance with the terms and conditions in this invitation to bid, technical specifications and the Construction Plans in accordance with Chapter 255, F.S.

**BID NO:** FWC 16/17-94  
**TITLE:** PARKER HAMMOCK SLOUGH CANAL RESTORATION  
**FOR:** Work on this proposed Contract comprises the mechanical dredging of Parker Hammock Slough Canal to deepen and widen the existing channel to a 20-foot wide bottom channel between Lake Marian and Lake Jackson for a total distance of approximately 7,781 feet and a 2.7-acre disposal site  
**SEALED BIDS WILL BE RECEIVED, PUBLICLY OPENED AND READ ALOUD ON:**  
**DATE & TIME:** March 10, 2017 @ 3:00 P.M., EST

**PLACE:** Florida Fish and Wildlife Conservation Commission  
 Purchasing Office, Suite 100  
 2590 Executive Center Circle  
 Tallahassee, Florida 32301  
 Phone: (850)488-6551

**BID DOCUMENTS:** Can be downloaded from the Vendor Bid System at the link below:  
[http://www.myflorida.com/apps/vbs/vbs\\_www.main\\_menu](http://www.myflorida.com/apps/vbs/vbs_www.main_menu)  
 Search by bid number FWC 16/17-94

**PURCHASING MANAGER:** (Direct questions to the following)  
 Bryan Tucker, Procurement Manager  
 Florida Fish & Wildlife Conservation Commission  
 Tallahassee Purchasing Office  
 2590 Executive Center Circle East, Suite 100  
 Tallahassee, Florida 32301  
 Phone: (850)617-9614  
[bryan.tucker@myfwc.com](mailto:bryan.tucker@myfwc.com)

**BRASFIELD & GORRIE, LLC**  
 UF 608 - PARKING GARAGE XIV  
 INVITATION TO BID

Brasfield & Gorrie will now be taking sealed bid proposals for the Structural Precast trade package for the University of Florida Parking Garage XIV project in Gainesville, FL. Please contact Chris Evans at Brasfield & Gorrie, [cevans@brasfieldgorrie.com](mailto:cevans@brasfieldgorrie.com), (407)562-4500, for additional information on the project and proposal requirements. Sealed proposals are due by no later than noon on March 6, 2017. Sealed proposals must either be hand delivered or mailed to the following address:

Brasfield & Gorrie, LLC  
 c/o Chris Evans  
 941 West Morse Blvd., Suite 200  
 Winter Park, FL 32789

## 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 a.m. Wednesday, February 1, and 3 p.m. Tuesday, February 7, 2017. An improved electronic publication system is forthcoming on the Florida Administrative Rules website, [FLRules.org](http://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
5B-3.001	2/6/2017	2/26/2017
5B-3.002	2/6/2017	2/26/2017
5B-3.003	2/6/2017	2/26/2017
5B-3.0032	2/6/2017	2/26/2017
5B-3.0035	2/6/2017	2/26/2017
5B-3.0038	2/6/2017	2/26/2017
5J-12.002	2/3/2017	2/23/2017
53ER17-6	2/2/2017	2/2/2017
59A-11.009	2/1/2017	2/21/2017
59A-11.012	2/1/2017	2/21/2017
59G-4.132	2/2/2017	2/22/2017
61G14-15.004	2/7/2017	2/27/2017
61G15-18.011	2/2/2017	2/22/2017
61G15-22.0001	2/7/2017	2/27/2017
61G15-22.0002	2/7/2017	2/27/2017
64B8-55.001	2/2/2017	2/22/2017
64B9-4.011	2/7/2017	2/27/2017
64B9-15.007	2/7/2017	2/27/2017

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

Rule No.	File Date	Effective Date
40B-9.021	12/21/2016	**/**/****
40B-9.041	12/21/2016	**/**/****
40B-9.126	12/21/2016	**/**/****
40B-9.131	12/21/2016	**/**/****
40B-9.1381	12/21/2016	**/**/****
40B-9.1411	12/21/2016	**/**/****
40B-9.142	12/21/2016	**/**/****
40B-9.145	12/21/2016	**/**/****
40B-9.123	12/9/2016	**/**/****

