



**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-208.101  
 RULE TITLE: Employee Grooming, Uniform and Clothing Requirements

PURPOSE AND EFFECT: To update the Departmental standards of dress, accessories and personal grooming for all FDC staff in accordance with their professional duties and working environment.

SUBJECT AREA TO BE ADDRESSED: Professional dress, maintenance of hair, facial hair, earrings and excessive or hazardous jewelry.

RULEMAKING AUTHORITY: 944.09, FS.

LAW IMPLEMENTED: 944.09, 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: Gregory Hill, Assistant General Counsel, 501 S. Calhoun Street, Tallahassee, FL 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-208.101 Employee Grooming, Uniform and Clothing Requirements.

(1) The following grooming standards shall apply to all Department of Corrections employees, including all non-uniformed employees and contracted employees, while performing official duties:

(a) All employees shall maintain a professional appearance at all times while performing official duties.

(b) All employees shall maintain personal hygiene and shall keep themselves personally neat and clean while on duty.

(c) Clothing will be clean and pressed as is appropriate for the particular garment.

(d) Clothing shall be appropriate for the particular assignment.

(e) Shoes will be clean, presentable, and appropriate for the particular assignment.

~~(f) Policies regarding the wearing of neck ties for office staff will be determined by the Secretary, Deputy Secretary and Office Directors.~~

~~(f)(g)~~ Hair will be neat, clean, trimmed and present a groomed appearance. For male employees, hair will not completely cover any part of the ear or go below the ear or extend 1/2 inch of the top of the collar. If the hair is dyed, only natural shades will be permitted.

(g) Facial hair for all male staff is authorized as follows:

1. Staff must notify the correctional office chief or, in the case of non-uniformed staff, their immediate supervisor, in writing, of their intention to grow authorized facial hair. Conversely, staff must also notify the correctional officer chief or, in the case of non-uniformed staff, their immediate supervisor, in writing, of their intent to shave previously authorized facial hair;

2. Any authorized facial hair as described below in subparagraph (1)(g)5 shall not exceed 1/4 inch in length;

3. The wearing of authorized facial hair must not interfere with the performance of assigned duties;

4. Staff must obtain a new staff photo ID within one week of the completion of growing or shaving of authorized facial hair;

5. Authorized facial hair is defined as:

a. A moustache that does not protrude below the top of the upper lip or past the corner of the mouth on the side; or

b. A full-face beard; or

c. A goatee with or without a moustache.

6. The growing of variations of the above, i.e., chin curtain, soul patch, handlebar moustache, mutton chops or any other similar styles is not authorized.

~~(h) Earrings are prohibited for male staff. Earrings for female staff will constitute the only body piercing ornaments allowed. No employee will display while on duty any other jewelry of which any part has been pierced into or through the skin or flesh of any part of the body.~~

~~(i) Undergarments shall not be visible.~~

~~(j) All employees shall dress in a professional manner appropriate to their positions and duties and shall avoid eccentricities in their personal appearance.~~

~~(k) All employees shall dress in appropriate business attire a manner required by the court for all court appearances.~~

~~(l) Identification cards.~~

1. Except as provided below, all employees shall wear the department issued ID card in a visible manner that will identify the individual at all times while on duty.

2. For security purposes when interacting with offenders, probation and parole field staff, including administrative and clerical support, are not required to wear the department issued ID card in a visible manner; however, they must be in possession of the department issued ID card for identification purposes while on duty.

(2) In addition to the standards set forth in subsection (1), all institutional and community corrections male employees shall comply with the following grooming standards:

~~(a) Earrings are prohibited for male staff. Hair will not completely cover any part of the ear or go below the ear or extend below 1/2 inch of the top of the collar.~~

(b) If hair is dyed or highlighted, only naturally occurring hair colors will be permitted. For the purpose of this rule, “naturally occurring hair colors” will include: black, brown, blond, auburn, red, grey, and white. Unnatural colors, such as purple, pink, blue, yellow, or green are prohibited. Facial hair for staff is authorized as follows:

~~1. Staff must notify the correctional office, chief or, in the case of non uniformed staff, their immediate supervisor, in writing, of their intention to grow authorized facial hair. Conversely, staff must also notify the correctional officer chief or, in the case of non uniformed staff, their immediate supervisor, in writing, of their intent to shave previously authorized facial hair;~~

~~2. Any authorized facial hair as described below in subparagraph (2)(b)5. shall not exceed 1/4 inch in length;~~

~~3. The wearing of authorized facial hair must not interfere with the performance of assigned duties;~~

~~4. Staff must obtain a new staff photo ID within one week of the completion of growing or shaving of authorized facial hair;~~

~~5. Authorized facial hair is defined as:~~

~~a. A moustache that does not protrude below the top of the upper lip or past the corner of the mouth on the side; or~~

~~b. A full face beard; or~~

~~c. A goatee with or without a moustache.~~

~~6. The growing of variations of the above, i.e. chin curtain, soul patch, handlebar moustache, mutton chops and other similar styles is not authorized.~~

~~(3) through (5) No change.~~

~~(6) The following provisions shall apply to health services employees:~~

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

~~(e) The following shall apply to health services staff whose duties require providing direct care to inmates in an institution, including physicians, pharmacists, dentists, clinical associates, registered nurses, LPNs, correctional medical technicians certified, medical technologists, health support workers, UTRs and “ward clerks”.~~

~~1. Excessive jewelry that is excessive or could pose a safety or security issue shall not be worn with the uniform. Jewelry that could be used to disable an employee will not be worn. No bulky or ornate jewelry will be worn. Bracelets or earrings are prohibited for male staff. Female staff shall be allowed to wear earrings; however, only one pair of post or clip-on earrings will be worn at a time and will be worn on earlobes only. Earrings for female staff will constitute the only body piercing ornaments allowed. For safety purposes, earrings shall not be hooped or dangling.~~

2. Fingernails will be neatly trimmed and clean. Fingernails shall not extend more than 1/4 inch past the end of the finger. Artificial fingernails or extenders will not be worn when having direct contact with high risk inmates, i.e., in a licensed hospital facility, intensive care units, operating rooms, or dialysis units. Hair shall be maintained in a manner consistent with infection control practices and safety considerations.

(7) through (8) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 2-27-85, Amended 6-19-85, Formerly 33-4.07, Amended 3-6-88, 8-15-89, 2-12-91, 10-13-91, 4-19-98, 12-7-98, Formerly 33-4.007, Amended 10-5-99, 3-21-00, 12-18-00, 4-30-02, 2-20-03, 6-26-03, 10-27-03, 12-28-03, 12-12-04, 9-11-06, 2-6-07, 10-8-07, 6-28-12, 5-18-14, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.:           RULE TITLE:

64B16-28.750    Class III Institutional Pharmacies.

PURPOSE AND EFFECT: The Board proposes the rule promulgation to create a rule for a Class III Institutional Pharmacy Permit as required by Chapter 2018-95, Laws of Florida.

SUBJECT AREA TO BE ADDRESSED: Class III Institutional Pharmacies.

RULEMAKING AUTHORITY: 465.005, 465.022 FS.

LAW IMPLEMENTED: 465.019(2)(d), 465.022 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: C. Erica White, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254. THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Agency for Persons with Disabilities**

RULE NOS.:	RULE TITLES:
65G-5.001	Definitions.
65G-5.002	Eligibility for Services.
65G-5.003	Planning for Supported Living Services.
65G-5.004	Selection of Housing.
65G-5.005	Selection of Providers by Participants.
65G-5.006	Ongoing Monitoring by Support Coordinator.
65G-5.007	Individual Survey Activities.
65G-5.008	Certification of Providers.
65G-5.009	Annual Survey and Renewal of Certification.
65G-5.010	Suspension of Provider Certification.
65G-5.011	Termination of Provider Certification.
65G-5.012	Documentation of Services.
65G-5.013	Rates and Payments.

**PURPOSE AND EFFECT:** The purpose and effect of the rule amendments is to clarify terminology, update rule language to comply with statutory requirements including addressing statutory amendments regarding the community supported living arrangement program and provider training requirements.

**SUBJECT AREA TO BE ADDRESSED:** The subject area to be addressed in the rule amendments includes updated terminology, changes to statutory requirements, the community supported living arrangement program, and provider training requirements.

**RULEMAKING AUTHORITY:** 393.501(1), 393.066(8), FS.

**LAW IMPLEMENTED:** 393.066, 393.0661, FS.

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

**DATE AND TIME:** August 22, 2018, 1:00 p.m.

**PLACE:** Agency for Persons with Disabilities, 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399-0950

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: Lisa Kuhlman at (850)922-9738 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:** Lisa Kuhlman, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399-0950, (850)922-9738, Lisa.Kuhlman@apdcares.org

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

Substantial rewording of Rule 65G-5.001 follows. See Florida Administrative Code for present text.

65G-5.001 Definitions (Substantial Rewrite)

(1) “Annual Report” means a report of the supports and services received by an individual throughout the year, a description of the progress towards meeting individually determined goals, and any pertinent information about significant events that occurred in the individual’s life during the previous year.

(2) “Community Housing Standards” means the standards set forth in the Housing Survey form.

(3) “Family Home” means the primary residence occupied by the recipient and member(s) of the immediate family.

(4) “Functional Community Assessment” means an assessment designed to assist the supported living provider in becoming familiar with the individual and their capabilities and needs.

(5) “Housing Survey” means a survey utilized to ensure that an individual’s housing selection meets community housing standards.

(6) “Immediate Family” means spouse, children, parents and siblings, including stepchildren, stepparents, stepsiblings and in-laws.

(7) “Individual” means an adult who has developmental disabilities, who is a client of the Agency as defined in Chapter 393, F.S., and who is receiving supported living services.

(8) “Individual Financial Profile” means a budget form that reflects monthly income and expenses of the individual.

(9) “Implementation Plan” means a plan developed by the supported living coach with direction from the individual. The implementation plan includes the names of the individual receiving services, support plan goals that the supported living coaching services will address, methods employed to assist the individual in meeting the support plan goals, and the system to be used for data collection and assessing the individual’s progress in achieving support plan goals.

(10) “Own Home” means a house, apartment, or comparable living space meeting community housing standards, which the individual chooses, own or rents, controls, and occupies as a primary place of residence that is not a family home.

(11) “Personal Supports” means services that provide assistance and training to the individual in activities of daily living, such as eating, bathing, dressing, personal hygiene, and preparation of meals. This service may also include assistance with heavy household chores to make the home safer and also include companionship, including non-medical care and supervision and access to community-based activities.

(12) Support Plan” means an individualized plan of supports and services designed to meet the needs of a recipient enrolled in the waiver. The support plan identifies the goals, preferences, and needs of the individual and authorizes the supports, resources and services necessary to meet those goals, preferences, and needs.

(13) “Support Coordinator” means a person who is designated by the Agency to assist individuals in identifying their desires, capacities, needs and resources; find and gain access to necessary supports and services; coordinate the delivery of supports and services; advocate on behalf of the individual, and provide other assistance and support as defined in Section 393.063, F.S. “

(14) “Supported Living Coaching” means a service that includes assistance with locating appropriate housing; assisting individuals with the acquisition, retention, or improvement of skills related to activities of daily living, household chores, meal preparation, shopping, personal finances, medical and dental appointments, and social and adaptive skills necessary to enable individuals to reside in their own home.

(15) “Supported Living Services” means the provision of supports necessary for an adult who has a developmental disability to establish, live in and maintain his or her own household in the community. For purposes of this rule, supported living services include supported living coaching and personal supports provided through state funds or through the iBudget Home and Community-Based Services Waiver program.

(16) “Quarterly Summary” means a written summary compiled by the supported living coach of the activities that took place during each quarter, including the individual’s progress toward achieving support plans goals. The third quarterly summary can be used as the annual report.

Rulemaking Authority 393.501, ~~393.066(8)~~, FS. Law Implemented ~~393.063(45)~~, 393.066, ~~393.0661~~ FS. History—New 1-18-95, Formerly 10F-11.002, 65B-11.002.

#### 65G-5.002 Eligibility for Services.

(1) Individuals are eligible for supported living services funded by the Agency if they meet the following criteria:

(a) Individual is eighteen years of age or older;

(b) Individual has a developmental disability and is a client of the Agency;

(c) Individual desires to live in his or her own home in the community and is unable to live in the community without ongoing supports;

(d) Individual lives in his or her own home with no more than two other individuals with developmental disabilities; and

(e) Supported living services are authorized for funding by the Agency.

(2) Clients of the Agency who live in a family home are not eligible for supported living coaching service even if the client is the sole owner or lessee of the family home.

~~(1) All persons eighteen years of age or older who have developmental disabilities, reside within the state of Florida and are clients of the Agency shall be eligible for supported living services.~~

~~(2) Individuals must be Medicaid recipients in order to receive supported living services through the CSLA Medicaid state plan option. Services shall not be provided simultaneously to an individual through CSLA and the Developmental Disabilities Home and Community Based Services Waiver.~~

(3) Persons who are clients of the Agency and who wish to receive supported living services shall make a request for such services through their support coordinator.

(4) Persons who are not clients of the Agency must first make application for determination of eligibility for developmental disability services. They may concurrently request supported living services.

(5) Supported living services must be authorized by an individual’s support plan. A preliminary determination of the individual’s support requirements to reside in supported living shall be made as part of the individual support plan process.

(6) Individuals who choose to receive services in a supported living setting or who need to increase their services must request the services through their support coordinator. The support coordinator will follow current protocols for requesting services through the Agency.

Rulemaking Authority 393.501, ~~393.066(8)~~, FS. Law Implemented ~~393.063(45)~~, 393.066, ~~393.0661~~ FS. History—New 1-18-95, Formerly 10F-11.003, 65B-5.003.

