

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

**DEPARTMENT OF HEALTH**

**Division of Children’s Medical Services**

RULE NO.:       RULE TITLE:  
64C-2.003       Redetermination of CMS Network Clinical Eligibility

PURPOSE AND EFFECT: The purpose of this rulemaking is to update language to reflect a redetermination of clinical eligibility to a three-year cycle, from an annual cycle.

SUBJECT AREA TO BE ADDRESSED: CMS Managed Care Plan Clinical Eligibility.

RULEMAKING AUTHORITY: 391.026(18) FS.

LAW IMPLEMENTED: 391.026(3), 391.029 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: Joni Hollis, 4052 Bald Cypress Way, Bin A-06, Tallahassee, FL 32399, (850)901-6303, Joni.Hollis@flhealth.gov.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64C-2.003 Redetermination of CMS Managed Care Plan Clinical Eligibility.

All CMS Managed Care Plan participants shall have their clinical eligibility for the CMS Managed Care Plan redetermined every three years on an annual basis.

Rulemaking Authority 391.026(18) FS. Law Implemented ~~391.021~~, 391.026(3), 391.029 FS. History–New 1-1-77, Amended 11-18-82, Formerly 10J-2.09, Amended 3-28-96, Formerly 10J-2.009, Amended 1-20-03, 1-11-16.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Workers’ Compensation**

RULE NO.:       RULE TITLE:  
69L-3.009       Injuries that Qualify as Grievous Bodily Harm of a Nature that Shocks the Conscience

PURPOSE AND EFFECT: A new rule is being introduced due to the passage of CS/CS/SB 376, which added subsections (5) and (6) to section 112.1815, Florida Statutes (F.S.). Section 112.1815(5)(f), F.S., requires the Department of Financial

Services to adopt rules specifying injuries qualifying as grievous bodily harm of a nature that shocks the conscience.

SUBJECT AREA TO BE ADDRESSED: First Responders  
RULEMAKING AUTHORITY: 112.1815(5)(f), 440.591, FS.

LAW IMPLEMENTED: 112.1815, FS.

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

DATE AND TIME: Thursday, October 4, 2018, 9:00 a.m. ET

PLACE: Hartman Building, Room 102, 2012 Capital Circle SE, Tallahassee, FL 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Brittany O’Neil, Policy Coordinator, Division of Workers’ Compensation, Department of Financial Services, address: Hartman Building, Room 303N, 2012 Capital Circle SE, Tallahassee, FL 32399-4229, telephone: (850)413-1927, email: Brittany.ONeil@myfloridacfo.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69L-3.009 Injuries that Qualify as Grievous Bodily Harm of a Nature that Shocks the Conscience.

Pursuant to section 112.1815(5), F.S., for purposes of determining the compensability of employment-related posttraumatic stress disorder for first responders, the following injuries qualify as grievous bodily harm of a nature that shocks the conscience:

- (1) Decapitation (full or partial),
- (2) Degloving,
- (3) Enucleation,
- (4) Evisceration,
- (5) Exposure of one or more of the following internal

organs:

- (a) Brain,
- (b) Heart,
- (c) Intestines,
- (d) Kidneys,
- (e) Liver, or
- (f) Lungs
- (6) Impalement,
- (7) Severance (full or partial), and
- (8) Third degree burn on 9% or more of the body.

Rulemaking Authority 112.1815(5)(f), 440.591, FS. Law Implemented 112.1815, FS. History-New.

## Section II Proposed Rules

**DEPARTMENT OF REVENUE**

**Property Tax Oversight Program**

**RULE NOS.:**      **RULE TITLES:**  
 12D-13.060      Application for Obtaining Tax Deed by Certificate Holder; Fees  
 12D-13.061      Minimum Standards for Ownership and Encumbrance Reports Made in Connection with Tax Deed Applications  
 12D-13.062      Notices; Advertising, Mailing, Delivering and Posting of Notice of Tax Deed Sale  
 12D-13.063      Sale at Public Auction  
 12D-13.065      Disbursement of Sale Proceeds

**PURPOSE AND EFFECT:** The Department of Revenue amends Rules 12D-13.060, 12D-13.061, 12D-13.062, 12D-13.063, and repeals 12D-13.065, Florida Administrative Code, based on Chapter 2018-160, Laws of Florida. The purpose of amending Rules 12D-13.060 and 12D-13.061, F.A.C., is to replace “ownership and encumbrance reports” with “property information reports” to implement statute changes from section 197.502(5), Florida Statutes. The purpose of amending Rule 12D-13.062, F.A.C., is to reflect an amendment to s. 197.522(3), F.S., removing outdated procedures clerks of court follow to notify owners of property subject to tax deed sales. The clerk may rely on address information provided by the tax collector based on the certified tax roll and property information reports. The purpose of amending Rule 12D-13.063, F.A.C., is to add current taxes, if due, to the minimum bid requirement the clerk sets to calculate the opening bid at a tax deed sale, based on amendments to s. 197.502(6), F.S. The purpose of repealing Rule 12D-13.065, F.A.C., is to remove the suggested notice of disbursement of surplus tax deed sale proceeds. Section 197.582, F.S., provides language for a notice and procedures to claim surplus proceeds from a tax deed sale. The effect of these amendments provides clarification to local officials and taxpayers during the tax deed sale process.

**SUMMARY:** The proposed amendments implement statutory provisions for tax deed sales.

**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: 1) no requirement for a SERC was triggered under Section 120.541(1), F.S.; and, 2) based on past experiences with activities for providing the public tax information and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S. 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:** 195.022, 195.027(1), 213.06(1) FS.

**LAW IMPLEMENTED:** 28.24, 195.022, 197.122, 197.3632, 197.443, 197.473, 197.482, 197.502, 197.512, 197.522, 197.532, 197.542, 197.552, 197.562, 197.573, 197.582, 197.593, 197.602, 298.36, 298.365, 298.366, 298.465, 298.54 FS.

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

**DATE AND TIME:** October 9, 2018, 10:00 a.m.  
**PLACE:** Conference Room 1220, Building 2, Capital Circle Office Complex, 2450 Shumard Oak Blvd., Tallahassee, Florida.

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: Mike Cotton at (850)617-8870. 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:** Mike Cotton, Property Tax Oversight Program, telephone 850-617-8870 or email Mike.Cotton@floridarevenue.com.

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

12D-13.060 Application for Obtaining Tax Deed by Certificate Holder; Fees.

(1) through (2) No change.

(3) PROCEDURE AFTER APPLICATION IS MADE – ALL CERTIFICATES.

(a) After receiving the property information report ~~ownership and encumbrance report including the abstract or title search~~, the tax collector must prepare and deliver a certification to the clerk on Form DR-513, and attach a

certification of the names and addresses of those persons who must be notified, as required by Subsection 197.502(4), F.S.

(b) through (c) No change.

Rulemaking Authority 195.027(1), 213.06(1) FS. Law Implemented 28.24, 197.3632, 197.482, 197.502, 197.512, 197.522, 197.532, 197.542, 197.552, 197.562, 197.573, 197.582, 197.593, 197.602 FS. History—New 6-18-85, Formerly 12D-13.60, Amended 5-23-91, 12-13-92, 1-11-94, 12-25-96, 12-31-98, 1-26-04, 12-30-04, 4-5-16,\_\_\_\_\_.

12D-13.061 Minimum Standards for Property Information Ownership and Encumbrance Reports Made in Connection with Tax Deed Applications.

(1) Property information Ownership and encumbrance reports must cover a minimum of 20 years before the tax deed application.

(2) The tax collector may choose to accept the property information ownership and encumbrance report in paper or electronic form.

