

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.:	RULE TITLE:
5E-14.142	Responsibilities and Duties - Records, Reports, Advertising, Applications
5E-14.149	Enforcement and Penalties

PURPOSE AND EFFECT: The proposed rules are being developed to clarify recordkeeping requirements for pest control business licensees, to clarify the type of pest control business changes that require a licensee to notify their contract holders, to adopt more specific language clarifying the issuance of a notice of noncompliance, specifically what constitutes a minor rule violation as defined in Section 120.695 F.S., and to delineate what an intermediate violation is. In addition, language is being proposed to establish that a violation of Section 482.121 F.S. is a major violation. Finally, two additional types of criminal convictions are added to the list for which denial of pest control licensure is authorized.

SUBJECT AREA TO BE ADDRESSED: Clarification is needed in subsection 5E-14.142(1) regarding recordkeeping. A specific timeframe is not currently stated for the length of time that records are required to be kept at the licensed business locations. A two-year period is proposed for retention of such records and also for records relating to the application of Restricted Use Pesticides. In addition, language is stricken from subsection 5E-14.142(7) to clarify that licensees must notify all contract holders and the department of any change to the licensee’s business location and of any changes relating to responsibility for existing pest control contracts. Changes in subsection 5E-14.149(6) pertaining to the addition of Notice of Noncompliance language are in accordance with the requirements outlined in Section 120.695 F.S., which states that the department is to issue a Notice of Noncompliance as a first response to a minor violation of a rule. In addition, the rule changes will establish penalties for violations of Section 482.091, F.S. It is also being proposed that a violation of Section 482.121 F.S., misuse of a certified operator certificate, now be considered a major violation. Further it is proposed that paragraph (5)(c) is modified to include two additional conditions upon which the department may deny licensure for criminal convictions directly related to the practice of pest control.

RULEMAKING AUTHORITY: 482.051, 570.07(23), FS.

LAW IMPLEMENTED: 112.011, 120.695, 482.021(21), 482.032, 482.051(1),(5), 482.061, 482.071, 482.091,

482.111(5), (9), 482.121, 482.161,(1)(g),(h), 482.163, 482.226(1), (6), 482.2265, 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: Sarah Oglesby, Chief, Bureau of Licensing and Enforcement, 3125 Conner Boulevard, Bldg. 8, Tallahassee, FL 32399; (850)617-7997; Sarah.Oglesby@FreshFromFlorida.com

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-13.001	Definitions
65G-13.004	Eligibility Requirements for In-Home Subsidies
65G-13.005	Approval Process for In-Home Subsidies
65G-13.006	Maximum In-Home Subsidy Amount
65G-13.007	Letter of Agreement
65G-13.008	Use of In-Home Subsidy Funds
65G-13.009	Reviews and Adjustments to Subsidy Amount
65G-13.010	Payment
65G-13.011	Notice of Denial or Change of In-Home Subsidy Amount

PURPOSE AND EFFECT: The purpose and effective of the rulemaking is to develop comprehensive rule language to implement the In-Home Subsidy Program pursuant to s. 393.0695, F.S.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed by the rulemaking is the implementation of the In-Home Subsidy Program pursuant to s. 393.0695, F.S.

RULEMAKING AUTHORITY: 393.0695(5), 393.501(1), FS.
LAW IMPLEMENTED: 393.0695, FS.

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

DATE AND TIME: November 8, 2018, 9:00 a.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: Kathleen Brown-Blake, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399-0950, (850)922-9399, Kathleen.Brown-Blake @apdcares.org If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kathleen Brown-Blake, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399-0950, (850)922-9399, Kathleen.Brown-Blake @apdcares.org

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

65G-13.001 Definitions

(1) Agency: The Agency for Persons with Disabilities.