#### 65G-5.003 Planning for Supported Living Services.

(1) An individual’s desire and willingness to participate in supported living shall be considered as part of the support planning process, and supported living services shall be authorized by the support plan when requested by the individual or the individual’s representative guardian. When planning for supported living services, the individual, individual representative, and support coordinator must consider whether funding is available in their approved annual budget and must ensure that services requested meet health and safety needs.

(2) The support plans of individuals in supported living are facilitated by the support coordinator and shall address the following with regard to supported living services:

(a) Frequency of supported living coaching services and specific areas of support required by the individual to live in his or her own home and participate in the local community;

(b) An explanation of the individual’s need for the services;

(c) The person or agency responsible for providing the services;

- (d) When services will be provided;
  - (e) The methodology that will be used to provide the services;
  - (f) How the individual can access supported living coaching services 24 hours a day for emergency assistance;
  - (g) How natural and generic supports available through family, friends, neighbors, and the community at large will be included in the support process;
  - (h) What supports are in place to meet the home and community safety needs of the individual;
  - (i) A financial profile that includes an accountable strategy for assisting the individual in money management, ~~when requested by the individual or the individual's guardian; and, However, if the individual indicates that he or she does not wish to have a financial profile completed, then the support coordinator must document the individual's refusal. Refusal to provide the Financial Profile annually hinders the supported living coach's ability to assist the individual with his or her personal finances successfully. This could lead to the individual becoming Medicaid ineligible and losing Medicaid benefits; and~~
  - (j) The outcomes the individual wishes to achieve during the next year.
- (3) Supported living services are authorized and provided in any of the following support areas based on functional assessment of the individual's capacities in the community and the individual's preferences.
- (a) Housing procurement;
  - (b) Household maintenance and management;
  - (c) Safety and emergency procedures;
  - (d) 24-hour emergency assistance;
  - (e) Meal planning and preparation;
  - (f) Shopping and consumer skills;
  - (g) Clothing care;
  - (h) Self-care, manners and sexuality;
  - (i) Money management and banking;
  - (j) Utilizing third party benefits;
  - (k) Time management;
  - (l) Recreation and leisure;
  - (m) Mobility and travel skills;
  - (n) Civic responsibilities;
  - (o) Advocacy;
  - (p) Interpersonal communication;
  - (q) Facilitation of one-to-one relationships;
  - (r) Support counseling;
  - (s) Administration of medication and supervised self-medication, pursuant to Chapter 65G-7, F.A.C. Self-medication;
  - (t) Individual specific documentation;
  - (u) Meetings with the individual present;

(v) Quality assurance activities.

(4) The supported living coach shall complete the Functional Community Assessment, APD Form # effective \_\_\_\_\_, adopted and incorporated herein, which can be found at \_\_\_\_\_, prior to the individual's move into a supported living arrangement or within 45 days of service implementation for individuals already residing in supported living settings. If the individual does not have a supported living coach, the Functional Community Assessment will be completed by the support coordinator.

(5) The supported living coach shall complete an initial Housing Survey Form, APD Form # effective \_\_\_\_\_, adopted and incorporated herein, which can be found at \_\_\_\_\_, prior to an individual signing a lease. The supported living coach shall submit the Housing Survey to the support coordinator within 10 days of housing selection. The support coordinator must approve the Housing Survey. If the individual does not have a supported living coach, the support coordinator shall complete the Housing Survey.

(6) The supported living coach shall complete the Health and Safety Checklist, incorporated by reference into this rule and submit it to the support coordinator.

~~(7)~~(4) The information required by Rule 65G-5.004, F.A.C., shall be identified on the individual support plan form or included in a separate implementation plan which is made part of the individual support plan by reference.

~~(8)~~(5) The supported living coaching ~~provider~~ and the individual have authority to adjust the areas and level of coaching support in response to emerging needs and life changes of the individual. All such adjustments must be reviewed with the support coordinator at the time of the quarterly visit provided for in Rule 65G-5.006, F.A.C.

~~(9)~~(6) Adjustments to the areas or levels of coaching support that affect the provider's rate agreement must be authorized prior to implementation by an update to the individual support plan. The support coordinator is responsible for updating the support plan and obtaining regional area office review and approval of increased funding.

~~(10)~~(7) Within 30 calendar At least ten working days prior to the annual of the provider's receipt of the support plan review, the supported living coaching provider shall develop the implementation plan. On a quarterly basis, the supported living coach must develop a written report that reflects progress towards goals contained in the implementation plan and revisions made to the plan. send the support coordinator a written summary regarding the supports and services provided during the past year and recommendations for the coming year. Rulemaking Authority 393.501, 393.066(8), FS. Law Implemented 393.063(45), 393.066, 393.0661 FS. History—New 1-18-95, Formerly 10F-11.006, 65B-11.006.

## 65G-5.004 Selection of Housing.

(1) The individual shall select a home available for lease or sale to any member of the community based on the individual's own choice and personal financial resources with assistance from the supported living coaching provider as needed.

(2) The following criteria identify an eligible supported living setting:

(a) ~~The name of the individual appears on the~~ has a lease or mortgage other legally enforceable agreement, either singularly, with a roommate, or with a guarantor or a mortgage agreement;

(b) The home is integrated into and supports full access to the greater community;

(c) The home is selected by the individual from available options;

(d) The individual has privacy in his or her home, including lockable doors, choice of rooms, and freedom to furnish or decorate; and

~~(e)(b)~~ Neither the supported living coach, personal supports provider, nor the immediate family of the supported living coach provider shall serve as landlord or have any interest in the ownership of the housing unit; and,

(3) As part of the housing search, the supported living coaching provider shall assist the individual to complete a survey of the housing being considered. This survey shall be based on the Housing and Urban Development housing quality standards found in 24 CFR Part 982 24 C.F.R. §887.251. The supported living coaching provider shall also assist the individual in a quarterly update of the housing survey based upon the same standards as the initial survey.

(4) The supported living coaching provider shall forward a copy of the completed survey for the housing that was selected by the individual to the individual's support coordinator within ten (10) working days of the selection, and shall make a copy of the quarterly housing survey update available to the support coordinator at the time of the support coordinator's quarterly home visit provided for in Rule 65G-5.006, F.A.C. However, if the individual will require a start-up subsidy, the start-up subsidy must be approved by the Regional Office before the lease is signed or any deposits are made.

(5) If the housing selected by the individual does not meet the housing quality standards in the Housing Survey, identified in Rule 65G-5.004, F.A.C., a waiver ~~may~~ shall be granted by the Regional Operations Manager Area Administrator when the selection is based on the individual's choice and the standard waived does not compromise the client's health and safety.

(6) Renting or subleasing a room in a home or a hotel/motel with or without a lease does not meet the eligibility criteria for supported living.

(7) Supported living arrangements do not include the individual's parents, stepparents, guardian, guardian advocate,

or a sibling without a developmental disability living in the same residence.

(8) An exception can be requested by the individual to the APD Regional office to allow supported living services to be provided on the property of a family member, in a separate structure, with a separate lease as long as it meets the community housing standards.

Rulemaking Authority 393.501, 393.066(8), FS. Law Implemented 393.063(45), 393.066, 393.0661 FS. History—New 1-18-95, Formerly 10F-11.005, Amended 10-28-03, Formerly 65B-11.005.

## 65G-5.005 Selection of Providers by Participants.

(1) Individuals may choose from among the available providers within the area. Every effort shall be made to ensure that the individual receives services from the provider of his or her choice. ~~Eligible individuals who wish to receive services through the Medicaid CSLA state plan option must choose from among the available CSLA providers.~~

(2) The individual's support coordinator shall provide information to the individual or legal guardian if applicable, verbally and in writing regarding concerning the philosophy and scope of services available from each supported living services as set forth in these rules provider and shall assist the individual as needed in the screening and selection of a provider. Verbal information must be documented in the support coordinator's case notes.

(3) Supported living coaching services must be provided on a one individual to one provider ratio.

(4) When individuals receive personal supports, life skills development, or both in addition to supported living coaching services, the providers must work together to avoid duplication of activities with coordination from the support coordinator.

(5) Supported living coaching services should be separate and not duplicate services performed by the personal supports provider. If a supported living coach is providing one or more additional services to an individual, documentation must clearly reflect the services being provided and billed during a given time.

(6) The supported living coach shall not live in the individual's home.

(7) The supported living coach must render services at the time and place mutually agreed upon by the individual and the provider. The supported living coach must have an on-call system in place that allows the individual access to services for emergency assistance 24 hours per day, seven days per week. The supported living coach must specify a backup supported living coach to provide services in the event that the initial supported living coach is unavailable. Telephone access to the provider or backup provider must be available without toll charges to the individual.

Rulemaking Authority 393.501, ~~393.066(8)~~, FS. Law Implemented ~~393.063(45)~~, 393.066, ~~393.0661~~ FS. History—New 1-18-95, Formerly 10F-11.004, 65B-11.004.

65G-5.006 Ongoing Monitoring by Support Coordinator.

(1) The individual’s support coordinator shall have at least monthly face-to-face visits ~~telephone contact~~ with the individual. One face-to-face visit shall occur in the individual’s home at least once every three months. ~~to monitor the individual’s health and well being. This call may be initiated by the support coordinator or the individual.~~

(2) The support coordinator shall conduct an additional billable activity on behalf of the individual each month. ~~When telephone contact is not possible, a face to face visit shall be made.~~

(3) The ~~individual’s~~ support coordinator shall conduct a quarterly meeting home visit to ensure that supported living services are being carried out in accordance with the support plan. This visit shall be scheduled at a mutually convenient time and shall not be unannounced. This quarterly meeting is considered one of the face-to-face contacts. ~~The supported living coach shall also attend unless the individual requests otherwise.~~

(4) The support coordinator is responsible for scheduling the quarterly meeting with the individual in the individual’s home. Unless specifically declined by the individual, the supported living coach and personal supports provider should be invited. During the meeting, the following activities will occur:

(a) The support coordinator will review the individual’s progress toward achieving support plan goals and determine if services are being provided in a satisfactory manner.

(b) The support coordinator will review the APD Health and Safety Checklist and the Housing Survey and determine if there is a need for follow-up with the resolved issues or if changes are needed.

(c) For individuals who are receiving assistance with financial management from the supported living provider, the support coordinator will review the bank statements, checkbook, and other public benefits, such as Social Security benefits and health care coverage, including Florida Medicaid, to determine continued eligibility at the time of the quarterly meeting.

(d) Complete the Supported Living Quarterly Checklist for Supported Living Quarterly Face-to-Face Visits, APD Form # effective \_\_\_\_\_, which can be found at \_\_\_\_\_, and is incorporated into this rule by reference.

(5) For individuals who wish to move into a supported living arrangement, supported living coaching services can be approved for a period not to exceed 90 days to assist the individual in finding a home. It is the responsibility of the

support coordinator to review activities occurring during this time period to ensure that the supported living goal can be achieved during this timeframe. If the support coordinator determines that moving into supported living cannot be achieved before the 90-day timeframe expires, the support coordinator shall provide other options for the individual regarding alternate services that can be pursued.

(6) For individuals who wish to move to their own homes but do not receive or do not need supported living coaching services, the support coordinator is responsible for coordinating and monitoring services provided by the personal supports provider to ensure that the individual is meeting their support plan goals.

(7) If a medication assistance provider, as defined in Rule 65G-7.001, F.A.C., supervises the self-administration of medication or administers medication to an individual, the supported living coach is responsible for assuring that there is a current medication administration validation certificate as required by Chapter 65G-7 F.A.C., and that it is updated annually. In the situation where there is no supported living coach, this responsibility falls to the support coordinator.

(4) In addition to reviewing supported living services, the support coordinator shall review the updated housing survey and the individual’s need for a financial subsidy or adjustment of current subsidy at the time of the quarterly home visit. If the supported living coaching provider is acting as fiscal agent for the individual, bank statements and any other financial records shall be reviewed by the support coordinator at the time of the quarterly home visit.

Rulemaking Authority 393.501, ~~393.066(8)~~, FS. Law Implemented ~~393.063(45)~~, 393.066, ~~393.0661~~ FS. History—New 1-18-95, Formerly 10F-11.009, 65B-11.009.

65G-5.007 Individual Survey Activities.

Rulemaking Authority 393.501(1) FS. Law Implemented 393.063(45), 393.066 FS. History—New 1-18-95, Formerly 10F-11.008, 65B-5.008, Repealed \_\_\_\_\_.

Substantial rewording of Rule 65G-5.008 follows. See Florida Administrative Code for present text.

65G-5.008 Qualifications Certification of Providers

(1) Providers of supported living coaching services must meet one of the following requirements:

(a) Have a bachelor’s degree from an accredited college or university with a major in education, rehabilitative science, business or a related degree.

(b) Have an associate degree or two years of college from an accredited college or university and have two years of documented direct experience with individuals with developmental disabilities.



(c) Have one year of college from an accredited college or university and three years of documented direct experience in working with individuals with developmental disabilities; or

(d) Four years of direct professional experience in working with individuals with developmental disabilities may substitute for college on a year for year basis. The provider must hold a valid high school or GED diploma.

(2) An individual who wishes to become a supported living coach who is not already an iBudget Waiver provider must comply with the requirements of Rule 65G-4.0215, F.A.C. prior to being approved by the Agency to provide supported living coaching services. An individual who is an approved iBudget Waiver provider may apply to provide supported living coaching services by complying with Rule 65G-4.0215(5)(b), F.A.C.

(3) Providers shall comply with the pre-service and in-service training as set forth in the Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook as adopted in Rule 59G-13.070, F.A.C. Specific Authority 393.501, 393.066(8), FS. Law Implemented 393.063(45), 393.066, 393.0661 FS. History—New 1-18-95, Formerly 10F-11.008, 65B-5.008.

65G-5.009 Annual Survey and Renewal of Certification.