60FF1-5.009	7/21/2016	**/**/****
64B8-9.009	6/15/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.100	12/19/2016	**/**/****
69L-7.501	12/19/2016	**/**/****

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Division of Motor Vehicles

TB Fort Myers, LLC d/b/a Alfa Romeo of Fort Myers for the establishment Alfa Romeo vehicles

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that FCA US LLC, intends to allow the establishment of TB Fort Myers, LLC d/b/a Alfa Romeo of Fort Myers as a dealership for the sale of Alfa Romeo passenger cars and light trucks (line-make ALFA) at 6080 Jonathans Bay Drive, Fort Myers, (Lee County), Florida 33908, on or after March 13, 2017.

The name and address of the dealer operator(s) and principal investor(s) of Tb Fort Myers LLC are dealer operator(s): Anthony H. Blake, 1 Southwest Frontage Rd, Shorewood, Illinois 60404, Deborah R. Blake, 1 Southwest Frontage Road, Shorewood, Illinois 60404; principal investor(s): Anthony H. Blake, 1 Southwest Frontage Rd, Shorewood, Illinois 60404, Deborah R. Blake, 1 Southwest Frontage Road, Shorewood, Illinois 60404, Tyson S. Blake, 1 Southwest Frontage Rd, Shorewood, Illinois 60404, Trenton A. Blake, 1 Southwest Frontage Road, Shorewood, Illinois 60404.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Chris Chandler, FCA US LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

TB Fort Myers, LLC d/b/a Maserati of Fort Myers for the establishment Maserati vehicles

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Maserati North America, Inc., intends to allow the establishment of TB Fort Myers, LLC d/b/a Maserati of Fort Myers, as a dealership for the sale of Maserati passenger cars and light trucks (line-make MASE) at 6080 Jonathans Bay Drive, Fort Myers, (Lee County), Florida 33908, on or after March 31, 2017.

The name and address of the dealer operator(s) and principal investor(s) of Tb Fort Myers LLC are dealer operator(s): Anthony H. Blake, 1 Southwest Frontage Rd, Shorewood, Illinois 60404, Deborah R. Blake, 1 Southwest Frontage Road, Shorewood, Illinois 60404; principal investor(s): Anthony H. Blake, 1 Southwest Frontage Rd, Shorewood, Illinois 60404, Deborah R. Blake, 1 Southwest Frontage Road, Shorewood, Illinois 60404, Tyson S. Blake, 1 Southwest Frontage Rd, Shorewood, Illinois 60404, Trenton A. Blake, 1 Southwest Frontage Road, Shorewood, Illinois 60404.

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A copy of such petition or complaint must also be sent by US Mail to: Chris Tedesco, Maserati North America, Inc., 250 Sylvan Avenue, Englewood Cliffs, New Jersey, 07632.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

LETTERS OF INTENT

The Agency for Health Care Administration received and accepted the following letters of intent for the March 8, 2017 application filing date for Hospital Beds and Facilities batching cycle:

County: Marion District: 3  
 Date Filed: 2/6/2017 LOI #: H1702001  
 Facility/Project: Ocala Regional Medical Center and West Marion Community Hospital  
 Applicant: Marion Community Hospital, Inc.  
 Project Description: Establish a comprehensive medical rehabilitation unit of up to 40 beds

County: Alachua District: 3  
 Date Filed: 2/6/2017 LOI #: H1702002  
 Facility/Project: North Florida Regional Medical Center  
 Applicant: North Florida Regional Medical Center, Inc.  
 Project Description: Establish a comprehensive medical rehabilitation unit of up to 24 beds

County: Alachua District: 3  
 Date Filed: 2/6/2017 LOI #: H1702003  
 Facility/Project: UF Health Shands Rehab Hospital  
 Applicant: Shands Teaching Hospital and Clinics, Inc.  
 Project Description: Establish a 40-bed replacement comprehensive medical rehabilitation hospital

County: Hillsborough District: 6  
 Date Filed: 2/6/2017 LOI #: H1702004  
 Facility/Project: HealthSouth Rehabilitation Hospital of Hillsborough County, LLC  
 Applicant: HealthSouth Rehabilitation Hospital of Hillsborough County, LLC  
 Project Description: Establish a new comprehensive medical rehabilitation hospital of up to 60 beds

County: Miami-Dade District: 11  
 Date Filed: 2/6/2017 LOI #: H1702005

Facility/Project: South Florida Behavioral Health, LLC  
 Applicant: South Florida Behavioral Health, LLC  
 Project Description: Establish a new adult inpatient psychiatric hospital of up to 104 beds

If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after April 19, 2017, the date the application is scheduled to be deemed complete. Tentative hearing dates will be published on March 15, 2017.