Rulemaking Authority 195.022, 195.027(1), 213.06(1) FS. Law Implemented 197.502 FS. History—New 6-18-85, Formerly 12D-13.61, Amended 12-3-01, 12-30-04, 4-5-16,\_\_\_\_\_.

12D-13.062 Notices; Advertising, Mailing, Delivering and Posting of Notice of Tax Deed Sale.

(1) through (2) No change.

~~(3) If the notice to titleholders required by Sections 197.502(4)(a) and 197.522(1), F.S., is returned to the clerk as “undeliverable,” the clerk should review the most recent property tax roll and the clerk’s court and other records containing address information to attempt to get a valid address. If an additional address is found, notice should be resent to the titleholder at that address.~~

Rulemaking Authority 195.022, 195.027(1), 213.06(1) FS. Law Implemented 197.502, 197.512, 197.522, 197.542, 197.562, 197.582 FS. History—New 6-18-85, Formerly 12D-13.62, Amended 12-3-01, 1-26-04, 4-5-16,\_\_\_\_\_.

12D-13.063 Tax Deed Sale at Public Auction.

(1)(a) The statutory (opening) bid required by the clerk at the sale must be the sum of:

1. Current taxes, if due.

1. through 8. renumbered 2. through 9. No change.

(b) No change.

(2) through (4) No change.

Rulemaking Authority 195.027(1), 213.06(1) FS. Law Implemented 28.24, 197.122, 197.3632, 197.443, 197.502, 197.512, 197.522, 197.542, 197.552, 197.562, 197.582 FS. History—New 6-18-85, Formerly 12D-13.63, Amended 5-23-91, 12-13-92, 1-2-01, 12-3-01, 4-5-16,\_\_\_\_\_.

12D-13.065 Disbursement of Sale Proceeds.

Rulemaking Authority 195.022, 195.027(1), 213.06(1) FS. Law Implemented 195.022, 197.473, 197.502, 197.522, 197.532, 197.542, 197.582, 298.36, 298.365, 298.366, 298.465, 298.54 FS. History—New

6-18-85, Formerly 12D-13.65, Amended 1-26-04, 4-5-16, Repealed\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Cotton

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 14, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 3, 2018

**DEPARTMENT OF CORRECTIONS**

RULE NO.: RULE TITLE:

33-210.201 ADA Provisions for Inmates

PURPOSE AND EFFECT: To clarify definitions and procedures to insure compliance with the Americans with Disabilities Act (ADA).

SUMMARY: The amendment to the rule updates definitions and employs the language used by applicable federal statutes to insure continuity and consistency in application. The amendment clarifies the procedural process of submission, review, approval or denial of reasonable modification request.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used an itemized checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory cost associated with this rule that exceeds the criteria. Upon review of the proposed changes to the rule, the Department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. Any person who wishes to provide information regarding the 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.

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: 944.09, FS.

LAW IMPLEMENTED: 944.09, 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: Paul Vazquez, Assistant General Counsel, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

THE FULL TEXT OF THE PROPOSED RULE IS:

33-210.201 ADA Provisions for Inmates.

(1) Policy. In accordance with the Americans with Disabilities Act (ADA), 42 U.S.C. 12101 et. seq., the Department of Corrections does not discriminate, on the basis of a disability, against any inmate with regard to its programs, services, or activities for which the inmate is otherwise qualified. Inmates shall be provided the opportunity to identify the nature of any disability and to request an accommodation or auxiliary aids. Additional information on the ADA is available from the ADA Coordinator or the Intake Officer of any department facility.

(2) Definitions.

(a) ADA Coordinator – the central office employee assigned to coordinate the department’s efforts to comply with and carry out its responsibilities under the provisions of Title I and Title II of the ADA and Section 504 of the 1973 Rehabilitation Act.

(b) Auxiliary aids and services include ~~are~~:

1. Qualified interpreters; notetakers; written materials; exchange of written notes; telephone handset amplifiers; telephones compatible with hearing aids; closed captioning; voice and text telecommunications products and systems, including text telephones (TTYs) or equally effective telecommunications devices; or other effective methods of making aurally delivered materials information available to individuals with hearing impairments ~~who are deaf or hard of hearing~~; and,

2. Qualified readers; taped texts; audio recordings; ~~Brailled materials~~; large print materials; or other effective methods of making visually delivered materials available to individuals with visual impairments ~~who are blind or have low vision~~.

3. Acquisition or modification of equipment or device(s); and

4. Other similar services and actions.

(c) Compelling Security Concern – exists where a reasonable accommodation, aid or device that has been provided or may be provided to an inmate with a disability, cannot be adequately searched for contraband, is contraband, has been altered, used as a weapon, can be weaponized or poses a significant likelihood of substantial harm to the inmate,

another inmate or staff or can be used to facilitate an escape. ~~Direct threat~~ ~~refers to a health or safety risk that cannot be eliminated by a modification of policies, practices or procedures or by the provision of auxiliary aids or services in which an inmate poses a significant likelihood of substantial harm to department staff, the public, other inmates or herself or himself.~~

(d) Disability – refers to a physical or mental impairment that substantially limits one or more major life activities.

(e) Equally effective communication – communication with inmates with various disabilities that is equal to communication with inmates without any documented disabilities.

(f) Health care appliance – refers to devices or medical support equipment including, but not limited to, wheelchairs, canes, walkers, or hearing aids prescribed for an a disabled inmate and approved by the Office of Health Services or its designee.

(g) Institutional ADA Coordinator ~~Intake officer~~ – refers to the staff member at an institution who is designated to respond to requests for accommodation.

(h) Major life activities – refers to activities that an average person can perform with little or no difficulty, such as caring for one’s self, walking, speaking, performing manual tasks, hearing, learning, seeing, breathing and working.

(i) Mental impairment – any mental or psychological disorder such as intellectual disability, organic brain syndrome, emotional or mental illness and specific learning disabilities.

(j) Physical Impairment – refers to any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, cardiovascular, respiratory, special sense organs, reproductive, digestive, genitourinary, hemic and lymphatic, skin and endocrine.

(k) Qualified inmate with a disability – an inmate with a disability who, with or without reasonable modifications to rules, policies, or practices ~~reasonable accommodations~~ or the provision of auxiliary aids and services, meets the essential eligibility requirements of the department for the department program(s), service(s), or activity/activities at issue.

(l) Reasonable modification ~~accommodation~~ – refers to any reasonable modification to a rule, policy, practice, or the provision of auxiliary aids and services ~~or adjustment~~ that will allow a qualified inmate with a disability to participate in or make use of the programs, services or activities of a department institution or facility.

(m) Undue hardship – refers to an action that is excessively costly, extensive, substantial, or disruptive to the business being conducted at a facility or that would fundamentally alter the nature or operation of the facility.

(3) Accommodation Request Procedure.

(a) The determination of whether an inmate has a disability shall be made by department medical staff, either at reception or at the institution where the inmate is assigned, based upon the inmate's record of an existing physical or mental impairment or clinical qualified evaluation of the inmate.

~~1. The nature and extent of the disability will be assessed during the evaluation process.~~

~~2. In determining if a person's physical or mental impairment substantially limits a major life activity, the following factors shall be considered:~~

~~1a. The nature and severity of the impairment;~~

~~2b. The length of time the impairment is expected to last; and,~~

~~3e. The expected, permanent, or long-term impact of the impairment.~~

(b) All department and privately operated facilities shall furnish to any inmate, upon request, a Reasonable Modification or Accommodation Request, Form DC2-530A. Form DC2-530A, Reasonable Modification or Accommodation Request, is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. The effective date of this form is \_\_\_\_\_ 11-16.