Rulemaking Authority 393.510(1) FS. Law Implemented 393.065(45), 393.066 FS. History—New 1-18-95, Formerly 10F-11.011, 65B-11.011, Repealed \_\_\_\_\_.

65G-5.010 Suspension of Provider Certification.

Rulemaking Authority 393.501(1) FS. Law Implemented 393.063(45), 393.066, 393.0655 FS. History—New 1-18-95, Formerly 10F-11.012, 65B-11.012, Repealed \_\_\_\_\_.

65G-5.011 Termination of Provider Certification.

Rulemaking Authority 393.501(1) FS. Law Implemented 393.063(45), 393.066, 393.0655 FS. History—New 1-18-95, Formerly 10F-11.013, 65B-11.013, Repealed \_\_\_\_\_.

65G-5.012 Documentation of Services.

(1) The provider shall maintain documentation that the supports and services for which billings or invoices are submitted have been provided. For providers of supported living coaching and personal assistance this shall include written documentation of the dates, times and summary of support provided during contact with the individual.

(2) The supported living coach must retain the following documentation related to service provision:

(a) Daily Progress Notes for the dates of service billed, which includes documentation of activities, supports, and contacts with the individual, other providers, and agencies with dates and times, and a summary of support provided during the contact, any follow-up needed and progress towards achievement of support plan goals.

(b) Individual implementation plan must be completed within 30 days of receipt of the individual’s support plan or subsequent updates to the support plan and annually thereafter.

A copy of the implementation plan, signed by the individuals or their representative must be furnished to the individuals, their representative, and to the Support coordinator at the end of the 30-day period. The individual implementation plan must comply with the requirements set forth in the Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, as adopted in Rule 59G-13.070, F.A.C.

(c) Quarterly summary of each quarter in the support plan year. The third quarterly summary also serves as the annual report and must include a summary of the previous quarters.

(d) The Functional Community Assessment must be included in the file and updated annually.

(e) The Financial Profile must be included in the file and updated annually. However, if the individual indicates that he or she does not wish to have a financial profile completed, then the supported living coach must document the individual’s refusal. Refusal to provide the Financial Profile annually hinders the supported living coach’s ability to assist the individual with his or her personal finances successfully. This could lead to the individual becoming Medicaid ineligible and losing Medicaid benefits.

(f) Up to date information regarding the demographic, health, medical, and emergency contact information for the individual and their support plan. If the support plan was not provided by the support coordinator, there must be documentation of attempts to obtain a copy.

(g) If the provider plans to transport the individual in the provider’s private vehicle, the provider must show proof of a valid:

1. Driver’s license;
2. Vehicle registration;
3. Automobile insurance.

(3) If there is no supported living coach, the support coordinator must retain the following documentation related to service provision:

(a) The Functional Community Assessment must be included in the file and updated annually.

(b) The Financial Profile must be included in the file and updated annually. However, if the individual indicates that he or she does not wish to have a financial profile completed, then the support coordinator must document the individual’s refusal. Refusal to provide the Financial Profile annually hinders the supported living coach’s ability to assist the individual with his or her personal finances successfully. This could lead to the individual becoming Medicaid ineligible and losing Medicaid benefits.

Rulemaking Authority 393.501, ~~393.066(8)~~, FS. Law Implemented ~~393.063(45)~~, 393.066, 393.0661 FS. History—New 1-18-95, Formerly 10F-11.014, 65B-11.014.

65G-5.013 Rates and Payments.

Rulemaking Authority 393.501(1) FS. Law Implemented 393.063(45), 393.066 FS. History—New 1-18-95, Formerly 10F-11.015, 65B-11.015, Repealed.

**Section II  
Proposed Rules**

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Agency for Persons with Disabilities**

RULE NO.:           RULE TITLE:  
65G-4.0215        General Provisions

PURPOSE AND EFFECT: The purpose of this rule amendment is to set a deadline for applicants to provide additional information during the application process.

SUMMARY: The rule amendment sets a deadline for applicants to provide additional information during the application.

**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 rule adds a 45 day deadline for submitting additional documentation in support of a provider application, pursuant to s. 120.60(1), F.S., without adding any additional costs to the providers or to 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: 120.60(1), 393.501(1), 393.0662, FS.

LAW IMPLEMENTED: 120.60(1), 393.0662, 409.906, 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: Lisa Kuhlman, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399-0950, (850)922-9738, Lisa.Kuhlman@apdcares.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

65G-4.0215 General Provisions

(1) through (4) No change.

(5)(a) iBudget Waiver providers must have applied through the Agency for Persons with Disabilities to ensure that they meet the minimum qualifications to provide iBudget Waiver services. iBudget Waiver providers must also be enrolled as a Medicaid provider through the Agency or Healthcare Administration. However, providers do not have to provide Medicaid State Plan services in order to provide waiver services. To enroll as a provider for iBudget Waiver Services, the provider must first submit an application to the Agency or Persons with Disabilities using the Regional iBudget Provider Enrollment Application – Waiver Support Coordinator (WSC) – APD 2015-02, effective date 7-1-2015, for waiver support coordinator applications, which is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07073>, or the Regional iBudget Provider Enrollment Application – Non-WSC – APD 2015-03, effective date 7-1-2015, for all other provider applications, which is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07074>. These forms are hereby incorporated by reference. On the application providers must identify the counties where they intend to provide services. The Agency for Persons with Disabilities will review the application, request missing documentation, and issue a decision about whether the provider meets the qualifications to provide services. The Agency for Persons with Disabilities may close the application if missing information is not provided within 45 calendar days of the request by the Agency. The qualifications to provide services are identified in the Handbook.

(b) If a waiver provider wishes to, expand by providing additional services, expand services geographically, or expand from solo to agency, the provider must notify the Agency regional office by submitting a Provider Expansion Request form – APD 2015-04, effective date 8-20-2013, which is hereby incorporated by reference and is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07076>. The Agency regional office must approve any expansion prior to the provision of expanded services. Before the Agency regional office approves a provider for expansion, the Agency regional office must determine that the provider meets the provider qualifications and has:

1. An 85% or higher on their last Quality Assurance Organization (QIO) report. If a provider does not have a history of a QIO review, this does not prevent consideration for expansion,

2. No identified alerts (i.e., background screening, medication administration, and validation),

3. No unresolved billing discrepancies or plan of remediation,

4. No adverse performance history relating to the health and safety of individuals served; and,

5. No open investigations or referrals to the Agency for Health Care Administration (AHCA) and the Department of Children and Families (DCF).

Agency staff shall check with the provider’s home regional office to determine whether there is a history of complaints filed and logged on the remediation tracker, any open investigations or referrals to AHCA’s Medicaid Program Integrity (MPI) or the Attorney General’s Medicaid Fraud Control Unit (MFCU), or DCF. The Agency shall make the determination required under this paragraph in not more than 90 days.

(6) No change.

Rulemaking Authority 120.60(1), 393.501(1), 393.0662 FS. Law Implemented 120.60(1), 393.0662, 409.906 FS. History—New 7-7-16, Amended \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**

Claire Gilleese

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Barbara Palmer

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** July 11, 2018

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** March 15, 2018

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

**RULE NOS.:**      **RULE TITLES:**

68A-12.010      Regulations Governing the Operation of Private Hunting Preserves

68A-12.011      Regulations Governing the Establishment and Operation of Game Farms

**PURPOSE AND EFFECT:** The purpose of the proposed rules are to clarify and amend rule language related to game farm and hunt preserve permitting and facility requirements, clarify definitions of terms used in rule, and amend fencing standards to address escape as well as reduce the risk of disease concerns stemming from captive wildlife being introduced into wild populations. The effect of this rule amendment will be improved rule clarity and decreased ambiguity throughout the two rules allowing for easier comprehension and consistent enforcement throughout the state.

**SUMMARY:** Amendments to the game farm and hunt preserve rules would modify the current regulations and provide clear requirements for fencing, caging and animal welfare. Consistency will be increased by defining terms and clearly identifying fencing requirements and application requirements. To ensure the well-being of captive wildlife kept on preserves,

the mandatory area for the wooded and grassy areas has been increased proportionate to hunt preserve size. Draft rule language is focused on reducing the risk of escape, as well as specifying application and facility requirements. This will minimize the risk of the transfer of diseases such as Chronic Wasting Disease between facilities and wild populations. Clear language will improve consistency of enforcement statewide.

**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:** Art. IV, Sec. 9, Florida Constitution

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Fla. Const., 379.302, 379.3711 FS.

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

**DATE AND TIME:** During the Commission’s regular meeting September 26-27, 8:30 a.m. to 5:00 p.m., each day.

**PLACE:** Pat Thomas Law Enforcement Academy, 85 Academy Dr, 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:** Major Rob Beaton, 620 S. Meridian Street, Tallahassee, FL 32399.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

Substantial rewording of Rule 68A-12.010 follows. See Florida Administrative Code for present text.

68A-12.010 Regulations Governing the Operation of Commercial or Private Hunting Preserves.

(1) The executive director shall issue a license as provided by Section 379.3712, F.S., for the establishment and operation of a commercial or private hunting preserve to allow the release and taking of captive-raised native and non-native game animals, as specified herein. No commercial or private hunting preserve license shall be issued until the premises of such preserve has been inspected by a representative of the Commission and the requirements of this rule have been met. Licensees must ensure all captive wildlife contained on the licensed property is lawfully removed or transferred prior to dissolution of the preserve.

(2) Definitions: For the purposes of this rule, the following shall be defined as:

(a) Commercial hunting preserve – a preserve operated exclusively for commercial purposes, which is open to the public, for which a uniform fee is charged to patrons for hunting privileges. Hunters taking any game on a licensed commercial hunting preserve shall be exempt from licensure requirements, pursuant to subsection 379.3712(2), F.S.

(b) Employee – any person working under a permit or license holder or at a licensed or permitted facility, whether paid or unpaid.

(c) Herbaceous vegetation – predominantly grasses, grass-like plants, or forbs capable of being grazed.

(d) Nest box or den – an enclosed shelter that provides a retreat area within, attached to, or adjacent to a cage or enclosure of specified size, which shall provide protection from the elements and from extremes in temperature that are detrimental to the health and welfare of the animal.

(e) Paddocks – open-air areas enclosed by fencing, railing or other Commission-approved structures which allows animals to graze and/or browse.

(f) Predator barrier – supplemental materials added to the exterior of approved fencing to prevent entry of predators. Barrier may include but is not limited to, buried fence wire, electrified fence wire, gravel, rocks, concrete, or other natural/manmade materials.

(g) Private hunting preserve – a preserve operated for both commercial and private purposes. Anyone hunting on the preserve shall have all appropriate hunting licenses and any applicable endorsements, as provided in Section 379.354, F.S.

(h) Preserve – refers to both commercial hunting preserves and private hunting preserves.

(i) Refusal – when a licensee, applicant or employee intentionally denies access by Commission personnel to the facility, inventory or facility's records for the purposes of inspection, or directs another to deny such access.

(j) Tame game mammal – does not exhibit the flight characteristics or normal behavioral characteristics for the species when found in the wild.

(k) Tolling – to lead animals outside of an enclosure using a trail of bait.

(1) Woody vegetation – Perennial trees, shrubs, or woody vines that persists above ground all year long.

(3) General qualifications: Licensees or applicants for a commercial or private preserve license shall:

(a) Be at least 18 years of age, if applying for authorization to possess game mammals of the family Bovidae.

(b) Make reasonable efforts to flush all wild native game species out of the intended preserve area prior to completion of the perimeter fence. Reasonable efforts shall include but not be limited to tolling, baiting and driving.

(c) Not have refused any captive wildlife inspection within three years of the date of application. Any preserve licenses issued to a person who refuses any such inspection shall be revoked.

(d) Not have been convicted of any violation of game farm, hunt preserve, or captive wildlife regulations involving unsafe housing of wildlife or any violation which potentially endangers the public; any violation involving the unlawful commercialization of wildlife; any violation involving cruelty, maltreatment or neglect to animals; or any violation involving importation of wildlife within three years of the date of application.

(e) Meet the experience requirements for Class I Bovidae authorization, as outlined in Rule 68A-6.0022, F.A.C., if seeking authorization to possess such Class I wildlife. However, experience requirements shall not apply to applicants for permits to possess Class II Bovidae if licensed under Sections 379.3711 and 379.3712, F.S. Experience gained with Class II Bovidae while exempt from experience requirements pursuant to the this paragraph shall not meet the requirements of Rule 68A-6.0022, F.A.C. unless the applicant has worked with the wildlife for a minimum of 5 consecutive years.

(4) License application requirements: An applicant shall make written application to the Commission. The applicant for a preserve license shall provide the following information:

(a) The name of the applicant and the business name of the proposed preserve, where applicable. To be licensed as a corporation, the facility shall be currently registered through the Florida Department of State, Division of Corporations.

(b) The complete mailing address to include city, state and zip code for the applicant.

(c) The complete facility address where the preserve is located to include city, state, parcel number and zip code. If the address is a rural route, the applicant shall provide directions to the entrance of the preserve.

(d) Whether the facility is owned or leased by the applicant. A copy of the valid and current lease agreement shall be submitted with the application in the event that the facility location is under lease to the applicant. If leased, the lease agreement shall be for a term sufficient to cover the term of the license.

(e) The County or Counties where the preserve is located and the size (in acres) of the area to be fenced and utilized for the preserve.

(f) The current estimated inventory of game possessed, identified by species and quantity.

(g) The applicant's printed legal name, signature, and contact information to include home phone number and business phone number.

(h) A copy of the applicant's valid driver's license.

(i) E-mail address, if any.

(j) Indication of whether the preserve is operated for private or commercial purposes.

(k) Indication of whether the application is for a commercial hunting preserve license or private hunting preserve license.