**AGENCY FOR HEALTH CARE ADMINISTRATION**  
**Medicaid**

Public Notice Period - Long-term Care Waiver Amendment  
 The Agency for Health Care Administration (Agency) announces a 30-day public notice and comment period. The State of Florida is seeking federal authority to amend the Medicaid 1915(b)(c) Long-term Care Waiver to make the following updates:

- Update the definition for the following waiver services:
  - Attendant Care,
  - Respite
  - Intermittent and Skilled Nursing
- Update fair hearing information.
- Update the unduplicated count and related waiver cost projections.
- Update the Medicaid Director information.

The 30-day public notice and public comment period will run from February 8, 2017 through March 10, 2017. The Agency will consider all public comments received during the public notice period regarding the proposed waiver amendment.

You can view the full waiver amendment request on the Agency’s website at the following link:

[http://ahca.myflorida.com/medicaid/Policy\\_and\\_Quality/Policy/federal\\_authorities/federal\\_waivers/ltc\\_fed\\_auth\\_amend\\_waiver\\_2017-02-08.shtml](http://ahca.myflorida.com/medicaid/Policy_and_Quality/Policy/federal_authorities/federal_waivers/ltc_fed_auth_amend_waiver_2017-02-08.shtml)

Please submit all comments with “LTC Waiver Amendment” in the subject line. Comments can be submitted via mail or email and will be accepted from February 8, 2017 through March 10, 2017.

Mail comments and suggestions to:  
 LTC Waiver Amendment

Agency for Health Care Administration  
 Bureau of Medicaid Policy  
 2727 Mahan Drive, MS 20  
 Tallahassee, Florida 32308

E-mail comments and suggestions with either “LTC Waiver Amendment” in the subject line to:  
[FLMedicaidWaivers@ahca.myflorida.com](mailto:FLMedicaidWaivers@ahca.myflorida.com).

**DEPARTMENT OF FINANCIAL SERVICES**

Division of Accounting and Auditing

RULE NO.: RULE TITLE:

69I-25.003 Requirements

Interest Rate Set Pursuant To Section 55.03, Florida Statutes - Correction

**DEPARTMENT OF FINANCIAL SERVICES**

Due to rounding error the judgement interest rate for quarter beginning July 1, 2016 was miscalculated.

The correct interest rate for the quarter beginning July 1, 2016 has been set at 4.84 percent per annum or a daily rate of .01322404 percent (.0001322404 expressed as a decimal). The daily rate considers that 2016 is a leap year, and is calculated by dividing the annual rate by 366 days.

Current and historical interest rates are available on the following website:

<http://www.myfloridacfo.com/Division/AA/Vendors/default.htm>.

Please contact the Vendor Ombudsman Section at (850)413-5516 if you have any questions.

**DEPARTMENT OF FINANCIAL SERVICES**

Division of Accounting and Auditing

RULE NO.: RULE TITLE:

69I-25.003 Requirements

Interest Rate Set Pursuant To Section 55.03, Florida Statutes - Correction

**DEPARTMENT OF FINANCIAL SERVICES**

Due to rounding error the judgement interest rate for quarter beginning April, 1 2016 was miscalculated.

The correct interest rate for the quarter beginning April 1, 2016 has been set at 4.78 percent per annum or a daily rate of 0.01306011 percent (0.0001306011 expressed as a decimal). The daily rate considers that 2016 is a leap year, and is calculated by dividing the annual rate by 366 days.

Current and historical interest rates are available on the following website:

<http://www.myfloridacfo.com/Division/AA/Vendors/default.htm>.

Please contact the Vendor Ombudsman Section at (850)413-5516 if you have any questions.

**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.