(c) Inmates, who ~~have a documented disability and~~ are requesting an accommodation or modification shall submit a request in writing on the Reasonable Modification or Accommodation Request, Form DC2-530A, specifying the type of accommodation requested and the purpose for the accommodation or modification why it is necessary.

1. The Reasonable Modification or Accommodation Request, Form DC2-530A, shall be submitted to the Institutional ADA Coordinator ~~warden or the designated intake officer~~. The designated Institutional ADA Coordinator ~~intake officer~~ shall be:

a. The assistant warden for programs (AWP) or the assistant warden (AW) at major department institutions, in the event the institution does not have an AWP;

b. The correctional officer major at department-operated community release centers, or

c. The designated facility representative at private community release centers.

2. Inmates who cannot put their requests in writing shall make their verbal requests to classification, security, medical ~~the warden~~, or to the Institutional ADA Coordinator ~~intake officer~~ who shall document the request in writing on Form DC2-530A. The staff member will sign the acknowledgement section to document the inmate's verbal request for the accommodation, and have the inmate sign or otherwise acknowledge it, with the writer indicating by signature she or

~~he witnessed the inmate's verbal acknowledgement on Form DC2-530A.~~

(d) Upon receipt of Form DC2-530A, the Institutional ADA Coordinator ~~warden or intake officer~~ shall review the inmate's accommodation request. The Institutional ADA Coordinator ~~warden or intake officer~~ shall, as necessary, utilize Form DC2-530B to request additional information from the appropriate program head in order to verify the inmate's disability or to otherwise assist with the review of the request. Form DC2-530B, Reasonable Modification Accommodation or Accommodation Request Institutional Evaluation/Disposition, is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-07537>. The effective date of this form is 11-16.

(e) The Institutional ADA Coordinator ~~warden or intake officer~~ shall return the completed Form DC2-530A to the inmate within 10 business days of receipt. If the complexity of the issue requires an extension of time beyond the 10 business days, the inmate shall be notified in writing of such action and the reason for the extension documented on Form DC2-530A. The completed DC2-530A shall reflect the Institutional ADA Coordinator's recommendation to whether the accommodation request is either approve approved, deny denied, modify modified/partially approved the accommodation request, or returned without action, as well as the reason(s) for such disposition. If the request is deemed not to be an ADA issue, DC2-530A will be returned to the inmate without action and shall include the reason(s) for the recommendation. The completed DC2-530A shall also reflect the anticipated completion date, if necessary, of the accommodation.

(f) The Institutional ADA Coordinator ~~warden or intake officer~~ shall forward both the completed Form DC2-530A and the completed Form DC2-530B, and any supporting documents, to the Central Office ADA Coordinator within 10 business days of completion of Forms DC2-530A and DC2-530B.

(g) The Central Office ADA Ceoordinator shall review the request received and notify the Institutional ADA Coordinator ~~intake officer~~ in writing of whether s/he concurs or disagrees with the Institutional ADA Coordinator's recommendation ~~warden or intake officer's decision~~.

1. ~~If~~ The Central Office ADA Ceoordinator may consult with program areas within the Department for input, when appropriate, before making a final decision ~~disagrees with the warden or intake officer's recommendation, s/he will consult with the central office program area in which the accommodation is requested to obtain input.~~

2. If, ~~the Central Office ADA Coordinator's decision after consulting with the appropriate central office program area in which the accommodation is requested, the recommendation of the ADA coordinator~~ is a reversal of the Institutional ADA Coordinator's warden's or intake officer's decision, Forms DC2-530A and DC2-530B shall be returned to the Institutional ADA Coordinator warden or intake officer with written notification stating the reason(s) for this action.

(h) ~~Upon receipt, the Institutional ADA Coordinator~~ ~~Once the institution receives this information,~~ it will take steps to comply with the decision of the Central Office ADA Ceordinator and provide written notification to the inmate of the actions to be taken. The Institutional ADA Coordinator will provide and the Central Office ADA Ceordinator written notification when the action has been completed.

(i) Copies of the requests and all other documentation shall be placed in the inmate's medical record file and in the department's confidential ADA file located in central office.

(4) Justification for Denial of Requests for Accommodation. A request for a particular accommodation shall be denied for any of the following reasons:

(a) A legitimate penological interest:

1. A request for a particular accommodation shall be denied when it would pose a significant risk of substantial harm to the health or safety risk to the safety or security of the institution, staff, or others which cannot be eliminated or reduced by a reasonable modification the public, or when the request would adversely impact other penological interests, including deterring crime and maintaining inmate discipline.

2. ~~In all determinations of reasonable accommodation,~~ Public safety and the health, safety, and security of all inmates and staff shall remain the overriding considerations in determining what constitutes a reasonable modification .

(b) The department, taking into consideration all of the available resources and giving consideration to the expressed preference, if any, of the inmate, need not take an action to provide accessibility to a service, program or activity if the action would impose or require:

1. An undue financial burden on the agency where, in a cost benefit analysis, its costs would be an unjustifiable expenditure use of public funds.

2. An undue administrative burden on the agency, or

3. A fundamental alteration of the nature of the service, program, or activity.

(c) An institution cannot deny a request for accommodation using the undue burden defense without contacting the Central Office ADA Coordinator. The Central Office ADA Ceordinator shall consult with the appropriate central office program area in which a particular accommodation is requested and any necessary department staff before making a determination that a requested accommodation would

constitute an undue financial or administrative burden on the agency or a fundamental alteration to the nature of a service, program, or activity. The final decision that compliance with the requested accommodation would result in an undue financial or administrative burden or a fundamental alteration of the nature of a service, program, or activity shall be made by the Secretary or his or her designee after consideration of all resources available for use in the funding and operation of the service, program or activity. The final decision must be accompanied by a written statement of the reasons for reaching the conclusion. The decision and the statement will be retained by the Central Office ADA Coordinator in the confidential ADA file.

(d) Compelling Security Concern Direct Threat. The ADA coordinator, who is notified or otherwise becomes aware of a compelling security concern relating to a reasonable modification, will consult with the warden, the appropriate central office program area in which the particular modification accommodation is requested, and any other necessary departmental staff prior to determining whether a requested modification accommodation poses a compelling security concern direct threat.

(e) Equally Effective Means. A request for a particular accommodation, after considering all available resources and the express preference, if any, by the inmate, shall be denied if an equally effective reasonable modification or access to a program, service, or activity can be afforded through an alternate method which is less burdensome costly or intrusive. Alternative methods that are less costly or intrusive to the existing operation or program shall be utilized to provide reasonable access in lieu of modifications requested by the inmate so long as they are equally effective.

(f) A request that does not present a violation of Title II of the ADA does not qualify as an ADA issue and will be returned without action denied as not qualifying as an ADA issue.

(5) Complaints and Accommodation Appeals. Inmates who have a complaint alleging a violation of the Americans with Disabilities Act or who want to appeal the denial of a request for reasonable accommodation shall follow the guidelines set forth in Chapter 33-103, F.A.C.

(6) Auxiliary Aids and Services. The Department will provide inmates with auxiliary aids and services whenever necessary to ensure equal access to programs, services, or activities offered by the Department. When an auxiliary aid or service is deemed necessary to provide an inmate with an equal opportunity to participate in a program, service or activity, it shall be provided at the expense of the department.