(l) Emergency contact information including name and phone number for an individual who is not the licensee or applicant.

(m) Renewal applications shall include the number and species of any animals introduced and removed during the previous licensing period.

(5) Any corporation authorized to do business in Florida may apply for preserve license.

(a) For corporations authorized to possess Class I Bovidae, such corporation shall have qualified personnel responsible for the care of such wildlife. The corporation shall provide documentation of experience for at least one person in accordance with Rule 68A-6.0022, F.A.C. Such documentation of experience shall be submitted to the Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, and shall be subject to approval upon initial application and upon each instance of change in qualified personnel.

(b) Such corporation shall be responsible for any violation(s) committed by their employees or occurring at their facility.

(6) A preserve shall consist of not more than 10,000 acres, including water area, and be owned or leased by the applicant. For the hunting of game mammals, the land shall be located wholly within a legally fenced tract. The boundaries of all preserves shall be posted with signs bearing the words "Licensed Hunting Preserve" which shall be placed at intervals of not more than 500 feet and be easily visible from any point of ingress or egress. Lettering on such signs shall be no less than 2 inches in height. No preserve shall be located within one mile

of any wildlife management area, refuge or park established by state or federal law or regulation unless:

(a) The owner or manager of the affected refuge or park has been notified of the application for operation of a commercial or private hunting reserve and has been given the opportunity to submit comments or recommendations regarding the application;

(b) The operation of such preserve does not conflict with the management objectives of the affected wildlife management area, refuge or park as determined by the Commission;

(c) The proposed preserve poses no significant adverse impacts to wildlife or public safety on the affected wildlife management area, refuge or park as determined by the Commission.

(7) All laws, rules, or regulations pertaining to hunting or pertaining to game shall apply on all preserves except as follows:

(a) The taking of carnivorous animals is prohibited on preserves, except licensees and employees may take nuisance wildlife as provided in Rule 68A-9.010, F.A.C. Only game mammals of the following families: Cervidae (such as deer and elk), Suidae (hog), Bovidae (such as buffalo and antelope), as well as game mammals native to Florida and game birds shall be taken on preserves.

(b) Game mammals shall not be taken on preserves while boxed or caged and shall be taken only in accordance with the conditions and methods outlined in subsection (8) below.

(c) Open season for taking captive-reared native game birds shall be from October 1 through April 20. The open season for taking native game mammals, except white-tailed deer, shall coincide with the established open season for the species in the zone wherein the preserve is located. White-tailed deer of either sex may be taken from August 1 through March 1. Non-native game mammals and non-native game birds may be taken year-round on licensed preserves. The method of take for all game shall be as specified by Rule 68A-12.002, F.A.C.

(d) Game mammals shall not be taken within 50 yards of a supplemental feeding station by any person other than the licensee or their employees.

(e) Commission rules prohibiting the taking of game birds over live decoys or bait shall not apply when properly identified captive-reared game birds are being taken.

(f) There shall be no bag limit for captive-reared game taken on preserves.

(g) Game may be trapped on the premises of a preserve for the purposes of veterinary care or sale, provided that any native game incidentally trapped in such operation shall be immediately released.

(8) Facility requirements:

(a) Cervidae (deer family) shall be free-roaming on not less than 200 acres, with a minimum of 100 acres covered with

woody vegetation. For each additional acre over the initial 200 acres, 10% of the additional acreage shall be covered with woody vegetation. Up to 20% of acreage can include land that formerly had woody vegetation, which will be naturally or artificially regenerated within two years of harvest. The hunting of Cervidae with dogs is prohibited; however, a leashed dog shall be allowed for trailing. The preserve shall be completely enclosed with a perimeter fence which meets the following criteria:

1. Fence construction materials, including connecting materials, shall consist of not less than 12.5-gauge high-tensile class III galvanized wire with fixed knots or strength-equivalent material.

a. Fence shall be no less than 8 feet in height. Fences may be installed up to 3 inches above the ground, provided that a strand of high-tensile barbed wire not less than 15.5 gauge is strung across the bottom. In addition, 1 strand of high-tensile barbed wire not less than 15.5 gauge may be strung no greater than 6 inches above the fence panel in order to achieve the 8-foot height requirements. Licensees shall maintain minimum fence height by leveling built up earthen material which has migrated to the base of the fence due to natural causes.

b. To maintain the minimum height, fence(s) shall be constructed of single panels of fencing material. Such fencing material shall be attached to singular construction posts no greater than 25 feet apart in a manner that ensures the fence maintains an above ground 8-foot vertical height and prevents escape. The posts will be securely anchored and braced in corners and elsewhere as necessary to keep fence properly stretched and erect.

c. Predator barrier shall not disrupt the integrity of the approved fence material nor provide increased accessibility for non-predator species into fenced enclosure. Predator barrier shall not exceed 20 inches upward from lowest wire on the 8-foot game fence nor can it extend outward from the perimeter fence more than 28 inches.

2. Fencing material shall have no greater than 7 inches between manufactured knots and be free of broken wires.

(b) Bovidae (such as buffalo and antelope) shall be free-roaming on not less than 300 acres, with a minimum of 200 acres covered with herbaceous vegetation, except blackbuck which shall be free roaming on not less than 200 acres, with a minimum of 100 acres covered with herbaceous vegetation. For each additional acre over the initial 300/200 acres, 10% of the additional acreage shall be covered with herbaceous vegetation. The hunting of Bovidae with dogs is prohibited; however, a leashed dog shall be allowed for trailing. The preserve shall be completely enclosed with a perimeter fence which meets the requirements of subparagraphs 68A-12.010(8)(a)1.a.-b., 2., above. Fencing for Class I Bovidae shall meet the requirements of paragraph 68A-6.003(3)(c), F.A.C.

(c) Suidae (hog) shall be free-roaming on not less than 100 acres, with a minimum of 50 acres covered with woody vegetation. For hunting hogs with dogs the area shall be a minimum of 300 acres, with 200 acres covered with woody vegetation. For each additional acre over the initial 100 acres, 10% of the additional acreage shall be covered with woody vegetation. Up to 20% of acreage can include land that formerly had woody vegetation, which will be naturally or artificially regenerated within two years of harvest. The preserve shall be completely enclosed with a perimeter fence that meets the following criteria:

1. Fence construction materials, including connecting materials, shall consist of not less than 12.5-gauge high-tensile class III galvanized wire with fixed knots or strength-equivalent material.

a. Fence shall be no less than 4 feet in height.

b. Fence(s) shall be constructed of single panels of fencing material. Such fencing material shall be attached to singular construction posts in a manner that ensures the fence maintains a 4-foot vertical height and prevents escape. The posts will be securely anchored and braced in corners and elsewhere to keep fence properly stretched and erect.

c. Predator barrier shall not disrupt the integrity of the approved fence material nor provide increased accessibility for non-predator species into fenced enclosure. Predator barrier shall not exceed 20 inches upward from lowest wire on the 8-foot game fence nor can it extend outward from the perimeter fence more than 28 inches.

2. Fencing material shall have no greater than 7 inches between manufactured knots and be free of broken wires.

(d) Hunt Preserves with licenses which are current on the effective date of this rule will have two years to come into compliance with the above fencing requirement unless they meet the grandfathering conditions below.

1. Facilities with hunt preserve licenses on effective date which have fencing that is a minimum of 12.5-gauge wire or strength-equivalent material shall not be required to replace existing fence materials provided that such fencing material is attached to posts in a manner that ensures the fence maintains an above ground 8-foot vertical height unless specified differently elsewhere, has mesh openings no greater than 7 inches, free of broken wires and prevents escape. One strand of high-tensile barbed wire not less than 15.5 gauge may be strung no greater than 6 inches above the fence panel in order to achieve the 8-foot height requirement. Posts shall be of a singular construction, securely anchored, no greater than 25 feet apart and braced at corners and elsewhere to keep fence properly stretched and erect. Any new construction or panel replacement greater than 250 feet shall meet the current regulations.

2. Facilities with hunt preserve licenses which are current on the effective date of this rule which have fencing that is not constructed of single panels of wire mesh shall not be required to replace existing panels with single panels, provided that the existing panels are a minimum of 12.5 gauge wire or strength-equivalent material and are connected with strength-equivalent material or greater at intervals no greater than 18 inches apart, has mesh openings no greater than 7 inches apart, and the fence remains free of gaps, free of broken wires and prevents escape. Such wire or strength-equivalent fencing material shall be attached to posts in a manner that ensures the fence maintains an above ground 8-foot vertical height unless specified differently elsewhere and prevents escape. One strand of high-tensile barbed wire not less than 15.5 gauge may be strung no greater than 6 inches above the fence panel in order to achieve the 8-foot height requirement. Posts shall be of singular construction, securely anchored, no greater than 25 feet apart and braced at corners and elsewhere as necessary to keep fence properly stretched and erect. Any new construction or panel replacement greater than 250 feet shall meet the current regulations.

(e) The minimum acreage provisions of subparagraphs (8)(a)-(c) and the yardage requirement in subparagraph (7)(d), shall not apply to those operations licensed prior to July 1, 1996.

(9) Game mammals may be kept in small enclosures only for the purpose of veterinary care or transportation and shall not be hunted on the same day of release or transport into a licensed preserve.

(10) The hunting of game mammals that were produced, raised, or held at a zoological attraction, tame game mammals, or domesticated species is prohibited.

(11) Motorized vehicles shall not be used to drive game mammals during any hunting activity, nor shall game mammals be taken from moving motorized vehicles.

(12) All captive-reared turkeys to be taken on preserves shall be banded to identify point of origin.

(13) No captive-reared waterfowl shall be released or hunted on preserves.

(14) No wild turkeys nor wild waterfowl shall be taken over baited-areas, nor during the closed season prescribed by the Commission for the region in which the preserve is located.

(15) Preserves shall be equipped and operated in such manner as to provide sufficient food and humane treatment for the game kept thereupon. A continuous source or supply of clean water shall be readily available at all times for all game. The premises, pens, and facilities of all preserves shall be maintained in a sanitary condition. Injured or wounded mammals shall be immediately euthanized, transported to a veterinarian for treatment, or treated by the licensee.

(16) Operators importing game mammals and/or game birds from other states or countries shall maintain copies of all importation permits and health records as required by the Florida Department of Agriculture and Consumer Services and the United States Department of Agriculture. Such records shall be made available for inspection upon request of any Commission employee.

(17) Prior to being transported from a preserve, all carcasses, parts, and meat of game taken on preserves shall be properly identified with a tag or label with the name of the preserve licensee, the name of the preserve, and the date such game was taken and date the game is being transported from the preserve. When transporting game where individual marking is not practical, the container being used to transport such game shall be tagged or labeled as specified above.

(18) Each preserve shall maintain a registration book in which the name, address, hunting license number (or nature of the exemption), date of hunt, quantity and species of game taken by each person hunting on the preserve is recorded. All records and the physical facilities and installations of any preserve shall be open to inspection upon request by the Commission. Such records shall be made available for inspection upon request of any Commission employee.

(19) A current list of employees authorized by the licensee to euthanize game shall be maintained by the licensee and made available for inspection upon request by Commission personnel.

(20) Each preserve shall create and maintain an annual report of all game released and taken on the preserve for each license year. The report shall be in chronological order and shall be made available for inspection by Commission personnel upon request. Records must be provided at the request of the Commission.

(21) Licensed facilities shall report any escapes from the perimeter fencing or the approved facility location. Licensed facilities shall report any escapes from an enclosure, cage, or other constraint when wildlife is away from such approved facility location. Such reporting shall be made to the Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, immediately upon discovery of the escape.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-4-81, 6-21-82, 7-1-83, Formerly 39-12.10, Amended 8-5-86, 4-11-90, 4-15-92, 10-20-96, 6-23-99, Formerly 39-12.010, Amended 5-29-01, 11-3-02, 7-1-05, \_\_\_\_\_.

Substantial rewording of Rule 68A-12.011 follows. See Florida Administrative Code for present text.

68A-12.011 Regulations Governing the Establishment and Operation of Game Farms

(1) Any person may establish, maintain, or operate a game farm within this state for the protection, propagation, raising or production of native or non-native game birds defined per 68A-1.004(37), F.A.C., and game mammals of the following families: Cervidae (such as deer and elk), Suidae (hog), Bovidae (such as buffalo and antelope) for private or commercial purposes. Before a game farm is established the owner or operator shall be licensed and comply with the provisions of this rule.

(2) Definitions: For the purposes of this section, the following shall be defined as:

(a) Employee – any person working under a licensee or at a licensed or permitted facility, whether paid or unpaid.

(b) Full shade - shade which lasts all day long and provides greater than or equal to 80% reduction in sunlight.

(c) Shelter – A permanent or portable man-made structure with one or more walls with a roof, or roof without walls, or a natural structure (including but not limited to trees and shrubs) that protects animals from negative environmental factors. Walls of man-made shelters shall be constructed with gaps in the siding to allow for the circulation of air and to allow animals within the shelter to see beyond the walls.

(d) Original floor area - The total square footage required for the initial number of animals specified.

(e) Paddocks - open-air areas enclosed by fencing, railing or other Commission-approved structures which allow animals to graze and/or browse.

(f) Predator barrier – supplemental materials added to the bottom of approved fencing to prevent entry of predators. Barrier may include but is not limited to buried fence wire, electrified fence wire, gravel, rocks, concrete, or other natural/manmade materials.

(g) Refusal - when a licensee, applicant or employee intentionally denies access by Commission personnel to the facility, inventory or facility's records for the purposes of inspection, or directs another to deny such access.

(3) General qualifications: licensees or applicants for a game farm license shall:

(a) Be at least 18 years of age, if applying for authorization to possess game mammals of the Bovidae family.

(b) Not have refused a captive wildlife inspection within three years preceding the date of application. Game Farm Licenses issued to a person who refuses any such inspection shall be revoked.