(2) Central Record: A file, or a series of continuation files, based on Medicaid waiver Recipient's records, in paper or electronic format, kept by the Support Coordinator in which the following documentation must be recorded, stored, and made available for review. This will include recipient demographic data (including emergency contact information, parental or legal representative contact information, releases of information, and results of assessments, eligibility determination, evaluations, as well as medical and medication information), legal documents (such as power of attorney, healthcare surrogate, guardianship or guardian advocacy paper, and court orders), and service delivery information (including the original, or a copy, of the waiver eligibility determination, the current cost plan, cost plan or written authorization of services, and implementation plans, as required).

(3)(1) Client: Means An client individual served by the Agency for Persons with Disabilities who meets eligibility criteria as defined in Chapter 393 Section 393.063(9), F.S.

(4) Emergency Subsidy: A supplement to an In-Home subsidy that the Agency may approve for a period of up to 90 days, and occurs when the financial situation of the client suddenly changes and that client risks losing his or her housing due to the change.

(5) Family Member: Spouse, children, parents, grandparents, and siblings, including stepchildren, stepparents, stepsiblings and in-laws.

(6) Fiscal Agent: The person who serves as representative payee of a disability benefit payment, co-signer on bank accounts, maintains physical possession of banking records, or otherwise controls the client's finances.

(7)(2) iBudget Amount: Total amount of funds that have been approved by the agency, pursuant to the iBudget Rules,

for a client an individual to expend for waiver services during a fiscal year.

(8)(3) iBudget: The home and community-based services Medicaid waiver program under Section 409.906, F.S., that consists of the waiver service delivery system utilizing individual budgets required pursuant to Section 393.0662, F.S., and under which the Agency for Persons with Disabilities operates the Developmental Disabilities Individual Budgeting Waiver.

(9)(4) Individuals and Family Supports (IFS): Means assistance the Agency provides on a temporary basis to meet in meeting critical services needs of clients individuals served by the Agency funded by Social Services Block Grant dollars and General Revenue.

(10)(5) Individual rRepresentative: The client's individual's parent (for a minor), guardian, guardian advocate appointed pursuant to Section 393.12, F.S., agent appointed pursuant to a designated person holding a power of attorney who is authorized to make for decisions regarding the client's health care or public benefits, designated attorney, or a healthcare surrogate, or in the absence of any of the above, the client's a medical proxy as determined under Section 765.401, F.S.

(11)(6) In-Home Subsidy: Means A type of financial assistance the Agency provides to a client living in his or her own homes, based on the client's needs identified in his or her Individual Financial Profile, and may be a one-time subsidy or an ongoing subsidy depending on the financial needs of the client for individuals receiving Supported Living services when funds are available that the Agency reassesses quarterly to supplement the individual's income, based on his or her individual need.

(12) Letter of Agreement: A document signed by an Agency staff member, support coordinator, and the client or the client's representative, that describes the specific intent of the use of the In-Home Subsidy as well as the intended payee(s).

(13)(7) Natural Support: Unpaid supports that are or may be provided voluntarily to the client individual in lieu of Waiver or IFS services and supports. Any determination of the availability of natural supports includes, but is not limited to consideration of the client's individual's caregiver(s) age, physical and mental health, travel and work or school schedule, responsibility for other dependents, sleep, and ancillary tasks necessary to the health and well-being of the client.

(14) Own Home: A house, apartment, or comparable living space chosen by the client and that meets housing standards identified on the Housing Survey Form identified in Rule 59G-13.070, F.A.C., and that the client chooses, owns or

rents (the client's name is on the lease), controls, and occupies as a primary place of residence.

(15) Payment Mechanism: The method in which a One-time In-Home Subsidy, Recurring In-Home Subsidy, or a combination of both is distributed to a client.

(16) Quarterly Meeting: A meeting initiated by the support coordinator to assess a client's progress in achieving goals, to determine if services are satisfactory, and to review the Health and Safety Checklist and Housing Survey to identify any needed changes or follow up. The Health and Safety Checklist and Housing Survey forms are found in the Developmental Disabilities iBudget Coverage and Limitations Handbook, as adopted in Rule 59G-13.070, F.A.C.

(17)(8) Regional Office: Agency for Persons with Disabilities office serving a designated local geographical area.