~~(7) Health Care Appliances.~~

~~(a) Prescription and approval.~~

~~1. A physician or clinical associate shall prescribe and approve health care appliances for eligible inmates if these~~

~~devices meet medical necessity, safety, and security requirements. Health care appliances include orthopedic prostheses, orthopedic braces or shoes, crutches, canes, walkers, wheelchairs, hearing aids, and other items which are necessary to accommodate the inmate's needs.~~

~~2. If security staff denies a health care appliance to an inmate for safety or security reasons, the Chief of Security, or his or her designee, shall immediately consult with the Chief Health Officer, or his or her designee, to determine necessary action to accommodate the inmate's needs.~~

~~3. Accommodations shall include modifying the appliance or substituting a different appliance, at the department's expense, as long as its function is equivalent or superior. Such modification or substitution shall instead be the responsibility of the department's Comprehensive Health Care Contractor (CHCC) if the contract between the department and its CHCC so provides.~~

~~(7)(b) Possession of Health Care Appliances.~~

~~(a)1. Health care staff shall identify health care appliances as property of the inmate and appropriately document them as such in accordance with Rule 33-602.201, F.A.C.~~

~~(b)2. Any health care appliance the disabled inmate has properly obtained while in the department's custody shall not be removed unless there are legitimate and documented safety or security reasons.~~

~~(c)3. Health care appliances shall be removed if a physician or dentist determines that the appliance is no longer medically necessary or appropriate.~~

~~(e) Maintenance of Health Care Appliances. It is the joint responsibility of the department, or, if provided in contract, its CHCC, and the inmate to maintain all health care appliances in good repair and operation. When an appliance is in need of repair or replacement, the inmate shall notify staff of his or her needs by a medical call out or a request to see a doctor.~~

~~1. Department staff, or, if provided in contract, its CHCC's staff, shall schedule the inmate for an appointment and evaluate the condition of the appliance.~~

~~2. Once the need for repair or replacement is verified, the inmate shall be issued an appropriate appliance or accommodation.~~

(8) Educational and work programs. Inmates with disabilities shall have the opportunity to participate in educational and work programs.

(a) Inmates shall be evaluated to participate in an educational or work program on a case-by-case basis.

(b) Eligibility to participate in any program is dependent on the inmate's ability to perform the essential functions of the program with, or without, reasonable modification to rules, policies, or practices ~~accommodation~~ and on meeting the department's requirement for the program.

(9) Visiting. Inmates with disabilities will be provided reasonable modifications ~~accommodations~~ for purposes of visitation.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 8-19-01, Amended 2-8-06, 11-22-06, 1-23-13, 9-30-13, 11-20-16,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Darren Fancher, Facilities Management Director  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Julie L. Jones, Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 5, 2018  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 19, 2018

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

NONE

### Section IV Emergency Rules

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

##### Division of Pari-Mutuel Wagering

RULE NO.: RULE TITLE:  
61DER17-2 Emergency Procedures for Collecting Samples from Racing Greyhounds

SUMMARY: Notice of Renewal of Emergency Rule 61DER17-2, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Bryan Barber, bryan.barber@myfloridalicense.com, (850)717-1761, 2601 Blair Stone Road, Tallahassee, FL 32399

THE FULL TEXT OF THE EMERGENCY RULE IS:

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Department") hereby provides notice of renewal of Emergency Rule 61DER17-2, Procedures for Collecting Samples from Racing Greyhounds, as adopted on December 27, 2017, and noticed in the Florida Administrative Register on December 29, 2017, Vol. 43/250. On January 29, 2018, the Department published the Notice of Proposed Rule 61D-6.0052 pursuant to Section 120.54(3)(a)1., Florida Statutes. Proposed Rule 61D-6.0052, if adopted, would establish rules addressing the subject of Emergency Rule, 61DER17-2, regarding procedures for collecting samples from racing greyhounds to make a determination of potential

violations of Section 550.2415, Florida Statutes. On February 16, 2018, a petition was filed with the Division of Administrative Hearings (“DOAH”) challenging Proposed Rule 61D-6.0052. As of the date of this notice, the challenge of Proposed Rule 61D-6.0052 in DOAH Case No. 18-0915RP remains pending. Therefore, pursuant to Section 120.54(4)(c)1., Florida Statutes, the Emergency Rule 61DER17-2, Florida Administrative Code, is renewed.

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

**WATER MANAGEMENT DISTRICTS**

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

The Southwest Florida Water Management District hereby gives notice: On September 13, 2018, it has issued an order granting a variance.

Petitioner's Name: Worthington Community Association, Inc. – File Tracking No. 18-4283

Date Petition Filed: June 18, 2018, Rule No.: 40D-22.201, F.A.C.

Nature of the rule for which variance or waiver was sought: Lawn and landscape irrigation

Date Petition Published in the Florida Administrative Register: July 02, 2018

General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statute implemented by the rule.

A copy of the Order or additional information may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, 1(813)985-7481, ext. 2298, water.variances@watermatters.org. (J2018020-2)

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On September 13, 2018 the Division issued an order. The Final Order was in response to a Petition for an emergency permanent Variance from GV- IP Jacksonville Owner LLC dba 841 Prudential, filed August 7, 2018, and advertised on August 15, 2018 in Vol. 44, No.159, of the Florida Administrative Register. No comments were received

in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rules 2.19.2 and 2.19.3, A.S.M.E. A17.1b, 2009 edition, as adopted by Rule 61C-5.001 Florida Administrative Code that requires providing unintended car movement protection and emergency brake because the Petitioner has not demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2018-173).

A copy of the Order or additional information may be obtained by contacting: Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, dhr.elevators@myfloridalicense.com.

**DEPARTMENT OF HEALTH**

Optical Establishments

RULE NOS.:RULE TITLES:

64B29-1.001 Optical Establishment Registration

64B29-1.002 Optical Establishment Inspection

NOTICE IS HEREBY GIVEN that on September 10, 2018, the Department of Health, received a petition for from Harrison Matthew Pennel seeking a permanent variance from the requirement to register and inspect an optical establishment that would allow for a mobile optical establishment.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jennifer Wenhold, Executive Director, 4052 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399, (850)245-4460 or Jennifer.Wenhold@FHHealth.gov.

Any interested person or other agency may submit written comments within 14 days after the publication of this notice to: Jennifer Wenhold, Executive Director, 4042 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399.

**FLORIDA HOUSING FINANCE CORPORATION**

RULE NO.: RULE TITLE:

67-48.004 Selection Procedures for Developments

The Florida Housing Finance Corporation hereby gives notice: On September 14, 2018, the Florida Housing Finance Corporation issued an order granting waiver of paragraph 67-48.004(3)(j), F.A.C., for Lofts at Lavilla 2, Ltd. to reduce its Total Set-Aside Percentage from 81.6% to 60.1% and add 35 additional units at market rate. As a condition of this waiver, Petitioner must provide four additional ELI units, which results in a new set-aside commitment of 14 units (10.5%) at 33% AMI or less and 66 units (49.6%) at 60% AMI or less. Florida Housing determined that the Petitioner had demonstrated that it would suffer a substantial hardship if the waiver was not granted. The petition was filed on August 10, 2018, and notice of the receipt of petition was published on August 14, 2018 in Vol. 44, Number 158, F.A.R.

A copy of the Order or additional information may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, Florida 32301-1329. The Order has also been posted on Florida Housing's website at [floridahousing.org](http://floridahousing.org).

**FLORIDA HOUSING FINANCE CORPORATION**

**RULE NO.: RULE TITLE:**

67-48.002 Definitions

The Florida Housing Finance Corporation hereby gives notice: On September 14, 2018, the Florida Housing Finance Corporation issued an order granting waiver of subsection 67-48.002(95), F.A.C. and Section II.K. of the 2016 QAP, for Shull Manor REH, Ltd., permitting the exchange of its 2017 credits for allocation of 2018 credits now, rather than to wait until the last quarter of 2019, effectively extending the Placed-In-Service date to September 20, 2020. Florida Housing determined that the Petitioner had demonstrated that it would suffer a substantial hardship if the waiver was not granted. The petition was filed on August 17, 2018 and notice of the receipt of petition was published on August 20, 2018 in Vol. 44, Number 162, F.A.R.