(c) Not have been convicted of any violation of game farm, hunt preserve, or captive wildlife regulations involving unsafe housing of wildlife or any violation which potentially endangers the public; any violation involving the unlawful commercialization of wildlife; any violation involving cruelty to animals; or any violation involving importation of wildlife within three years of the date of application.

(d) Meet the experience requirements for Class I Bovidae authorization, as outlined in Rule 68A-6.0022, F.A.C., if seeking authorization to possess such Class I wildlife.

(e) Experience requirements shall not apply to applicants for permits to possess Class II Bovidae in accordance with Sections 379.3711 and 379.3712, F.S.

(f) Facilities with species in the family Cervidae shall obtain a Herd Health Plan from the Department of Agriculture and Consumer Services (FDACS). Such Herd Health Plan shall be obtained within 180 days of initial licensing by the Commission. Failure to obtain and maintain a current and valid Herd Health Plan shall result in denial or revocation of any game farm license issued by the Commission.

(4) License application requirements:

An applicant shall make a written application to the Commission. An applicant for a game farm license shall provide the following information:

(a) The business name of the proposed game farm, where applicable. To be licensed as a corporation, the facility shall be currently registered through the State of Florida Division of Corporations.

(b) The complete mailing address to include city, state and zip code for the applicant.

(c) The complete facility address where the game farm is located to include city, state, parcel number and zip code. If the address is a rural route, the applicant shall provide directions to the location of the game farm.

(d) Whether the facility is owned or leased by the applicant. A copy of the valid and current lease agreement shall be submitted annually with the application in the event that the facility location is under lease to the applicant. If leased, the lease agreement shall be for a term sufficient to cover the term of the license. Applicants under 18 years of age must have a parent or legal guardian as a co-licensee who shall provide such lease if applicable.

(e) The County where the game farm is located and the size (in acres to be fenced) of the game farm.

(f) The current estimated or planned inventory of game possessed, identified by species and quantity.

(g) A copy of the applicants valid driver's license.

(h) The applicant's biographical information to include date of birth, driver's license number, height, hair color, sex and race.

(i) E-mail address, if any.

(j) Emergency contact information including name and phone number for an individual who is not the licensee or applicant.

(5) Any corporation authorized to do business in Florida may apply for a game farm license.

(a) For corporations authorized to possess Class I Bovidae, such corporation shall have qualified personnel responsible for



the care of such wildlife. The corporation shall provide documentation of experience for at least one person, in accordance with Rule 68A-6.0022, F.A.C. Such documentation of experience shall be submitted to the Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, and be subject to approval upon initial application and upon each instance of change in qualified personnel.

(b) Such corporation shall be fully responsible for any violation(s) committed by their employees or occurring at their facility.

(6) Caging for game birds and mammals shall meet the specifications below. Requests for deviations from standard caging or enclosure requirements may be granted to allow for different size configuration (length, width and height) if the required square footage is adequate and if the locomotory needs of the animal(s) are not compromised. Any proposed deviations from the standard caging or enclosure requirements or proposals to use open air habitats except as provided herein, shall be approved in writing by the Commission prior to the use of the cage or enclosure for housing animals.

(7) Facility requirements:

(a) Game farm boundaries shall not exceed an area of 2,000 acres and shall be owned or leased by the applicant. No game farm shall join, connect to or share a common fence with another game farm.

(b) Shelter shall be provided to all game birds and mammals.

1. For game mammals, such shelter shall provide no less than 10 square feet of full shade per animal, which is continuously available and sufficient to cover the body mass of all animals in any posture housed within any enclosure. Access to bodies of water for cooling should be considered for those species which will utilize it. Shade can be provided by different structures over the course of the day.

2. For game birds, such shelter shall provide full shade which is continuously available and sufficient to cover the body mass of all animals housed within any enclosure. Shade can be provided by different structures over the course of the day.

(c) All game farms enclosures shall be fenced in such a manner that game thereon cannot escape and wild game on surrounding lands cannot enter. Perimeter fencing shall meet the following criteria:

1. Fencing for game mammals:

a. Fence construction materials, including connecting materials, shall consist of not less than 12.5-gauge high-tensile class III galvanized wire with fixed knots, or strength-equivalent material, except for fencing for Class I Bovidae. For Class I Bovidae, construction materials shall meet the requirements of paragraph 68A-6.003(3)(c), F.A.C.

b. Fence shall be no less than eight feet in height unless specified elsewhere. Fences may be installed up to 3 inches

above the ground, provided that a strand of high-tensile barbed wire not less than 15.5 gauge is strung across the bottom. In addition, one strand of high-tensile barbed wire not less than 15.5 gauge may be strung no greater than 6 inches above the fence panel in order to achieve the 8-foot height requirement. Licensees shall maintain minimum fence height by leveling built up earthen material which has migrated to the base of the fence due to natural causes.

c. To maintain the minimum height, fence(s) shall be constructed of single panels of fencing material. Such fencing material shall be attached to singular construction posts no greater than 25 feet apart in a manner that ensures the fence maintains an above ground 8-foot vertical height unless specified elsewhere and prevents escape. The posts shall be securely anchored and braced at corners and elsewhere as necessary to keep fence properly stretched and erect.

d. Fencing material shall have no greater than 7 inches between manufactured knots and be free of broken wires or gaps.

e. Predator barrier shall not disrupt the integrity of the approved fence material. Predator barrier shall not extend outward from the base of the perimeter fence more than 28 inches. Predator barrier shall not provide increased accessibility for non-predator species into fenced enclosure.

2. Game farms with licenses which are current on the effective date of this rule, will have two years to come into compliance with the above fencing requirement. Game farms with licenses which are current on effective date of this rule, that meet the specifications below do not need to update their fencing except for new construction or with replacement of over 250 feet of existing fencing.

a. Facilities with game farm licenses current on the effective date of this rule which have fencing that is a minimum of 12.5-gauge wire or strength-equivalent material shall not be required to replace existing fence materials provided that such fencing material is attached to singular construction posts no greater than 25 feet apart in a manner that ensures the fence maintains an above ground 8-foot vertical height unless specified differently elsewhere, has mesh openings no greater than 7 inches, free of broken wires and prevents escape. The posts shall be securely anchored and braced at corners and elsewhere as necessary to keep the fence properly stretched and erect. One strand of high-tensile barbed wire not less than 15.5 gauge may be strung no greater than 6 inches above the fence panel in order to achieve the 8-foot height requirement.

b. Facilities with game farm licenses current on the effective date of this rule which have fencing that is not constructed of single panels of wire mesh shall not be required to replace existing panels with single panels, provided that the existing panels are a minimum of 12.5 gauge wire or strength-equivalent material and are connected with strength-equivalent

material or greater at intervals no greater than 18 inches apart, has mesh openings no greater than 7 inches apart, free of broken wires, and the fence remains free of gaps and prevents escape. Such wire or strength-equivalent fencing material shall be attached to singular construction posts no greater than 25 feet apart in a manner that ensures the fence maintains an above ground 8-foot vertical height unless specified differently elsewhere and prevents escape. The posts shall be securely anchored and braced at corners and elsewhere as necessary to keep the fence properly stretched and erect. One strand of high-tensile barbed wire not less than 15.5 gauge may be strung no greater than 6 inches above the fence panel in order to achieve the 8-foot height requirement.

3. Minimum caging requirements for game mammals:

a. Caging shall be designed and built to prevent injury and escape.

b. Nest boxes and dens shall be built to allow for accurate inventory.

c. Cervidae (deer family) and cursorial Bovidae (antelope):

(I) Large (e.g., elk, sambar, red deer, sable antelope, eland, wildebeest, and deer and antelope of similar size): For one or two animals, a paddock enclosing 1,250 square feet, 8 feet high. For each additional animal, increase paddock by 25% of the original footage, not to exceed 25 animals per acre.

(II) Medium (e.g., white-tailed, fallow, axis, sika, pronghorn, deer and antelope of similar size): For one or two animals, a paddock enclosing 800 square feet, 8 feet high. For each additional animal, increase paddock by 25 percent of the original footage, not to exceed 50 animals per acre.

(III) Small (e.g., roe, dik-dik, muntjac, brocket, pudu, Chinese water deer, musk deer, deer and antelope of similar size): For one or two animals, a paddock enclosing 450 square feet, 5 feet high. For each additional animal, increase paddock by 25% of the original footage, not to exceed 75 animals per acre, except in accordance with (9)(c) below.

d. Wild swine (Suidae) and peccaries: For one or two animals, a paddock enclosing 200 square feet, 4 feet high. For each additional animal, increase paddock by 25% of the original footage.

e. Wild goats/sheep (Caprinae): For one or two animals, a paddock enclosing 500 square feet, 8 feet high. For each additional animal, increase paddock by 25% of the original footage.

4. Fencing for game birds:

a. Shall be constructed of materials sufficient to prevent escape or injury of birds.

b. Shall provide protection from predators.

5. Caging for game birds: shall provide adequate space to allow the birds to have normal postural movements, stand erect and turn around without touching the sides of the enclosure or other wildlife.

(d) Game farms are subject at any time to inspection by Commission personnel, for compliance with Commission rules and other applicable laws. No game farm license shall be issued for the possession of game until the premises of such game farm has been inspected and approved by Commission personnel.

(e) It is unlawful to buy, sell or transfer any live game to or from any unlicensed entity within Florida. Game raised or produced on game farms may be purchased, sold, shipped, and transported for propagation, restocking or food purposes. Recipients of any live game received from a game farm shall be licensed pursuant to this rule, Section 379.3761 or 379.3712, F.S., unless exempt from the licensing provision.

(f) The licensing provisions of this rule shall not apply to:

1. The possession, protection, propagation, raising or production of bison for commercial farming purposes.

2. The protection, propagation, raising or production of 100 or fewer live bobwhite quail or non-native game birds (except non-native ducks and geese) for personal use, consumption, educational, dog training or other not-for-sale or exhibition purpose.

3. Persons purchasing or receiving eggs for personal use, consumption, educational or other not-for-sale or exhibition purposes.

(g) A continuous source or supply of clean water shall be readily available at all times for all game.

(8) Game birds or mammals may be temporarily housed in cages or enclosures smaller than the sizes set forth in subsection (7) above, only under the following circumstances:

(a) For transport, in accordance with the requirements of subsection (9) below.

(b) Wildlife being held for sale by those persons properly licensed pursuant to Section 379.3761 or 379.3711, F.S., or for veterinary care, or quarantine may be temporarily housed or caged in smaller cages or enclosures for a period not to exceed 60 days. With written notification to the Commission, this period may be extended in circumstances where a licensed veterinarian has certified that a longer holding period is medically necessary in the interests of the health, safety and welfare of the subject animals or the public. Medical records concerning all animals for which an extension of the 60-day period is obtained shall be maintained at the facility and shall be made available for inspection, upon request, by Commission personnel. The caging or enclosure of all wildlife temporarily held under this section shall not be smaller than that required for the caged animal to stand up, lie down, and turn around without touching the sides of the enclosure or another animal. All wildlife caged or housed as outlined above, shall be permanently marked or their enclosures shall be permanently marked so as to be traceable to written records indicating the date the wildlife was placed in temporary holding. Such records shall be maintained and made available for inspection by

Commission personnel. Commission personnel shall direct dealers to mark wildlife temporarily if, upon inspection, there is no record indicating the date the wildlife was placed in temporary holding.

(c) Juvenile individuals of the families Caprinae, Suidae, Cervidae and Bovidae may be kept in enclosures that do not meet the size specifications in paragraph (7)(c)(3) for up to six months. Duration may be extended with a veterinarian's statement, showing that such size cage is required for the continued health and welfare of the animals until a specified date. Such caging may be utilized provided that:

1. Written documentation is available to verify the age of the animal.
2. The animal is marked or otherwise identifiable.
3. The animal shall be provided space for exercise on a daily basis.
4. The enclosure shall allow normal postural movement.

(d) Hatchling/fledgling birds may be held in enclosures that allow for normal postural movements and social adjustments that ensure the health and sanitary needs of the animals.

(e) Cages or enclosures for mobility-impaired animals shall meet standard caging requirements, unless it can be demonstrated that such cage or enclosure, or its required accessories, are detrimental to the health or welfare of the animal. In such cases, written documentation by a veterinarian confirming the need for the exemption shall be maintained by the permittee and made available to Commission employees upon request.

(f) Animals held at exotic animal auctions, flea markets, and animal swap meets may be kept in enclosures that do not meet the size requirements of paragraph (7)(c)(3) provided that such wildlife is maintained in accordance with subparagraphs 1.-7. below. The owner shall be responsible for the welfare of the animals, unless the wildlife is consigned to an auctioneer or other sales representative, at which time the consignee shall be responsible.

1. Wildlife shall be transported and held in non-injurious enclosures, under conditions that provide fresh air without injurious drafts, and shall be provided protection from the elements.

2. Wildlife shall be protected from temperature extremes that could be detrimental to the health and welfare of the animals.

3. A continuous source or supply of clean water shall be readily available at all times for all game.

4. Fecal and food waste shall be removed from the wildlife's enclosures daily.

5. Wildlife held in the same enclosures shall be kept in compatible groups.

6. Wildlife cages/enclosures shall not be stacked over other cages/enclosures unless excreta are prevented from entering lower cages/enclosures.