(18)(9) Social Services Block Grant (SSBG): Federal funds that enable states to furnish social services to meet the needs of clients individuals residing within a state.

(19) Start-Up In-Home Subsidy: financial assistance the Agency provides to a client moving to his or her own home that is provided on a one time basis as a single supplement to the client's income to cover start-up costs based on his or her individual needs as determined by the client's Individual Financial Profile when funds are available.

(20) Support Coordinator: is as defined in Section 393.063, F.S., whether funding through General Revenue or the waiver.

(21) Support Plan: an individualized plan of supports and services designed to meet the needs of a client.

(22) Supported Living Coach: A provider who assists a client in locating appropriate housing; and who assists a client in the acquisition, retention, or improvement of skills related to activities of daily living, household chores, meal preparation, shopping, personal finances, and social and adaptive skills necessary to enable the client to reside in his or her own home.

(23) Unavailability of Funds: The servicing region has obligated all of its available budgeted funding for IFS expenditures. The Agency shall be the final authority as to the unavailability of funds.

(24)(10) Waiting List: Is The prioritized list of clients maintained by the Agency APD Central Office of Persons with Disabilities that have been determined eligible for Agency APD services and are waiting eligible to receive waiver services when funding becomes is available pursuant to s. 393.065(5), F.S.

Rulemaking Authority 393.0695(5), .393.501(1) FS. Law Implemented 393.0695, 393.066 FS. History-- Amended _____.

65G-13.004 Eligibility Requirements for In-Home Subsidies

(1) The In-Home Subsidy is limited to a client of the Agency who is eighteen years or older, and who resides in his or her own home.

(2) Renting a room in the home of a relative under a lease does not meet the eligibility criteria for an In-Home Subsidy.

(3) With the exception of start-up in-home subsidies, a copy of the current signed lease agreement between the client and landlord must be provided to the Agency. A month-to-month lease is not considered a valid lease for the purposes of this rule. The client must sign any renewal lease on or before the renewal date and provide it to the Agency annually. In the case of start-up in-home subsidies, a copy of the un-signed proposed lease must be submitted before approval of the start-up in-home subsidies.

(4) The Agency will not reimburse start-up expenses that the client incurred prior to receiving approval for Start-up funds.

(5) The Agency may approve the In-Home Subsidy when it is determined that all of the following criteria have been met:

(a) The client has demonstrated that remaining in his or her own home does not jeopardize his or her health and safety needs;

(b) The client has demonstrated that he or she has used all resources or options to reduce costs;

(c) The costs related to the In-Home Subsidy request are reasonable for the geographical area where the client lives;

(d) The client would not be able to remain in his or her own home without the In-Home Subsidy;

(e) The client's Individual Financial Profile substantiates a need for the In-Home Subsidy; and

(f) The Agency has available funding for the In-Home Subsidy.

(6) The Agency identifies and approves funds for the In-Home Subsidy to include the start-up costs for an client moving into his or her own home. A detailed list of covered items can be found in Rule 65G-13.008, F.A.C.

Rulemaking Authority 393.0695(5), 393.501(1) FS. Law Implemented 393.0695, 393.066 FS. History--New _____.

65G-13.005 Approval Process for In-Home Subsidies

(1) The Agency shall distribute funds for In-Home Subsidies in accordance with client need as determined by the client's Individual Financial Profile, subject to the availability of funds.

(2) The applicant shall complete an Individual Financial Profile and an In-Home Subsidy Request/Approval Form to request an In-Home Subsidy. The Individual Financial Profile, Form # _____, effective August 2018, adopted and

incorporated herein, may be found at _____. The In-Home Subsidy Request/Approval Form, Form # _____, effective August 2018, adopted and incorporated herein, may be found at _____.

(3) At the time a client completes an Individual Financial Profile or an updated Individual Financial Profile, the following individuals must provide assistance in completing the Individual Financial Profile:

(a) If a client has a Supported Living Coach, the Supported Living Coach shall assist the client in completing his or her Individual Financial Profile to substantiate the need for an In-Home Subsidy. The client or the client's Supported Living Coach must send the client's completed Individual Financial Profile to the Support Coordinator no more than 10 calendar days following the selection of housing by the client and prior to signing the lease.