A copy of the Order or additional information may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, Florida 32301-1329. The Order has also been posted on Florida Housing's website at [floridahousing.org](http://floridahousing.org).

**FLORIDA HOUSING FINANCE CORPORATION**

**RULE NO.: RULE TITLE:**

67-48.0072 Credit Underwriting and Loan Procedures

The Florida Housing Finance Corporation hereby gives notice: On September 14, 2018, the Florida Housing Finance Corporation issued an order granting waiver of paragraph 67-48.0072(21)(b), F.A.C. for Edward Waters College Senior Citizens Home, Inc., granting an extension of the Firm Loan Commitment Deadline until December 27, 2018. Petitioner's attempts to refinance or seek other financing for the Development were not considered for this waiver, and will not form the basis for any future extension of time to close on the EHCL loan. Florida Housing determined that the Petitioner had demonstrated that it would suffer a substantial hardship if the waiver was not granted. The petition was filed on August 17, 2018, and notice of the receipt of petition was published on August 20, 2018 in Vol. 44, Number 162, F.A.R.

A copy of the Order or additional information may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida

Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, Florida 32301-1329. The Order has also been posted on Florida Housing's website at [floridahousing.org](http://floridahousing.org).

**FLORIDA HOUSING FINANCE CORPORATION**

**RULE NO.: RULE TITLE:**

67-48.002 Definitions

The Florida Housing Finance Corporation hereby gives notice: On September 14, 2018, the Florida Housing Finance Corporation issued an order granting waiver of subsection 67-48.002(95), F.A.C. and Section II.K. of the 2016 QAP, for Pinnacle at Peacefield, Ltd., permitting the exchange of its 2017 credits for allocation of 2018 credits now, rather than to wait until the last quarter of 2019, effectively extending the Placed-In-Service date to September 30, 2020. Florida Housing determined that the Petitioner had demonstrated that it would suffer a substantial hardship if the waiver was not granted. The petition was filed on August 20, 2018 and notice of the receipt of petition was published on August 22, 2018 in Vol. 44, Number 164, F.A.R.

A copy of the Order or additional information may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, Florida 32301-1329. The Order has also been posted on Florida Housing's website at [floridahousing.org](http://floridahousing.org).

**Section VI**

**Notice of Meetings, Workshops and Public Hearings**

**DEPARTMENT OF EDUCATION**

Florida's Office of Early Learning

The Early Learning Advisory Council announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, October 26, 2018, 9:00 a.m. – 3:00 p.m. (or until business concludes)

**PLACE:** ELC of Miami-Dade/Monroe - 2555 Ponce de Leon Blvd., Suite 500, Coral Gables, FL 33134

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** 4th quarter meeting.

A copy of the agenda may be obtained by contacting: [Jessica.Fowler@oel.myflorida.com](mailto:Jessica.Fowler@oel.myflorida.com).

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

agency at least 5 days before the workshop/meeting by contacting: Jessica.Fowler@oel.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jessica.Fowler@oel.myflorida.com.

**REGIONAL PLANNING COUNCILS**

**West Florida Regional Planning Council**

The West Florida Regional Planning Council Board announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 25, 2018, 11:30 a.m.

PLACE: 660 Baldwin Avenue, DeFuniak Springs, FL 32435

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the West Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: Tammy Neal at tammy.neal@wfrpc.org or (850)332-7976, ext. 247.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Public Involvement at public.involvement@wfrpc.org, or (850)332-7976. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Tammy Neal at tammy.neal@wfrpc.org or (850)332-7976, ext. 247.

**WATER MANAGEMENT DISTRICTS**

**Northwest Florida Water Management District**

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

DATE AND TIME: September 27, 2018, 5:05 p.m. CT, Final Public Hearing on Fiscal Year 2018-2019 Millage Rate and Budget

PLACE: Gulf Coast State College, SUE, Room 010, 5230 West Highway 98, Panama City, Florida 32401

GENERAL SUBJECT MATTER TO BE CONSIDERED: Adoption of the millage rate and budget for fiscal year 2018-2019.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

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

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

participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Savannah White, (850)539-5999. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

The St. Johns River Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 25, 2018, 5:05 p.m.

PLACE: District Headquarters, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official presentation of the Fiscal Year 2018-2019 final millage rate and final budget and opportunity to receive public comment prior to consideration and adoption by the Governing Board.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention Andrea Dzioba, 4049 Reid Street, Palatka, FL 32177, or by phone at (386)643-1915, or by visiting the District's website at [sjrwmd.com](http://sjrwmd.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: Civil Rights Coordinator at (386)329-4500. 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).

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

RULE NO.: RULE TITLE:

40C-8.031 Minimum Surface Water Levels and Flows and Groundwater Levels

The St. Johns River Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: September 26, 2018, 9:00 a.m.

PLACE: Wekiwa Springs State Park, 1800 Wekiwa Circle, Apopka, FL 32712

<https://www.google.com/maps/place/Wekiwa+Springs+State+Park/@28.7362486,-81.4795184,17z/data=!3m1!4b1!4m5!3m4!1s0x88e77448c59>

3fc77:0x7cc83f02d283c1f5!8m2!3d28.7362486!4d-81.4773297

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The St. Johns River Water Management District will hold a public kick-off meeting and field site tour to initiate the peer review process for the Wekiva Basin surface water models, review key field sites with peer reviewers, and take stakeholder comments. Four priority water bodies within the Wekiva River Basin are scheduled for adoption in 2019, including the Wekiva River at State Road 46, the Little Wekiva River, Rock Springs, and Wekiwa Springs. An HSPF hydrologic model and a HEC-RAS hydraulic model were developed to support the reevaluation and determination of MFLs water bodies within the Wekiva Basin.

One or more members of the District’s Governing Board may attend this meeting.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Andrew Sutherland, 4049 Reid Street, Palatka, Florida 32177, (386)329-4201 or asuther@sjrwmd.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: District Clerk, (386)329-4127. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Andrew Sutherland, 4049 Reid Street, Palatka, Florida 32177, (386)329-4201 or asuther@sjrwmd.com.

**WATER MANAGEMENT DISTRICTS**

St. Johns River Water Management District

The St. Johns River Water Management District announces a public meeting to which all persons are invited.

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

**PLACE:** South Florida Water Management District, St. Cloud Field Station, Large Conference Room, 3800 Old Canoe Creek Road, St. Cloud, FL 34769

The meeting will be available by WebEx from <https://webmeeting.sfwmd.gov/orion/joinmeeting.do?MTID=a068231bf2e121f4f579a7d9e11a97b9>, or by calling (855)682-6800, Access Code: 998 025 869. There is no password for the WebEx. However, due to the remote location of this meeting, these options are not guaranteed. Therefore, attendance in person is encouraged

October 3, 2018, 3:00 p.m.

St. Johns River Water Management District headquarters, 4049 Reid St./Highway 100 W., Palatka, FL 32177: <https://www.google.com/maps/search/4049+Reid+St.%2FHig>

hway+100+W.+Palatka,+FL+32177/@29.6485641,-81.6867644,13z/data=!3m1!4b1

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The St. Johns River Water Management District will hold two public workshops, including a joint workshop with Southwest and South Florida water management districts, on the draft 2018 minimum flows and levels priority list and schedule. These workshops are an opportunity for district staff to publicly present the draft priority list and adoption schedule and take stakeholder comment. The district updates its MFLs priority list annually.