7. Sick or injured wildlife shall be afforded prompt and appropriate treatment.

(9) Unless otherwise provided in this section, no person or common carrier may purchase, receive, possess, or transport any game originating from a game farm without a bill of sale or transfer clearly indicating: the quantity and species of game; the name, complete address and license identification number of the game farm producing the game; the date of sale or transfer; and the name, complete address and, where applicable, license identification number of the recipient. Any person licensed pursuant to the provisions of this rule transporting game for personal consumption, which was produced under the authorization of their license, may transport game without a bill of sale or transfer, provided their valid Game Farm License accompanies the shipment. Any package or container containing such game shall be clearly marked as follows:

(a) Live game shall be transported in a cage or enclosure. The cage or enclosure shall be clearly labeled "Live Animal". The cage or enclosure shall also be clearly and visibly marked with a label including the common or scientific names of each species, the quantity of each species, the name and address of the source of the game and the name and address of the recipient of the game.

(b) For game that is transported in a trailer, compartment of a trailer, or vehicle, a label stating, "Live Animal" shall be affixed to every access door(s), or attached to any locking mechanism securing such access door(s), with lettering not less than one inch in height and in a contrasting color to the trailer. A list including the common or scientific names of each species, the quantity of each species, the name and address of the source of the game and the name and address of the recipient of the game shall be maintained in the vehicle.

(c) Wildlife transport cages, enclosures or trailers shall be as follows:

1. Sufficient strength and security to prevent escape.
2. Large enough to ensure that each individual animal has sufficient space to turn, stand erect, and lie naturally. Provided, however, that certain species may be restricted in their movements according to professionally acceptable standards when freedom of movement would constitute a danger to the animals, their handlers, or other persons.

(10) All game farms established under the provisions of this section shall comply with Chapter 68A-6, F.A.C., concerning the provisions of food, humane treatment and sanitary conditions. Those game farms acquiring, possessing, selling or otherwise disposing of deer, elk or other members of the family Cervidae shall also comply with Rules 68A-4.005, 68A-4.0051 and 68A-4.0053, F.A.C., concerning introduction, importation, movement, and transportation requirements. Those game farms acquiring, possessing, selling or otherwise disposing of mallard ducks shall also comply with Rule 68A-4.0052, F.A.C.

(11) Any person holding a game farm license shall maintain a record of each of the following changes in inventory: acquisitions of game, animals harvested for personal consumption, and sale or transfer of game, alive or dead. Such records shall be open to inspection upon request by Commission personnel and shall be maintained for a minimum of five years from the date of acquisition, transfer or sale:

(a) Records of acquisition shall include the date of acquisition; quantity and species of game acquired; name and complete address of supplier; and license identification number of the supplier, where applicable.

(b) Records of sale or transfer shall include the date of sale or transfer; quantity and species of game sold or transferred; name and complete address of the entity to which game is sold or transferred; and license identification number of the recipient, where applicable. Such records shall be available for inspection upon request by Commission personnel.

(c) Any person holding a game farm license who imports or conducts intrastate movement of deer, elk, or other members of the family Cervidae shall keep and maintain copies of all records of compliance with Rule 68A-4.0051 and Chapter 5C-26, F.A.C., regarding the importation or intrastate movement of such deer, elk, or other members of the family Cervidae.

(12) All game possessed or sold for food or consumptive purposes shall be killed on the premises of the game farm or transported to a licensed processing facility for immediate processing. In instances where live game is transported to a licensed processing facility for immediate processing, a copy of the current and valid game farm license of the farm where such game was produced shall accompany the live game in transport. In instances where live game is sold or transferred, the transporter of such game shall be licensed or otherwise authorized by the Commission to possess such game. Harvested game possessed, sold or transferred for food or consumptive purposes shall comply with the following provisions:

(a) The sale of deer meat (venison) from species of deer native to the state is prohibited.

(b) Each game bird or the sealed container in which game birds are placed shall be clearly marked with the species and the name, complete address, and license identification number of the game farm producing such game birds.

(c) Deer meat (venison) from species of deer not native to the state shall only be sold when packaged in a tamper-proof container clearly marked with a label stating, "NON-NATIVE VENISON, PRODUCED ON A LICENSED GAME FARM" and shall include the name of the species. Additionally, each container shall be clearly marked to indicate the name, complete address, and license identification number of the game farm producing such venison.

(d) Any harvested game stored on the premises of the game farm that has been sold or transferred shall be clearly marked or tagged to reflect the name and complete address of the recipient, species name, person who harvested the animal, date of harvest and date of sale or transfer.

(e) Game harvested on a game farm and stored on the premises shall not be commingled with game taken from the wild and shall be marked with the species name and date of harvest.

(f) Game farms shall also comply with all statutes or regulations relating to food safety, quality control, inspections, transportation, sale and regulation of foodstuffs and meat products.

(13) Game farms shall be equipped and operated in such manner as to provide sufficient food and humane treatment for the game kept thereupon. The premises, pens, and facilities of all game farms shall be maintained in a sanitary condition. All game harvested shall be taken as specified by Commission rules for the species. Injured or wounded mammals shall be immediately euthanized, transported to a veterinarian for treatment, or treated by the owner.

(14) Any method of euthanasia shall be authorized for humane purposes provided that such method of euthanasia is humane pursuant to the American Association of Zoo Veterinarians guidelines or the American Veterinary Medical Association guidelines. Only a veterinarian, the game farm licensee or the licensee's employee may euthanize game on the game farm premises. A current list of employees authorized by the licensee to euthanize game shall be maintained by the licensee and made available for inspection upon request by Commission personnel.

(15) Native game shall only be killed pursuant to the regulations for that species or in accordance with subsection (14) above. Only the game farm licensee or the licensee's employees may kill game on the game farm premises.

~~(16) Licensed facilities shall report any escapes from the perimeter fencing or the approved facility location. Licensed facilities shall report any escapes from an enclosure, cage, or other constraint when wildlife is away from such approved facility location. Such reporting shall be made to the Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, immediately upon discovery of the escape.~~

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.302, 379.3711 FS. History—New 8-27-09, Amended \_\_\_\_\_.

**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:  
Major Rob Beaton  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 19, 2018  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 1/5/2018

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

**DEPARTMENT OF JUVENILE JUSTICE**

**Detention Services**

RULE NO.: RULE TITLE:  
63G-2.023 Youth Activities  
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. 44 No. 113, June 11, 2018 issue of the Florida Administrative Register.

63G-2.023 Youth Activities.

(1) through (8) No change.

(9) Visitation.

(a) through (e) No change.

(f) Visitors shall be denied entrance if they:

~~1. Are disruptive or uncooperative;~~

~~1.2.~~ Refuse to be searched or fail to comply with an officer’s instructions;

~~2.3.~~ Are under the influence, or appear to be under the influence, of any intoxicating substance;

~~3.4.~~ Fail to present proper photo identification;

~~4.5.~~ Attempt to introduce contraband into the secure area;  
or

~~5.6.~~ Are dressed in inappropriate attire (no shirt or shoes, clothing or jewelry that displays violence, drugs or alcohol, or clothing that is sexually explicit).

(g) Visitation may be terminated if the behavior of the visitor or youth jeopardizes the safety or security of the facility ~~is disruptive or not in compliance with facility policies and procedures.~~ The termination of a visit may lead to the suspension of future visitation privileges at the discretion of the Superintendent.

(h) through (j) No change.

(k) Stakeholder Access: The stakeholders listed below are authorized to visit juvenile detention centers operated by the state and county between the hours of 6:00 a.m. and 11:00 p.m. No visitors are authorized between the hours of 11 p.m. and 6 a.m. All of the following stakeholders are subject to an electronic search:

- 1. The Governor;
- 2. A Cabinet member;
- 3. A member of the Legislature;
- 4. A judge of a state court;
- 5. A state attorney; and
- 6. A public defender.

(l) through (m) No change.

(10) through (11) No change.

Rulemaking Authority 985.601(9)(b), 985.6885(4) FS. Law Implemented 985.601(9)(b)1.-2., (c), 985.6885 FS. History—New 8-9-15, Amended \_\_\_\_\_.

**Section IV  
Emergency Rules**

**NONE**

**Section V  
Petitions and Dispositions Regarding Rule  
Variance or Waiver**

**DEPARTMENT OF LAW ENFORCEMENT**

Criminal Justice Standards and Training Commission

RULE NO.: RULE TITLE:

11B-27.00213 Temporary Employment Authorization

NOTICE IS HEREBY GIVEN that on July 17, 2018, the Department of Law Enforcement, received a petition for permanent waiver of paragraph 11B-27.00213(4)(b), F.A.C., from Veronica L. Dorner. The Petitioner wishes to permanently waive that portion of the rule that states: Agencies applying to temporarily employ or appoint an individual who has had a

previous TEA registered with the Commission in the same discipline may do so only if: (a) the individual was previously certified as a full-time or part-time officer; or (b) The individual was previously hired on a TEA and has separated from the employing agency or discontinued training while in good standing, and has had a break-in-service from the last employment for a minimum of four years.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Dana Kelly, Agency Clerk, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302 or by Telephone at (850)410-7676.

**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 July 17, 2018, the Southwest Florida Water Management District, received a petition for variance or waiver.

Petitioner’s Name: Sexton-Harburg Family Limited Partnership

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. 18-4288.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, 1(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. (A2018025-1)

**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 July 17, 2018, the Southwest Florida Water Management District, received a petition for received a petition for a variance or waiver.

Petitioner’s Name: Margorie Sexton

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. 18-4287.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, 1(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. (A2018026-1)

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on July 19, 2018, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and paragraph 5-202.11(A), 2009 FDA Food Code from Frozen Dragon LLC located in Daytona Beach. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the three compartment sink and the handwash sink.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Aleman@myfloridalicense.com

Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Accountancy

RULE NO.: RULE TITLE:

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

NOTICE IS HEREBY GIVEN that on July 11, 2018, the Board of Accountancy, received a petition for variance or waiver filed by Estefania Rodriguez, 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 Dr., 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 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 July 12, 2018, the Board of Accountancy, received a petition for variance or waiver filed by Jeremy Steinlauf, 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 Dr., 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 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 July 13, 2018, the Board of Accountancy, received a petition for variance or waiver filed by Elena Mocchi, 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 Dr., 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.

Section VI

Notice of Meetings, Workshops and Public  
Hearings

DEPARTMENT OF EDUCATION

Commission for Independent Education

The Commission for Independent Education announces a public meeting to which all persons are invited.

DATES AND TIMES: July 30, 2018, 9:00 a.m. Commission meeting, Degree Granting Institutions; July 31, 2018, 9:00 a.m., Non Degree Granting Institutions

PLACE: Mission Inn Resort and Club, 10400 County Road 48, Howey In The Hills, Florida 34737

GENERAL SUBJECT MATTER TO BE CONSIDERED: On July 30, 2018 beginning at 9:00 a.m. the Commission for Independent Education will consider All Degree Granting Institutions and on July 31, 2018 beginning at 9:00 a.m. the Commission for Independent Education will consider all Non-Degree granting Institutions for the following: Disciplinary Matters, Informal Hearings, Institutions Ordered to Appear Back Before the Commission, New Applications for Licensure, Institutional Applications for Program Modifications and Additional Programs, Applications for Annual License, Motions for Extension of License, Motions for Request for Extension of Time to Comply with Contingencies, Reports, Approved Applicant Letters Sent, Licenses Sent, Closed Schools, Agent Training Programs, Annual Renewals, Extension of Annual Licenses, Licenses by Means of Accreditation, Annual Reviews of License By Means of Accreditation, Substantive Change Applications, Name Change Applications, Attorney and Executive Director Reports, Applications for Exemption for Religious Colleges, Informal Hearings, Improper School Closure Reports, and the General Business of the Commission. Public Comment: The Commission is committed to promoting transparency and public input during its public meetings. Speakers are requested to complete a public comment form, which will be available at the meeting, and to indicate whether they represent a group or faction. The Commission will hear public comment only regarding issues on the agenda. Individuals and representatives of groups will generally be allotted three minutes, but the time may be extended or shortened at the discretion of the chair. The Chair may impose a cumulative time limit for all public comment on any agenda item.

A copy of the agenda may be obtained by contacting: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

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: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400. 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: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

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#### DEPARTMENT OF REVENUE

##### Property Tax Oversight Program

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

DATE AND TIME: July 31, 2018, 3:00 p.m.

PLACE: 1(888)670-3525, Participant code: 9401759921#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department will present the recommended list of applicants for the Certified Florida Appraiser, Certified Cadastralist of Florida, and Certified Florida Evaluator designations. Interested parties can attend by telephone. The agenda includes instructions to attend by telephone. Please refer to the Certified Florida Appraiser Admissions and Certifications Committee Agenda on the Department's website at [http://floridarevenue.com/property/Pages/Cofficial\\_Training.a](http://floridarevenue.com/property/Pages/Cofficial_Training.a) spx before attending the meeting.

A copy of the agenda may be obtained by contacting: Kelly McLane, Property Tax Oversight Program, Department of Revenue, P.O. Box 3294, Tallahassee, Florida 32315-3294, (850)941-6024, [kelly.mclane@floridarevenue.com](mailto:kelly.mclane@floridarevenue.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Kelly McLane at (850)941-6024 or [kelly.mclane@floridarevenue.com](mailto:kelly.mclane@floridarevenue.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).

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#### DEPARTMENT OF REVENUE

##### Property Tax Oversight Program

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

DATE AND TIME: July 31, 2018, 3:30 p.m.

PLACE: 1(888)670-3525, Participant code: 9401759921#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department will present the recommended list of applicants for the Certified Florida Collector and Certified Florida Collector Assistant designations. Interested parties can attend by telephone. The agenda includes instructions to attend by telephone. Please refer to the Certified Florida Collector Admissions and Certifications Committee Agenda on the Department's website at [http://floridarevenue.com/property/Pages/Cofficial\\_Training.a](http://floridarevenue.com/property/Pages/Cofficial_Training.a) spx before attending the meeting.