(b) The Support Coordinator shall review the Individual Financial Profile to verify that it accurately reflects all sources of income and monthly expenses of the client. The Support Coordinator shall submit the client's Individual Financial Profile to the Regional Office within 5 calendar days of receipt.

(c) If a client does not have Supported Living Coaching services, the Support Coordinator shall assist the client in completing his or her Individual Financial Profile and submit the Individual Financial Profile to the Regional office no more than 10 calendar days following the selection of housing by the client and prior to signing the lease.

(4) If a client's Individual Financial Profile indicates a need for a start-up in-home subsidy or Recurring In-Home Subsidy, the Agency will review the Individual Financial Profile within 30 calendar days of receipt and determine the client's eligibility for an In-Home Subsidy before the client signs a lease. If the Agency determines that additional information is required to determine eligibility, the Agency must request additional information, in writing, within 30 calendar days and must allow the client at least 10 days to provide the information and the determination must be made within 60 days of the initial request.

(5) A client who requests to receive an in-Home Subsidy from the Agency should not commit to a living situation that is beyond his or her financial means prior to having the Agency review and approve his or her Individual Financial Profile for an In-Home Subsidy. The Agency is not responsible for the costs of the living arrangement that the client agrees to in a lease or mortgage.

(6) If funds are available, and the client qualifies and has been approved, the Agency shall identify and approve the funding source for the In-Home Subsidy.

(7) The client must exhaust any other revenue source available before seeking a subsidy from the agency. The

Support Coordinator and Supported Living Coach must assist the client in obtaining additional revenue sources. Analysis of other revenue sources for the client, may include, but is not limited to:

(a) Seeking employment;
 (b) Obtaining potential roommates to share costs with the client;

(c) Seeking any subsidized housing options for the client;
 (d) Applying for supplemental nutrition assistance program (SNAP); and

(e) Seeking any other resources available to the client.
 (8) The approvals of all In-Home Subsidies may be reduced or eliminated if funds are not available or if funds are used outside the scope of the In-Home Subsidy Letter of Agreement.

Rulemaking Authority 393.0695(5), 393.501(1) FS. Law Implemented 393.0695, 393.066 FS. History—New _____.

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 65G-13.006 Maximum In-Home Subsidy Amount

(1) The maximum amount for an In-Home Subsidy will be based on client need, as determined by the client's Individual Financial Profile.

(2) The Agency shall review any Emergency In-Home Subsidy amount every 90 days, and renew the Emergency In-Home Subsidy if substantiated by the client's Individual Financial Profile and in accordance with the eligibility requirements in Rule 65G-13.004, F.A.C.

Rulemaking Authority 393.0695(5), 393.501(1) FS. Law Implemented 393.0695, 393.066 FS. History—New _____.

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 65G-13.007 Letter of Agreement

(1) Prior to the initial payment and any subsequent changes in the subsidy amount, the Agency shall prepare a Letter of Agreement, Form # _____ effective August 2018, adopted and incorporated herein, which may be obtained at _____. This Letter of Agreement shall be for the signature of the appropriate parties, and will reflect the approved subsidy amount as well as specific use of such funds.

(2) The Letter of Agreement shall be used for a Start-Up Subsidy, an In-Home Subsidy, an Ongoing In-Home Subsidy, and an Emergency Subsidy.

(3) The client's Support Coordinator must determine whether a client has a client representative and inform the agency of the identity and contact information for the client representative. The Agency shall forward the Letter of Agreement to the Support Coordinator who shall sign the letter and obtain the signatures of the client or his or her client representative, if appropriate.

(4) The Letter of Agreement shall be placed in the client's central record and a copy shall be provided to the client, the

client's guardian, Supported Living Coach, and Support Coordinator.