One or more members of the District’s Governing Board may attend this meeting.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Andrew Sutherland, 4049 Reid Street, Palatka, Florida 32177, (386)329-4201 or asuther@sjrwmd.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: District Clerk, (386)329-4127. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: St. Johns River Water Management District, Attention: Andrew Sutherland, 4049 Reid Street, Palatka, Florida 32177, (386)329-4201 or asuther@sjrwmd.com.

**WATER MANAGEMENT DISTRICTS**

Southwest Florida Water Management District

**RULE NOS.:RULE TITLES:**

40D-8.041 Minimum Flows

40D-8.624 Guidance and Minimum Levels for Lakes

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

**DATE AND TIME:** October 4, 2018, 2:00 p.m. – 4:00 p.m.

**PLACE:** This will be a WebEx meeting, which can be joined at the following link:

<https://webmeeting.sfwmd.gov/orion/joinmeeting.do?MTID=f02f617e02be4d43e06000b8b728e01f>

Access Information: Meeting Number: 994 687 656, Meeting Password: This meeting does not require a password.

Audio Connection: (561)682-6800 (WPB Local Number), 1(855)682-6800 (Toll Free Nationwide)

Access Code for Audio Connection: 994 687 656

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The South Florida, St. Johns River, and Southwest Florida water management districts are conducting independent scientific peer review of their work to expand the East Central Florida

Transient Groundwater Model in support of the 2020 Regional Water Supply Plan for the Central Florida Water Initiative (CFWI) area, including the southern portion of Lake and all of Orange, Osceola, Polk and Seminole counties. Pursuant to subsection 373.042(5), Florida statutes, the model may be adopted by the Florida department of environmental protection, may be used for the development of multiple MFLS, and therefore may apply to more than one water management district. Information to be reviewed, supporting documents, comments and documents produced by the peer review panel, as well as comments from stakeholders, will be accessible at <http://cfwiwater.com/> by clicking on Steering Committee, Technical Teams, and then Hydrologic Analysis under Working Groups. This teleconference/workshop is the latest event for the ECFTX model whereby peer reviewers are working together with the goal of collectively developing a single peer-review report. The minutes from the meeting will be available for review, at the website above, within one week following the date of the teleconference.

NOTE: One or more members of the District's Governing Board may attend this meeting.

A copy of the agenda may be obtained by contacting: Ron Basso, P.G., SWFWMD, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, ext.4291 or [Ron.Basso@wattermatters.org](mailto:Ron.Basso@wattermatters.org) or by clicking on "Meetings and Events" on the CFWI website at <http://cfwiwater.com/>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director, (352)796-7211, ext. 4703; 1(800)423-1476 (FL only), ext. 4703 or email to [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).

For more information, you may contact: Ron Basso, P.G., SWFWMD, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, ext.4291, [Ron.Basso@wattermatters.org](mailto:Ron.Basso@wattermatters.org). (J2016045-14)

#### WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: Tuesday, September 25, 2018, 5:15 p.m.

Public Hearing on Fiscal Year 2018/2019 Final Ad Valorem Millage Rates and Final Budget

PLACE: SFWMD, Auditorium, B-1 Building, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: The South Florida Water Management District announces a public hearing regarding its annual final ad valorem millage rates and final budget. All persons are invited.

The Governing Board will receive and consider public comment and vote separately on the Fiscal Year 2018/2019 final ad valorem millage rates and final budget. The Governing Board may discuss and consider District business, including regulatory and non-regulatory matters.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action on any item appearing on the agenda for the meeting and on any item that is added to the agenda for the meeting as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

A copy of the agenda may be obtained by contacting: Rosie Byrd, (561)682-6805 or <https://www.sfwmd.gov/news-events/meetings>, seven days prior to the meeting.

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: District Clerk, (561)682-6805. 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: Rosie Byrd, (561)682-6805 or [rbyrd@sfwmd.gov](mailto:rbyrd@sfwmd.gov).

#### DEPARTMENT OF HEALTH

Board of Nursing

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

DATE AND TIME: September 28, 2018, 10:00 a.m.

PLACE: Toll Free Number: 1(888)670-3525, 2681213003#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider cases where Probable Cause has previously been found.

A copy of the agenda may be obtained by contacting: <https://floridasnursing.gov/meeting-information/>.

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: <https://floridasnursing.gov/meeting-information/>. If

you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

The Florida Department of Health, Board of Pharmacy Probable Cause Panel announces a public meeting to which all persons are invited.

**DATE AND TIME:** November 15, 2018, 9:00 a.m.

**PLACE:** Telephone Conference: 1(888)670-3525, Participant code: 5134896685

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Board of Pharmacy at (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: The Board of Pharmacy at (850)245-4292.

**DEPARTMENT OF HEALTH**

**Division of Children’s Medical Services**

The Circuit 8 Child Abuse Death Review Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** September 25, 2018, 10:00 a.m., ET

**PLACE:** CMS building, 3rd Floor, 1699 SW 16th Avenue, Gainesville, FL 32608

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Committee will address administrative issues, review cases, and discuss the CADR Action Plan. A portion of the meeting is required by paragraph 383.412(3)(a), F.S. to be closed to the public to allow the Committee to discuss information that is confidential and exempt from public meetings and public

records. This portion of the meeting will be announced at the meeting.

A copy of the agenda may be obtained by contacting: Stephanie Cox, Email: coxsg@ufl.edu.

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 Cox, Email: coxsg@ufl.edu. 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 FINANCIAL SERVICES**

**Division of Funeral, Cemetery, and Consumer Services**

The Board of Funeral, Cemetery and Consumer Services, Probable Cause Panel B announces a public meeting to which all persons are invited.

**DATE AND TIME:** October 9, 2018, 10:00 a.m.

**PLACE:** Conference call: (850)413-1558; when prompted, insert participant code: 5663672, followed by the # sign

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Probable Cause Panel Meeting. A meeting or portion of a probable cause panel meeting is public only if a case is public by reason of reconsideration. The two disciplinary matters under reconsideration are Rahming-Poitier Funeral Directors Corp., Case No.: 217628-17-FC and Michael L. Williams, Case No.: 218173-17-FC.

A copy of the agenda may be obtained by contacting: LaTonya Bryant at (850)413-3039 or email: LaTonya.Bryant@myfloridacfo.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: LaTonya Bryant at (850)413-3039 or email: LaTonya.Bryant@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

**Division of Workforce Services**

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

**DATE AND TIME:** September 26, 2018, 9:30 a.m.

PLACE: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Deliberation for cases pending before the Reemployment Assistance Appeals Commission that are ready for final review and the Chairman's report. No public testimony will be taken. A copy of the agenda may be obtained by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

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 24 hours before the workshop/meeting by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

**FLORIDA ASSOCIATION OF COURT CLERKS**

The Florida Local Government Investment Trust announces a public meeting to which all persons are invited.

**DATE AND TIME:** October 8, 2018, 1:00 p.m., ET

**PLACE:** WEBEX

<https://flclerks.webex.com/flclerks/j.php?MTID=m1af92d7822687909769bb8dc98f7da0a>

Meeting number (access code): 730 058 543

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Education Funding on the Florida Trust.

A copy of the agenda may be obtained by contacting: Bryant Gries at [bgries@flclerks.com](mailto:bgries@flclerks.com) or (850)284-7471.

For more information, you may contact: Bryant Gries at [bgries@flclerks.com](mailto:bgries@flclerks.com) or (850)284-7471.

**DEPARTMENT OF TRANSPORTATION**

The Florida Department of Transportation (FDOT) announces a public hearing concerning the State Road (S.R.) 79 Project Development & Environment (PD&E) Study from S.R. 8 (I-10) to the Alabama State line to which all persons are invited.