A copy of the agenda may be obtained by contacting: Kelly McLane, Property Tax Oversight Program, Department of Revenue, P.O. Box 3294, Tallahassee, Florida 32315-3294, (850)941-6024, [kelly.mclane@floridarevenue.com](mailto:kelly.mclane@floridarevenue.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Kelly McLane at (850)941-6024 or [kelly.mclane@floridarevenue.com](mailto:kelly.mclane@floridarevenue.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).

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#### PUBLIC SERVICE COMMISSION

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

DATE AND TIME: Tuesday, August 7, 2018, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

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



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

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

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#### PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 7, 2018, immediately following the Commission Conference which commences at 9:30 a.m. in Joseph P. Cresse Hearing Room 148

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters affecting Commission operations. Internal Affairs Agendas and FPSC contact information is available at [www.floridapsc.com](http://www.floridapsc.com).

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

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

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#### WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

DATE AND TIME: August 1, 2018, 9:00 a.m.

PLACE: 7601 HWY 301 N, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting to obtain feedback from interested persons on current pending permit applications. The agenda is available at [www.swfwmd.state.fl.us/about/calendar/month](http://www.swfwmd.state.fl.us/about/calendar/month).

A copy of the agenda may be obtained by contacting: Justin J. Eddy, 1(813)985-7481, ext. 2097.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD, Human Resources Bureau Chief at 1(800)423-1476, ext. 4702; TDD (FL only) 1(800)231-6103; or email: [ADACoordinator@swfwmd.state.fl.us](mailto:ADACoordinator@swfwmd.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-304.610 Hillsborough River Basin TMDLs

The Florida Department of Environmental Protection announces a workshop to which all persons are invited.

DATE AND TIME: August 21, 2018, 9:30 a.m.

PLACE: Florida Department of Environmental Protection, Southwest District Office, Main Conference Room, 13051 North Telecom Parkway, Temple Terrace, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This technical meeting is for interested stakeholders to discuss with the department the status of TMDL development for the nutrient impaired waterbodies of Lake Thonotosassa and Flint Creek located in the Hillsborough River basin. The meeting will provide an opportunity for the department to present the approach to be used for development of TMDLs and to obtain input from stakeholders. Written comments on the TMDL approach should be received by September 14, 2018 and can be directed to: Erin Rasnake, Program Administrator, Florida Department of Environmental Protection, MS 3555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or via email to: [Erin.Rasnake@dep.state.fl.us](mailto:Erin.Rasnake@dep.state.fl.us).

A copy of the agenda may be obtained by contacting: Ms. Shamyah Gibson, Department of Environmental Protection, MS 3555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8449.

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: Ms. Shamyah Gibson, (850)245-8449. 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).

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida Department of Environmental Protection, Florida Coastal Office's Coral Reef Conservation Program announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 7, 2018, 9:00 a.m.

PLACE: Blowing Rocks Nature Preserve, 575 S Beach Rd., Hobe Sound, FL 33455

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** DEP Coral Reef Conservation Program is holding a Southeast Florida Coral Reef Initiative (SEFCRI) Local Action Strategy (LAS) Project Team Meeting. The meeting will address the new Reef Resilience Project 7, with the aim of developing a compendium of management activities to improve reef resilience in southeast Florida:

- Project team introductions
- Discussion of the project Scope of Work
- Discussion of project goals
- Timing and frequency of future meetings and efforts

A copy of the agenda may be obtained by contacting: Kristi Kerrigan at Kristi.Kerrigan@floridaDEP.gov or (305)795-1204.

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: Kristi Kerrigan at Kristi.Kerrigan@floridaDEP.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

The Electrolysis Council, under the Board of Medicine announces a public meeting to which all persons are invited.

DATE AND TIME: CHANGE OF TIME: October 15, 2018, 10:30 a.m. ET or soon thereafter

PLACE: Conference Call: 1(888)670-3525. After dialing the meet me number, when prompted, insert participant code: 7811783909 followed by the # sign in order to join the meeting.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Business Meeting.

A copy of the agenda may be obtained by contacting: The Electrolysis Council, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255, by calling the council office at (850)245-4373 or by visiting the website: <http://www.floridahealth.gov/licensing-and-regulation/electrolysis/index.html>

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Department of Health at (850)901-6528. 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.

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#### DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

The Board of CSW, MFT & MHC announces a public meeting to which all persons are invited.

DATE AND TIME: September 5, 2018, 9:00 a.m., ET

PLACE: 1(888)670-3525 when prompted, enter conference code: 4552635641#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Probable Cause Panel with a reconsideration.

A copy of the agenda may be obtained by contacting: [www.floridasmentalhealthprofessions.gov](http://www.floridasmentalhealthprofessions.gov). If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact the Board Office at (850)245-4474.

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#### DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 27, 2018, 8:30 a.m.

PLACE: Joseph P. D'Alessandro Office Complex, 2295 Victoria Ave., Room 307, Fort Myers

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** On-going Lee County Community Alliance business.

A copy of the agenda may be obtained by contacting: Stephanie Jones at (239)895-0257.

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: Stephanie Jones. 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).

**SOUTH FLORIDA COMMUNITY CARE NETWORK**

The South Florida Community Care Network, LLC d/b/a Community Care Plan announces a public meeting to which all persons are invited.

**DATES AND TIMES:** August 1, 2018, 11:00 a.m.; August 23, 2018, 3:30 p.m.; September 27, 2018, 3:30 p.m.; October 25, 2018, 3:30 p.m.; December 13, 2018, 3:30 p.m.

**PLACE:** South Florida Community Care Network, LLC d/b/a Community Care Plan, 1643 Harrison Parkway, Bldg. H, Suite 200, Sunrise, Florida 33323.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Meeting of the Members to discuss general matters.

A copy of the agenda may be obtained by contacting: Crystal Quirin at cquirin@ccpcares.org or (954)622-3224.

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: Susan Mansolillo at SMansolillo@ccpcares.org or (954)622-3232. 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: D. Ty Jackson, Esq., counsel for South Florida Community Care Network, LLC d/b/a Community Care Plan, at ty.jackson@gray-robinson.com or (850)577-9090

**SOUTH FLORIDA COMMUNITY CARE NETWORK**

The South Florida Community Care Network, LLC d/b/a Community Care Plan announces a public meeting to which all persons are invited.

**DATES AND TIMES:** August 1, 2018, 11:00 a.m.; October 25, 2018, 3:00 p.m.

**PLACE:** South Florida Community Care Network, LLC d/b/a Community Care Plan, 1643 Harrison Parkway, Bldg. H, Suite 200, Sunrise, Florida 33323

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Meetings of the Audit and Compliance Committee to discuss general matters.

A copy of the agenda may be obtained by contacting: Crystal Quirin at cquirin@ccpcares.org or (954)622-3224.

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: Susan Mansolillo at SMansolillo@ccpcares.org or (954)622-3232. 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: D. Ty Jackson, Esq., counsel for South Florida Community Care Network, LLC d/b/a Community Care Plan, at ty.jackson@gray-robinson.com or (850)577-9090.

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**  
Medicaid

**RULE NO.:** RULE TITLE:  
59G-4.125 Behavior Analysis Services

**NOTICE IS HEREBY GIVEN** that Agency for Health Care Administration has received the petition for declaratory statement from Jessup, Inc. The petition seeks the agency's opinion as to the applicability of as it applies to the petitioner.

**NOTICE IS HEREBY GIVEN** that on July 12, 2018, the Agency for Health Care Administration (“Agency”) received a Petition for Declaratory Statement (“Petition”) from the Petitioner, Jessup, Inc. The Petition seeks a declaratory statement regarding the application of Rule 59G-4.125, Florida Administrative Code.

**DEPARTMENT OF HEALTH**  
Board of Nursing

**NOTICE IS HEREBY GIVEN** that the Board of Nursing has received the petition for declaratory statement from Marlene Cesar, on July 18, 2018. The petition seeks the agency's opinion as to the applicability of Chapter 464, F.S. as it applies to the petitioner.

The Petitioner seeks a Declaratory Statement from the Board as to whether it is within the scope of Chapter 464 for the Petitioner to serve as a nursing division head while not being licensed as a registered nurse in Florida. Except for good cause shown, motions for leave to intervene must be filed within 21 days after the publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, info@floridasnursing.gov or by telephone at (850)245-4125.

**DEPARTMENT OF FINANCIAL SERVICES**

**FSC - Financial Institution Regulation**

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has declined to rule on the petition for declaratory statement filed by Sun Coast Consulting Services, Inc. on June 22, 2018. The following is a summary of the agency’s declination of the petition:

On June 22, 2018, the Florida Office of Financial Regulation (Financial Institutions) received a Petition for Declaratory Statement from Sun Coast Consulting Services, Inc. The petition sought a declaratory statement from the Office on (1) whether having substantially less than twelve (12) trusts, and never having more than twelve (12) trusts would be considered “de minimis” under subsection 658.12(20), Florida Statutes; and (2) whether not having performed any of the fiduciary functions prohibited under section 660.41, Florida Statutes, Petitioner is not barred from being a Trustee on a trust solely on the basis that it is an incorporated entity; and/or (3) that Petitioner is not required to register because its Trustee business is “de minimis” and thus not barred from acting as a Trustee at this time. \*\*On July 19, 2018, the Florida Office of Financial Regulation issued a Final Order on Petition for Declaratory Statement. The Petition filed by Sun Coast Consulting Services, Inc. is DENIED. A declaratory statement is not available to Petitioner because the Petition seeks approval of activities that have already occurred, and the facts provided in the Petition are insufficient for the Office to properly respond to any of the issues presented.

A copy of the Order Declining 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)410-9889, Agency.Clerk@flofr.com. Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, 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:

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 AGRICULTURE AND CONSUMER SERVICES**

Office of Energy

**RURAL COMMUNITY ENERGY EFFICIENCY GRANT PROGRAM**

The Florida Department of Agriculture and Consumer Services (FDACS) is seeking grant applications from local government entities in Rural Areas of Opportunities for projects that implement energy efficiency upgrades to publicly owned community-use facilities, traffic control devices, and/or street lighting. This program is a competitive solicitation in which applications will be evaluated by the criteria listed within the Notice of Federal Financial Assistance Funding Opportunity Request for Applications (Notice). Please visit <http://www.freshfromflorida.com/Divisions-Offices/Energy> to

access the Notice and application. This program is subject to the requirements of the American Recovery and Reinvestment Act (ARRA) and paragraph 377.703(2)(b), Florida Statutes, and Title V, Subtitle E of the Energy Independence and Security Act (EISA), as amended (Public Law 110-140). Grant Applications must be received by August 21, 2018, 5:00 p.m. in order to be considered.

FDACS reserves the right, at its sole discretion, to suspend or amend the provisions of this. If such an action occurs, FDACS will post revisions to the Notice on its website, <http://www.freshfromflorida.com/Divisions-Offices/Energy>.

DEPARTMENT OF EDUCATION

Florida International University

FIU BT-924 PG-6 Retail Expansion and Classroom Build Out-CM

The Florida International University Board of Trustees announces that construction management services will be required for the project identified below:

Project Name and Number: BT-924 PG-6 Retail Expansion and Classroom Build Out

Project Location: Modesto Maidique Campus, Miami, Florida

Project Description:

This Project is to build-out of a weather/water-tight shell within the unconditioned parking areas located on the ground floor of Parking Garage Number 6. The project consists of a total of about 14,425 square feet broken down into primary spaces as follows:

-Active Learning Space (Fully Finished)	4,240
Square Feet	
-Classroom (Fully Finished)	1,250 Square Feet
-Vestibule/Common Area/Circulation (Fully Finished)	6,635 Square Feet
-Future Retail Space (Grey Box)	1,435 Square Feet
-Restrooms (Fully Finished)	935 Square Feet
-Storage (Fully Finished)	930 Square Feet

The Project may also include Life Safety upgrades and various waterproofing measures throughout the building.

Spaces within scope limits to be provided with new air conditioning. "Fully-Finished" spaces are to be provided with similar finishes to existing adjacent space. Corridor to have polished concrete floor with selected carpet infill, painted walls with infrastructure for LED screens, open ceilings with suspended "cloud" acoustical ceiling, suspended "A" light fixtures . Aluminum storefront type window wall with doors are to be provided. "Grey Box" spaces are to be fitted out with a ceiling mounted AHU (size to be determined), an electrical subpanel, automatic fire sprinkler lines with minimum sprinkler heads and lighting per code. Existing floor and overhead slabs are to remain. Walls are to be left un-insulated. With the

exception of allowing for electrical connection to exterior signage, services will not involve scope to the exterior of the build-out. The overall project Architectural and Engineering Design is being performed by MCHarry & Associates and their consulting engineers. Construction Documents are nearing completion but are not available for review at this time. Construction Documents for the Active Learning space are to be provided by Alleguez Architecture, Inc.

Based on the scope of work described above, the total construction cost is approximately \$2,400,000.00 and the total project cost is \$3,800,000. FIU has made a commitment that projects be designed and built with the goal of meeting the USGBC's "LEED Silver" certification rating level. This Project shall comply with Florida Statutes 255.251 Energy Conservation and Sustainable Buildings Act including 255.252 (3) and (4) and, in accordance with Florida Administrative Code 60D-4.006 Life Cycle Cost Analysis Requirements, careful consideration must be given to alternatives which reduce the operating and maintenance costs for this Project.

Project scope may be increased by the University, in its sole discretion, to include additional spaces/square feet should a funding source for such scope increases be identified prior to project completion. The total construction cost and the total project cost may increase, at the University's sole discretion.

Applicants are hereby notified that in the event the University is unable to secure full funding necessary for either the initial project components or added components, the University intends to proceed only with design and construction of fully funded project components and phase(s), if any. INSTRUCTIONS: Firms desiring to provide construction management services for the project shall submit a letter of application and a completed Construction Manager Qualifications Supplement (CMQS) form. Proposals must not exceed 80 pages, including the CMQS and letter of application. Pages must be numbered consecutively. Submittals, which do not comply with these requirements or do not include the requested data, will not be considered. No submittal material will be returned

Submit Seven (7) bound copies of the required proposal data and one CD/DVD or USB Flash Drive copy of the complete proposal in Adobe Acrobat PDF format of the above requested data bound in the order listed. Applications that do not comply with the above instructions will not be considered. Application material will not be returned.