Rulemaking Authority 393.0695(5), 393.501(1) FS. Law Implemented 393.0695, 393.066 FS. History—New _____.

65G-13.008 Use of In-Home Subsidy Funds

(1) In-Home Subsidies are funds of last resort and shall only be granted when all other available resources are exhausted.

(a) A client requesting an In-Home Subsidy for rental assistance must show proof that he or she has applied for rental assistance through the U.S. Department of Housing and Urban Development or other local governmental organization (e.g., the local public housing authority).

(b) A client is expected to participate in utility/telephone company budget plans, if available or through other low income cellular phone assistance programs. In-Home Subsidy funds may be used to pay the cost of cellular phone service if it does not cost more than a landline telephone service. A cost comparison of cellular phone services and landline telephone service shall be included in the client's Individual Financial Profile.

(c) A client who intends to use the In-Home Subsidy funds for food must show proof that he or she has also applied for SNAP benefits.

(2) The request for an In-Home Subsidy must identify a specific list of items intended for purchase with In-Home Subsidy funds.

(3) The use of the In-Home Subsidy is limited to essential items that must relate to the client's goal of remaining in his or her own home.

(4) The use of In-Home Subsidies shall be limited by the availability of funds.

(5) A client's Individual Financial Profile must substantiate his or her need for the specific item(s) requested.

(6) In-Home Subsidy funds may not be used for items of personal property normally found in the home.

(7) In determining whether a request is approved, the Agency shall consider the priority of need, as defined in the IFS Rule 65G-13.003, F.A.C., and whether the client has explored other resources.

(8) In determining the amount of the In-Home Subsidy, the Agency shall take into consideration the average cost of items in the geographical area where the client lives.

(9) The use of In-Home Subsidy funds shall be used to purchase the less costly alternative of the items listed in the Letter of Agreement.

(10) In-Home Subsidy funds shall not be used to purchase restricted items and such items shall not be included in the Letter of Agreement. Restricted items include:

(a) Satellite or cable television services or the purchase of a television;

(b) Maintenance of a swimming pool;

(c) Vacation travel or accommodations;

(d) Aesthetic home improvements;

(e) Contractor services;

(f) Medical or dental services;

(g) Medicines, medical supplies, or adaptive equipment or aids;

(h) Any portion of the principal or interest of a mortgage payment except in emergency situations in which the client is granted an Emergency Subsidy;

(i) Premiums for life, auto, or medical/health insurance;

(j) Loans, debts, or credit card payments;

k) Personal spending funds or savings accounts;

(l) Alcohol or nicotine products or supplies;

(m) Alimony payments or child support payments, or any payments that are for the direct benefit of a child or children who reside in the home with a client receiving the In-Home Subsidy;

(n) Purchase or replacement of major appliances such as refrigerators, stoves, dishwasher, or washer/dryer;

(o) Computers or tablet personal computers;

(p) Second telephone line;

(q) Court costs, lawyer fees, traffic tickets, or fines;

(r) Recreational items or expenses related to events and activities that an client attends;

(s) Reimbursement of money owed for cost of expenses related to events and activities that an client attends;

(t) Capital improvements to property;

(u) General repair and maintenance of property, such as repair of major appliances and heating, ventilation, and air conditioning systems;

(v) Fees related to legal guardianship and legal guardianship reports;

(w) Property taxes;

(x) Supporting or subsidizing any other person living in the client's household;

(y) Providing direct services and supports to a client who is the recipient of the In-Home Subsidy; and

(z) Covering or replacing supports or services which are allowable under the U.S. Department of Housing and Urban Development, the Medicaid State Plan, the Medicaid Home and Community-Based Services Waiver, or any other governmental agency.

Rulemaking Authority 393.0695(5), 393.501(1) FS. Law Implemented 393.0695, 393.066 FS. History—New _____.

65G-13.009 Reviews and Adjustments to Subsidy

Amount

(1) The Supported Living Coach, or the Support Coordinator, if there is no Supported Living Coach, shall reassess a client's need for the In-Home Subsidy on a quarterly basis, or more frequently if necessary to determine the client's ongoing need for the subsidy. The Support Coordinator must also document this activity in his or her case notes.