**DATE AND TIMES:** Thursday, September 27, 2018, 5:30 p.m. – 6:00 p.m. CT; Open House: 6:00 p.m. CT – Presentation

**PLACE:** Northside Assembly of God, 1009 Rangeline Street, Bonifay, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The hearing will begin at 5:30 p.m. in an open-house format, with a

formal presentation at 6 p.m., followed by a public comment period.

This public hearing is being held to provide interested persons an opportunity to review the analysis and findings of the PD&E Study and to provide input on the Recommended Alternative. The project also includes evaluation of environmental impacts including an anticipated de minimis finding under Section 4(f) of the U.S. Department of Transportation Act.

Maps, drawings and other project information will be on display. FDOT representatives will be available to discuss the proposed improvements, answer questions, and receive comments.

Project information will be available for review on September 6, 2018 at the Holmes County Public Library (303 J Etheridge, Bonifay, FL 32425). Persons wishing to submit written comments may do so at the hearing or mail / email them to Kimberly Stephens ([kistephens@hntb.com](mailto:kistephens@hntb.com) or 1282 Office Park Drive, Chipley, Florida 32428) no later than October 11, 2018. A copy of the agenda may be obtained by contacting: Kimberly Stephens, P.E., FDOT Project Manager, at (850)415-9015.

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 seven days before the workshop/meeting by contacting the Kimberly Stephens, P.E., FDOT Project Manager, at (850)415-9015. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

**Section VII**

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

Florida Building Commission

**RULE NO.:** **RULE TITLE:**

61G20-1.001 Florida Building Code Adopted

**NOTICE IS HEREBY GIVEN** that the Florida Building Commission has received the petition for declaratory statement

from the Marion County Department of Building Safety. The petition seeks the agency’s opinion as to the applicability of Section 102.4.1, Florida Building, Building, 6th Edition (2017) as it applies to the petitioner.

Petitioner seeks clarification about whether receptacle outlet spacing in sun rooms must comply with the requirements set out in the Florida Building Code, Residential, 6th Edition (2017), or rather with the referenced AAMA/NPEA/NSA 2100 standard.

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

Please refer all comments to: Mo Madani, Building Codes and Standards Office, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, mo.madani@myfloridalicense.com or W. Justin Vogel, Office of the General Counsel, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)717-1795, wjustin.vogel@myfloridalicense.com.

RESPONSES, MOTIONS TO INTERVENE, OR REQUESTS FOR A HEARING MUST BE FILED WITHIN 21 DAYS OF THIS NOTICE.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has received the petition for declaratory statement from Grapefruit Trading. The petition seeks the agency’s opinion as to the applicability of Chapter 560, Florida Statutes, as it applies to the petitioner.

The original petition sought a declaratory statement from the Office on whether the proposed business model (to trade virtual currencies (bitcoin, ether, etc) with individuals and corporations) falls under the Florida Money Transmitter Statute, Chapter 560, Florida Statutes. The original petition was filed in the Florida Register on 8/22/2018, issue 44/164. On September 14, 2018, the Petition was WITHDRAWN.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9784, Agency.Clerk@flofr.com.

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

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has received the petition for declaratory statement from TouchPay Holdings, LLC dba GTL Financial Services. The petition seeks the agency’s opinion as to the applicability of Chapter 560, Florida Statutes, as it applies to the petitioner.

On 9/11/2018, the Florida Office of Financial Regulation (Consumer Finance) received a Petition for Declaratory Statement from TouchPay Holdings, LLC. The petition seeks a declaratory statement from the Office “that, for purposes of subsection 560. 210(1), Florida Statutes, (i) any cash that is in transit from a Florida correctional facility to Petitioner and any cash that is held in any Petitioner-owned kiosk at a Florida correctional facility is cash and are therefore permissible investments, (ii) credit card receivables payable to Petitioner (i.e., money owed to Petitioner for transferring funds to an inmate) are permissible investments, and (iii) surety bonds held by Petitioner are permissible investments.”

A copy 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**

STATE BOARD OF ADMINISTRATION  
 INVITATION TO NEGOTIATE

The State Board of Administration (SBA) announces an Invitation to Negotiate (ITN) to solicit responses from any firm interested in being considered for employee benefit communications services for the Florida Retirement System. The communication program services include the design and printing of educational materials, as well as the conducting of focus groups and the coordination of printing and delivery of educational materials to various program vendors. Interested firms must be able to provide all services. The ITN will be available on October 1, 2018 and can found on the SBA’s website at [www.sbafla.com](http://www.sbafla.com) under “Doing Business with the SBA.” Responses will be due no later than 5:00 p.m., ET, on Monday, October 29, 2018. The SBA reserves the right to reject any and all responses and to cancel the above ITN at any time. The SBA announces the following meeting dates, times, and locations with respect to this ITN, and all meetings are open to the public.

DATE AND TIME: Friday, November 9, 2018, 9:00 a.m. – until the conclusion of business

LOCATION: Emerald Coast Room (6th Floor), 1801 Hermitage Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the responses received concerning the above ITN, and to designate short-listed respondents for interviews, if necessary, and further consideration.

DATES AND TIMES: Wednesday, November 28 – Friday, November 30, 2018, 9:00 a.m. – 12:00 Noon

LOCATION: Emerald Coast Room (6th Floor), 1801 Hermitage Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct interviews with the short-listed respondents, if necessary.

DATE AND TIME: Monday, December 10, 2018, 9:00 a.m. – until conclusion of business

LOCATION: Gold Coast Room (6th Floor), 1801 Hermitage Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss responses received and all other information gathered concerning the above ITN to determine a final ranking of short-listed respondents and to recommend to the Executive Director & CIO that the SBA enter into an agreement, effective July 1, 2019, with the selected respondent to provide communication program services as covered in the above ITN.

Any changes to the above meeting dates and/or times (including the cancellation of any meeting) will be posted on the SBA’s website at <http://www.sbafla.com> at least 7 days prior to the scheduled meeting.

Anyone requiring special accommodations to participate in any meeting or anyone wishing further information should contact Ruthie Bianco at (850)413-1494 or by mail at 1801 Hermitage Blvd., Suite 100, Tallahassee, Florida 32308.

NORTHWEST FLORIDA AREA AGENCY ON AGING

Northwest Florida Area Agency on Aging, Inc.

FINAL NOTICE OF AWARD

The Northwest Florida Area Agency on Aging, Inc. is awarding the CCE Lead Agency Designation to Elder Services of Okaloosa County effective 10/1/2018.

For further information, contact: Amber McCool, 985)494-7101.

**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., Tuesday, September 11, 2018 and 3:00 p.m., Monday, September 15, 2018.