The University reserves the right to suspend or discontinue the selection process at any time and to return or reject any or all submissions of qualifications without obligation to the respondent. The award of this contract is subject to availability of funds.

The Construction Manager Qualifications Supplement (CMQS) form and the Project Fact Sheet, which describes the selection process schedule for this Project and additional information regarding the Project scope, may be obtained from the web-site <http://facilities.fiu.edu/projects/BT-924.htm>. Requests for meetings by individual firms will not be granted. Once the firm acquires the required forms, questions may be directed to Facilities Planning at (305)348-4090 or via email to [griffith@fiu.edu](mailto:griffith@fiu.edu) and cc: [angpaz@fiu.edu](mailto:angpaz@fiu.edu).

**GENERAL REQUIREMENTS:** All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a person or affiliate may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction manager must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of the threshold amount provided in Section 287.017 for CATEGORY TWO in connection with this project for a period of 36 months following the date of their being placed on the convicted vendor list.

FIU HAS CREATED STANDARD CONTRACT FORMS, GENERAL TERMS AND CONDITIONS OF THE CONTRACT FOR CONSTRUCTION AND STANDARD INSURANCE REQUIREMENTS APPLICABLE TO CM SERVICES TO PROVIDE FOR AN EFFICIENT AND EFFECTIVE PROCESS. THESE FORMS ARE AVAILABLE FOR REVIEW, AND CAN BE FOUND AT <http://facilities.fiu.edu/formsandstandards.htm>.

ALL APPLICANTS SHOULD REVIEW THE APPLICABLE FIU CONTRACT FORM AND STANDARD INSURANCE REQUIREMENTS CAREFULLY PRIOR TO MAKING A DECISION AS TO WHETHER OR NOT TO RESPOND TO THIS ADVERTISEMENT.

Submittals must be received between 8:30 a.m. and 12:30 p.m. OR 1:30 p.m. and 4:00 p.m. local time, Friday, August 17, 2018. Submittals will not be accepted before or after the times and date stated above and must be delivered to Florida International University, Facilities Planning, Campus Support Complex, 11555 S.W. 17th St., Room #142, Modesto A. Maidique Campus, Miami, Florida 33199 to be valid. Facsimile (FAX) submittals are not acceptable and will not be considered.

## 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 3:00 p.m., Friday, July 13, 2018 and 3:00 p.m., Thursday, July 19, 2018.

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
41-2.014	7/16/2018	8/5/2018
61G7-5.0021	7/16/2018	8/5/2018
61G15-20.002	7/19/2018	8/8/2018
61G15-24.001	7/19/2018	8/8/2018
61G15-27.001	7/19/2018	8/8/2018
64B2-13.004	7/16/2018	8/5/2018
64B4-3.001	7/18/2018	8/7/2018
64B4-4.002	7/18/2018	8/7/2018
64B4-4.003	7/18/2018	8/7/2018
64B4-4.005	7/18/2018	8/7/2018
64B4-4.013	7/18/2018	8/7/2018
64B5-12.013	7/17/2018	8/6/2018
64B5-12.0135	7/17/2018	8/6/2018
64B5-13.0046	7/17/2018	8/6/2018
64B18-17.001	7/17/2018	8/6/2018
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
60FF1-5.009	7/21/2016	*/*/****
64B8-10.003	12/9/2015	*/*/****

## DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

## Division of Motor Vehicles

GSD Imports LLC d/b/a Audi Miami South for the establishment of AUDI 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 Volkswagen Group of America, Inc., intends to allow the establishment of GSD Imports LLC, d/b/a Audi Miami South as a dealership for the sale and service of Audi motor vehicles (line-make AUDI) at i) 17405, 17407, 17409, 17411, 17413 and 17415 S. Dixie Highway, Palmetto Bay, FL 33157; ii) 9742 Banyan Street, Palmetto Bay, FL 33157; iii) 17400 and 17414 SW 97th Avenue, Palmetto Bay, FL 33157; and iv) the west ½ of Lot 6, Block 33, of Map of Perrine, according to the Plat thereof, as recorded in Plat Book B, Page 79, of the Public Records of Miami Dade County, Florida (Miami-Dade County). These contiguous parcels are bounded on the north by Banyan Street, on the east by SW 97th Avenue, on the south by East Datura Street, and on the west by U.S. Highway 1, on or after September 30, 2019.

The name and address of the dealer operator(s) and principal investor(s) of GSD Imports LLC, d/b/a Audi Miami South are dealer operator(s): Ken Gorin, 200 Bird Road, Coral Gables, Florida 33146; principal investor(s): Ugo Colombo, 1550 Biscayne Boulevard, Suite 300, Miami, Florida 33132, Ken Gorin, 200 Bird Road, Coral Gables, Florida 33146.

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: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, 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: Allison James, Audi of America, Inc., and operation unit of Volkswagen Group of America, Inc., 2200 Ferdinand Porsche Drive, Herndon, Virginia 20171.

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

Broward Motorsports of Treasure Coast, LLC d/b/a Broward Motorsports of Treasure Coast

## Notice of Publication for a New Point

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Vanderhall Motor Works, Inc., intends to allow the establishment of Broward Motorsports of Treasure Coast, LLC, d/b/a Broward Motorsports of Treasure Coast as a dealership for the sale of motorcycle manufactured by Vanderhall Motor Works, Inc. (line-make VAND) at 8401 Southeast Federal Highway, Hobe Sound, (Martin County), Florida 33455, on or after August 20, 2018.

The name and address of the dealer operator(s) and principal investor(s) of Broward Motorsports of Treasure Coast, LLC, d/b/a Broward Motorsports of Treasure Coast are dealer operator(s): Sam Nehme, 16400 Northwest 2nd Avenue, Suite 203, North Miami Beach, Florida 33169, principal investor(s): Same Nehme, 16400 Northwest 2nd Avenue, Suite 203, North Miami, Florida 33169, Marc A. Osheroff, 16400 Northwest 2nd Avenue, Suite 203, North Miami Beach, Florida 33169.

The notice indicates intent to establish the new point location in a county of less 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: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, 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: Teresa Shepherd, Vanderhall Motor Works, Inc., 2813 Sierra Vista Way, Provo, Utah 84606.

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

Halo Autosports LLC for the establishment of GEEL motorcycles

Notice of Publication for a New Point

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Bennche, LLC, intends to allow the establishment of Halo Autosports LLC, as a dealership for the sale of motorcycles manufactured by Geely Group Zhejiang Motorcycle Co., Ltd. (line-make GEEL) at 15265 Cortez Boulevard, Brooksville, (Hernando County), Florida 34613, on or after August 20, 2018. The name and address of the dealer operator(s) and principal investor(s) of Halo Autosports, LLC, are dealer operator(s): Heather Craig, 15265 Cortez Boulevard, Brooksville, Florida 34613, principal investor(s): Heather Craig, 15265 Cortez Boulevard, Brooksville, Florida 34613.

The notice indicates intent to establish the new point location in a county of less 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: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, 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: Johnny Tai, Bennche, LLC, 3101 West Miller Road, Garland, Texas, 75041.

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

Seaside Powersports, LLC for the establishment of GEEL motorcycles

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 Peace Industry Group (USA), Inc., intends to allow the establishment of Seaside Powersports, LLC, as a dealership for the sale of motorcycles manufactured by Geely Group Zhejiang Motorcycle Co., Ltd. (line-make GEEL) at 850 North Dixie Highway, Lantana, (Palm Beach County), Florida 33462, on or after August 20, 2018.

The name and address of the dealer operator(s) and principal investor(s) of Seaside Powersports, LLC are dealer operator(s): Charlie Banner, 850 Dixie Highway, Lantana, Florida 33462; principal investor(s): Charlie Banner, 850 Dixie Highway, Lantana, Florida 33462.

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: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, 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: Meiredith Huang, Peace Industry Group (USA), Inc., 2885 Pacific Drive, Suite B, Norcross, Georgia 30071.

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

Action Jet Sports, Inc. for the establishment of KYMC motorcycles

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 Kymco USA, Inc., intends to allow the establishment of Action Jet Sports, Inc., as a dealership for the sale of motorcycles manufactured by Kwang Yang Motor Co., Ltd. (line-make KYMC) at 2705 1st Street, Bradenton, (Manatee County), Florida 34208, on or after August 20, 2018.



The name and address of the dealer operator(s) and principal investor(s) of Action Jet Sports, Inc. are dealer operator(s): John Havell, 207 133rd Street, Bradenton, Florida 34212; principal investor(s): John Havell, 207 133rd Street, Bradenton, Florida 34212.

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: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, 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: Joe Wofford, Kymco USA Inc, 5 Stan Perkins Road, Spartanburg, South Carolina 29307.

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

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

The Agency for Health Care Administration has projected fixed bed need pools for adult and children and adolescent psychiatric and adult substance abuse beds for January 2024 pursuant to the provisions of Rules 59C-1.008, 59C-1.040, and 59C-1.041, F.A.C. Net bed need projections for adult and children and adolescent psychiatric and adult substance abuse hospital beds have been adjusted according to occupancy rate thresholds as prescribed by the above-mentioned rules. A fixed need pool projection for children and adolescent substance abuse beds is not made because the administrative rule governing this service does not include a mathematical formula for the calculation of need. An applicant seeking approval for these types of beds must establish need in its application. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 1, Room 226, MS 28, 2727 Mahan Drive, Tallahassee, Florida, 32308, on or before 5pm, August 6, 2018.

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

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

**Psychiatric and Substance Abuse Net Bed Need**

	<i>Adult Psychiatric Beds Adjusted Bed Need</i>	<i>Children &amp; Adolescent Psychiatric Beds Adjusted Bed Need</i>	<i>Adult Substance Abuse Beds Net Adjusted Bed Need</i>
District 1	15	0	0
District 2	0	0	0
District 3	0	0	0
District 4	0	0	0
District 5	0	0	0
District 6	0	0	0
District 7	0	13	0
District 8	0	0	0
District 9	0	0	0
District 10	0	0	0
District 11	0	0	0
Total	15	13	0
Statewide			

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

The Agency for Health Care Administration has projected a fixed need pool for Level II and Level III neonatal intensive care unit services for January 2021 pursuant to the provisions of Rules 59C-1.008 and 59C-1.042, F.A.C. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 1, Room 226, MS 28, 2727 Mahan Drive, Tallahassee, Florida, 32308, on or before 5pm, August 6, 2018.

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

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

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

	Level II Net Need	Level III Net Need
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District 1	0	7
District 2	0	2
District 3	0	0
District 4	0	6
District 5	0	0
District 6	0	0
District 7	0	0
District 8	0	0
District 9	0	0
District 10	0	0
District 11	0	0
Statewide Total	0	15

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

The Agency for Health Care Administration has projected a fixed bed need pool for comprehensive medical rehabilitation hospital beds for January 2024 pursuant to the provisions of Rules 59C-1.008 and 59C-1.039, F.A.C. Net bed need projections for comprehensive medical rehabilitation hospital beds have been adjusted according to occupancy rate thresholds as prescribed by the above-mentioned rules. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 1, Room 226, MS 28, 2727 Mahan Drive, Tallahassee, Florida, 32308, on or before 5pm, August 6, 2018.

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

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

Comprehensive Medical Rehabilitation Bed Need

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

management program of the State if approved. A list of all statutes that make up the FCMP is available at <https://floridadep.gov/fco/fcmp/content/24-florida-statutes-florida-coastal-management-program>.

Staff has evaluated these changes pursuant to 15 CFR 923, Subpart H and concluded that the changes are not amendments to the FCMP. These changes will not result in any substantial change to the enforceable policies or authorities of the FCMP related to uses subject to management, special management areas, boundaries, authorities and organization, or coordination, public involvement and the national interest.

Notice is being provided to the general public and affected parties, including local governments, state agencies, and regional offices of relevant federal agencies as required by 15 CFR 923.84(b)(2). A list of persons and organizations notified is available for inspection or can be provided upon request from the department contact below.

Pursuant to 15 CFR 923.84, comments on whether the changes constitute a routine program change of the FCMP may be submitted to Joelle Gore, NOAA/OCRM, 1305 East-West Highway, Silver Spring, MD 20910 within 21 days of the date of issuance of this notice.

For more information on this RPC submittal, please contact: Mr. Joseph Bauer, Department of Environmental Protection, Florida Coastal Office, 3900 Commonwealth Boulevard, M.S. 235, Tallahassee, FL 32399-3000, (850)245-2180 or [joseph.bauer@dep.state.fl.us](mailto:joseph.bauer@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).

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Florida Coastal Management Program Notice of Routine Program Change Request

The Department of Environmental Protection’s Florida Coastal Office has requested the concurrence of the federal Office of Ocean and Coastal Resource Management (OCRM) of the National Oceanic and Atmospheric Administration (NOAA), in updating the statutory authorities included within the Florida Coastal Management Program (FCMP) as a routine program change (RPC). The Department of Environmental Protection has determined that the proposed program changes are a routine program change as defined by 15 CFR 923.84. This routine program change submission will incorporate relevant new Florida Statutes enacted by the Florida Legislature during the 2017 legislative session into the Florida Coastal Management Program, including incorporation of Sections 379.2426 and 403.077, Florida Statutes, as enforceable policies. The routine program change submittal is available at <https://floridadep.gov/fco/fcmp/content/routine-program-changes> and describes the nature of the changes as well as identifies the enforceable policies to be added to the

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.