(2) The Support Coordinator shall verify that the In-Home Subsidy funds have been spent appropriately and according to the Letter of Agreement and must document this activity in his or her case notes.

(3) During the quarterly meeting, the Support Coordinator shall review receipts verifying the purchase of designated items as specified in the Letter of Agreement.

(4) If the In-Home Subsidy funds have not been spent according to the terms of the Letter of Agreement, the Support Coordinator and the Agency shall take appropriate action which may include:

(a) Providing additional supports to the client who is the recipient of the In-Home Subsidy funds such as training or assistance with money management;

(b) Assisting in locating someone to provide financial management for the client who is the recipient of the In-Home Subsidy;

(c) Terminating or decreasing the amount of the subsidy; or

(d) Disbursing direct payment to the vendor (e.g., utility company, landlord, etc.) in lieu of disbursing an In-Home Subsidy payment to the client who is the recipient of the funds.

(5) If a family member, guardian, fiscal agent or any other person who controls the finances of a client who is the recipient of an In-Home Subsidy uses the funds in a way that is not for the sole benefit of the client or is in violation of the Letter of Agreement, the Support Coordinator and the Agency shall take action. Such action shall include a request for repayment of the funds. If necessary, the Support Coordinator or Agency shall make appropriate referrals to the State Attorney, Department of Children and Families, law enforcement, or other appropriate authorities.

(6) Pursuant to the requirements of Rule 65G-13.005, F.A.C., a client must complete and submit a new Individual Financial Profile to the Regional Office when circumstances affect the client's need for an In-home Subsidy. Circumstances that affect a client's need for an In-Home Subsidy include, but are not limited to:

(a) A change in Social Security payments;

(b) The client receives any back payment for social security income or other benefits;

(c) Change in cost-sharing arrangements between roommates;

(d) Change in employment status;

(e) Change in availability of subsidized housing;

(f) Change in the income of a client or a family member;

(g) Change in housing or rent expenses;

(h) Eviction due to non payment of rent requiring the client to secure an alternative living arrangement;

(i) Pest infestation not covered in rental agreement;

(j) Loss of child support payments for any client who has children;

(k) Major home repairs and or damages not covered by landlord under a lease or agreement, renter insurance, or home owners insurance.

(8) In the case of the loss of a roommate who shared expenses with the client, the Agency may approve a temporary In-Home Subsidy until a new roommate is selected to share costs. Under such circumstances, if the Agency approves a temporary In-Home Subsidy, the Agency shall review the need for the subsidy every 30 calendar days.

(9) Each client's unique circumstances shall determine the need for an increase or decrease of an In-Home Subsidy.

(10) In order to assist a client in paying his or her bills, the Agency may approve an Emergency Subsidy for a period of up to 90 days.

(11) A client must complete a new Individual Financial Profile to substantiate the need for a request for an Emergency Subsidy.

(12) The client who is the recipient of an Emergency Subsidy must manage the use of such funds with the assistance of his or her designated fiscal agent, Support Coordinator, or Supported Living Coach.

(13) The client shall review his or her bank statements, checkbook, and other public benefits to ensure continued Medicaid eligibility. If a family member, guardian, fiscal agent or any other person assists the client in financial management, he or she shall assist the client in the review of the client's bank statements, checkbook, and other public benefits.

Rulemaking Authority 393.0695(5), 393.501(1) FS. Law Implemented 393.0695, 393.066 FS. History—New _____.

- 65G-13.010 Payment

(1) Payments for a client who is eligible for an In-Home Subsidy shall be in the form of either a one-time lump sum, a recurring supplement, or a combination of both.

(2) Payments shall be considered an individual service rather than a purchase of service.

(3) Details regarding the intent and payment plan of the In-Home Subsidy must be documented by the client's Support Coordinator in the support plan or its addendum and by the Agency in the Letter of Agreement.