Rule No.	File Date	Effective Date
53ER18-46	9/13/2018	9/13/2018
53ER18-47	9/13/2018	9/13/2018
53ER18-48	9/13/2018	9/13/2018
53ER18-49	9/13/2018	9/13/2018
53ER18-50	9/13/2018	9/13/2018
53ER18-51	9/13/2018	9/13/2018
53ER18-52	9/13/2018	9/13/2018
61-35.013	9/12/2018	10/2/2018
62B-33.0085	9/14/2018	10/4/2018

62B-33.014	9/14/2018	10/4/2018
62B-33.0155	9/14/2018	10/4/2018
62B-33.024	9/14/2018	10/4/2018
62B-34.030	9/14/2018	10/4/2018
62B-34.040	9/14/2018	10/4/2018
62B-34.070	9/14/2018	10/4/2018
62B-34.085	9/14/2018	10/4/2018
63G-2.023	9/12/2018	10/2/2018
64B5-2.014	9/14/2018	10/4/2018
64B5-2.0142	9/14/2018	10/4/2018
64B5-2.0146	9/14/2018	10/4/2018
64B5-7.003	9/14/2018	10/4/2018
64B5-7.0035	9/14/2018	10/4/2018
64B5-7.005	9/14/2018	10/4/2018
64B5-7.007	9/14/2018	10/4/2018
64B13-4.001	9/12/2018	10/2/2018
64B13-4.002	9/12/2018	10/2/2018
64B13-4.004	9/12/2018	10/2/2018
64B13-5.001	9/12/2018	10/2/2018
64B13-5.002	9/12/2018	10/2/2018
64B13-15.005	9/12/2018	10/2/2018
64B13-15.006	9/12/2018	10/2/2018
64B13-15.008	9/12/2018	10/2/2018
64E-3.002	9/14/2018	10/4/2018
64E-3.0034	9/14/2018	10/4/2018
69K-30.001	9/11/2018	1/1/2019
<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	**/**/****

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**WATER MANAGEMENT DISTRICTS**  
 South Florida Water Management District  
 Notice of Publication of South Florida Water Management District's 2018/2019 Regulatory Plan  
 NOTICE IS HEREBY GIVEN that on September 17, 2018, the South Florida Water Management District published its 2018/2019 Regulatory Plan on the South Florida Water Management District's homepage in accordance with subparagraph 120.74(2)(a)1., F.S. The plan is available at [https://www.sfwmd.gov/sites/default/files/documents/2018\\_approved\\_annual\\_reg\\_plan.pdf](https://www.sfwmd.gov/sites/default/files/documents/2018_approved_annual_reg_plan.pdf).

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**DEPARTMENT OF HEALTH**  
 Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling  
 Notice of Emergency Action  
 On September 17, 2018, State Surgeon General issued an Order Lifting Emergency Suspension of License with regard to the license of Erica Yvette Johnson, R.M.H.C.I., License No.: IMH 14025. The Department orders that the Emergency Suspension of License be lifted.

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**DEPARTMENT OF HEALTH**  
 Board of Medicine  
 Notice of Emergency Action  
 On September 17, 2018, the State Surgeon General issued an Order of Emergency Suspension with regard to the license of Andres Julio Mencia, M.D., License # ME 72567. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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**DEPARTMENT OF HEALTH**  
 Board of Nursing  
 Notice of Emergency Action  
 On September 17, 2018, the State Surgeon General issued an Order of Emergency Suspension with regard to the license of Rachel Aristizabal, R.N., License # RN 9289712. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On September 17, 2018, the State Surgeon General issued an Order of Emergency Suspension with regard to the certificate of Anise Marc, C.N.A., Certificate # CNA 77100. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On September 17, 2018, the State Surgeon General issued an Order of Emergency Suspension with regard to the certification of Roberto Rojas, C.N.A., Certificate # CNA 289539. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On September 17, 2018, the State Surgeon General issued an Order of Emergency Restriction with regard to the license Nicole M. Crone, R.N., License # RN 9223574. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On September 17, 2018, the State Surgeon General issued an Order of Emergency Restriction with regard to the license of Michelle Sue Morgan, L.P.N., License # PN 5231885. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger

to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Pharmacy

Notice of Emergency Action

On September 17, 2018, the State Surgeon General issued an Order of Emergency Suspension with regard to the license of Gisela Delasnieves Alvarez, R.P.T., License No. # RPT 10220. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Pharmacy

Notice of Emergency Action

On September 17, 2018, the State Surgeon General issued an Order of Emergency Suspension with regard to the license of Sylvester McKenzie, R.P.T., License No. # RPT 62929. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**Section XIII  
Index to Rules Filed During Preceding  
Week**

INDEX TO RULES FILED BETWEEN  
SEPTEMBER 10, 2018 AND SEPTEMBER 14, 2018

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF THE LOTTERY**

53ER18-46	9/13/2018	9/13/2018	44/180	
53ER18-47	9/13/2018	9/13/2018	44/180	
53ER18-48	9/13/2018	9/13/2018	44/180	
53ER18-49	9/13/2018	9/13/2018	44/180	
53ER18-50	9/13/2018	9/13/2018	44/180	
53ER18-51	9/13/2018	9/13/2018	44/180	

53ER18-52 9/13/2018 9/13/2018 44/180

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Retirement**

60S-4.012 9/10/2018 9/30/2018 44/151  
 60S-4.020 9/10/2018 9/30/2018 44/151  
 60S-11.001 9/10/2018 9/30/2018 44/151  
 60S-11.002 9/10/2018 9/30/2018 44/151  
 60S-11.004 9/10/2018 9/30/2018 44/151

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

61-35.013 9/12/2018 10/2/2018 44/117

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Division of Beaches and Shores**

62B-33.0085 9/14/2018 10/4/2018 44/122  
 62B-33.014 9/14/2018 10/4/2018 44/122  
 62B-33.0155 9/14/2018 10/4/2018 44/122  
 62B-33.024 9/14/2018 10/4/2018 44/122  
 62B-34.030 9/14/2018 10/4/2018 44/122  
 62B-34.040 9/14/2018 10/4/2018 44/122  
 62B-34.070 9/14/2018 10/4/2018 44/122  
 62B-34.085 9/14/2018 10/4/2018 44/122

**DEPARTMENT OF JUVENILE JUSTICE**

**Detention Services**

63G-2.023 9/12/2018 10/2/2018 44/113 44/141  
 44/155

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

64B5-2.014 9/14/2018 10/4/2018 44/158  
 64B5-2.0142 9/14/2018 10/4/2018 44/158  
 64B5-2.0146 9/14/2018 10/4/2018 44/158  
 64B5-7.003 9/14/2018 10/4/2018 44/158  
 64B5-7.0035 9/14/2018 10/4/2018 44/158  
 64B5-7.005 9/14/2018 10/4/2018 44/158  
 64B5-7.007 9/14/2018 10/4/2018 44/158

**Board of Optometry**

64B13-4.001 9/12/2018 10/2/2018 44/140  
 64B13-4.002 9/12/2018 10/2/2018 44/140  
 64B13-4.004 9/12/2018 10/2/2018 44/140  
 64B13-5.001 9/12/2018 10/2/2018 44/149  
 64B13-5.002 9/12/2018 10/2/2018 44/149  
 64B13-15.005 9/12/2018 10/2/2018 44/151  
 64B13-15.006 9/12/2018 10/2/2018 44/151  
 64B13-15.008 9/12/2018 10/2/2018 44/151

**Division of Environmental Health**

64E-3.002 9/14/2018 10/4/2018 44/119  
 64E-3.0034 9/14/2018 10/4/2018 44/119

**DEPARTMENT OF CHILDREN AND FAMILIES**

65-6.011 9/10/2018 9/30/2018 44/148  
 65-6.014 9/10/2018 9/30/2018 44/148  
 65-6.025 9/10/2018 9/30/2018 44/148  
 65-6.026 9/10/2018 9/30/2018 44/148

**Economic Self-Sufficiency Program**

65A-1.7141 9/10/2018 9/30/2018 44/148

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Funeral, Cemetery, and Consumer Services**

69K-30.001 9/11/2018 1/1/2019 44/74 44/135  
 44/157

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

**DEPARTMENT OF MANAGEMENT SERVICES**

**E911 Board**

60FF1-5.009 7/21/2016 \*\*/\*\*/\*\*\*\* 42/105

**DEPARTMENT OF HEALTH**

**Board of Medicine**

64B8-10.003 12/9/2015 \*\*/\*\*/\*\*\*\* 39/95 41/49

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.