(4) Upon receipt of an approved invoice, payments should be made to the entity for which the subsidy is being requested (i.e. landlord, utility/phone company) in lieu of payments directly to the person whenever possible.

(5) If the client has been adjudicated incompetent, payments shall be made to the guardian, appointed fiscal agent, or representative payee when payments directly to the vendor are not possible.

Rulemaking Authority 393.0695(5), 393.501(1) FS. Law Implemented 393.0695, 393.066 FS. History—New _____.

65G-13.011 Notice of Denial or Change of In-Home Subsidy Amount

(1) The Agency shall inform the client of the decision to deny or partially deny, reduce, or terminate an In-Home subsidy and provide adequate notice of any rights to an administrative hearing pursuant to Sections 120.569, and 120.57, F.S. Circumstances for a denial include, but are not limited to, the following:

(a) The client does not reside in an eligible supported living arrangement as defined in Sections 393.063(43), or 393.0695, F.S.

(b) The client is requesting an In-Home Subsidy for items not authorized by Subsection 393.0695(2), F.S. or Chapter 65G-13, F.A.C.

(c) A request cannot be granted within the limits of the Agency’s appropriated funds and Florida law prohibits the Agency from spending or committing funds in excess of Agency’s appropriation.

(d) Items requested are in excess of the client’s needs in accordance with medical necessity criteria in Rule 59G-1.010, F.A.C.

Rulemaking Authority 393.0695(5), 393.501(1) FS. Law Implemented 393.0695, 393.066 FS. History—New _____.

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NO.: 68-1.003 **RULE TITLE:** Florida Fish and Wildlife Conservation Commission Grants Program

PURPOSE AND EFFECT: The purpose of this rule development effort is to establish or revise rule provisions during calendar years 2018 and 2019 to, (1) revise the Guidelines for the State Wildlife Grants Program; (2) revise or modify the applications and Guidelines for the Florida Boating Improvement Program and the Boating Infrastructure Grant Program; and (3) revise or add to sections covering freshwater Sport Fish Restoration.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include Florida’s State Wildlife Grants Program, Florida Boating Improvement Program, and Boating Infrastructure Grant Program, which are identified in subsections (9), (11), and (12) of the rule, respectively as well as possible new subsections.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution 327.04, 327.47, and 379.106, FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution 327.47, 328.72, and 379.106 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.

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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: State Wildlife Grants Program

Andrea Alden, Florida Fish and Wildlife Conservation Commission, Bryant Building Headquarters, 620 S. Meridian St., Tallahassee, FL 32399; (850)617-9558, Andrea.Alden@MyFWC.com

Florida Boating Improvement Program and the Boating Infrastructure Grant Program

Chanda Zirkelback, Florida Fish and Wildlife Conservation Commission, Bryant Building Headquarters, 620 S. Meridian St., Tallahassee, FL 32399, (850)617-9459, Chanda.Zerkelback@MyFWC.com

Sport Fish Restoration

Stasey Whichel, Florida Fish and Wildlife Conservation Commission, Bryant Building Headquarters, 620 S. Meridian St., Tallahassee, FL 32399, (850)617-9531, Stasey.Whichel@MyFWC.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

Section II
Proposed Rules

DEPARTMENT OF STATE

Division of Historical Resources

RULE NO.: 1A-31.0012
RULE TITLE: Purpose

PURPOSE AND EFFECT: This rule will be repealed because it no longer meets the definition of a rule pursuant to subsection 120.52(16), F.S.

SUMMARY: Repeal rule that no longer meets the definition of rule pursuant to statutes.

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: Upon completing a SERC checklist, the Agency has determined that the proposed amendment will not have a direct or indirect adverse financial impact on small businesses.

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: 267.031(1) FS.

LAW IMPLEMENTED: 267.031(2), (5)(i), (k), (o), 267.115, 267.14 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: Carlos Rey, Florida Department of State, 500 S. Bronough St., Tallahassee, FL 32399, (850)245-6536, Carlos.Rey@dos.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

1A-31.0012 Purpose.

Rulemaking Authority 267.031(1) FS. Law Implemented 267.031(2), (5)(i), (k), (o), 267.061(1), 267.115, 267.14 FS. History—New 7-20-09, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Carlos Rey

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Detzner
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 10/16/2018

DEPARTMENT OF TRANSPORTATION

RULE NO.: 14-61.0012
RULE TITLE: Definitions

14-61.0015 Prohibitions on the Turnpike System
14-61.0017 Other Regulations

PURPOSE AND EFFECT: To update and consolidate rules for turnpike operations

SUMMARY: Clarifies requirements for use of turnpike tandems and other vehicles using the Turnpike System, eliminating language that is unnecessary and duplicative of state law.

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 is expected to decrease the overall cost of regulation.

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: 316.515(12), 316.611, 334.044(2), 338.239, FS.

LAW IMPLEMENTED: 316.083, 316.090, 316.183, 316.515, 316.655, 338.234, 338.237, 338.239, 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: Susan Schwartz, Assistant General Counsel, 605 Suwannee Street, Tallahassee, Florida 32399, susan.schwartz@dot.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

PART I GENERAL PROVISIONS

14-61.0012 Definitions. Unless defined below, words, phrases, or terms contained herein shall have the definitions set

forth in Sections 316.003 and 338.221, Florida Statutes ~~316 and 338, F.S.~~ As used in these rules and regulations, the following words, phrases, or terms shall have the following meanings, where context will permit:

(1) "Department" means the State of Florida Department of Transportation.

(2) "Turnpike System" means as defined in subsection 338.221(6), F.S.

(3) "Turnpike Tandem" means any combination of truck tractor, semitrailer, and trailer combination coupled together so as to operate as a single unit, in which either the semitrailer or the trailer unit exceeds 28 feet in length but in which neither the semitrailer nor the trailer unit exceeds 48 feet in length ~~and which are operated in compliance with Parts II or III of this rule chapter.~~

(4) "Turnpike Tandem Permit" means an authorization issued by the ~~Turnpike Enterprise Department's Road Use Permits Office~~ for the specific and limited purpose of allowing combinations known as turnpike tandems to operate on the Turnpike System.

~~(5) "Tandem Trailer Truck" means as defined in Section 316.03(81), F.S.~~

Rulemaking Authority 334.044(2), 338.239 FS. Law Implemented 316.515, 338.239 FS. History—New 11-5-09, Amended ____.

Substantial rewording of Rule 14-61.0015 follows. See Florida Administrative Code for present text.

14-61.0015 Prohibitions on the Turnpike System.

(1) Operation of Vehicles. Vehicles using the Turnpike System must comply with State Uniform Traffic laws as described in Chapter 316, Florida Statutes, and this Rule Chapter.

(2) Toll Collection. Vehicles entering the Turnpike System will be assessed tolls in accordance with the toll rate schedule incorporated in Rule 14-15.0081, F.A.C.

(a) Entering or leaving the Turnpike System or any part of its right of way, except through the regular toll lanes (except in emergency cases at the direction of the Florida Highway Patrol or other law enforcement), or committing any other act with the intent to defraud or evade payment of tolls is prohibited. Enforcement of toll violations shall be in accordance with Rule Chapter 14-100, F.A.C., and all applicable toll enforcement statutes.

(b) The operator of a vehicle on the electronic toll collection portion of the Turnpike System who exits the electronic toll collection portion of the Turnpike System at the same toll station at which such vehicle entered the electronic toll collection portion of the Turnpike System, shall be charged the toll for the appropriate amount for the vehicle classification from the nearest legal U-turn point.

(3) Vehicles, including any load thereon, exceeding the maximum dimensions of Section 316.515, F.S., are prohibited except under a special hauling permit issued by the Department in accordance with Rule 14-26, Fla. Admin. Code, or a Turnpike Tandem Permit issued in accordance with this rule chapter.

(4) Vehicles carrying explosives are prohibited.

(5) Soliciting or Carrying on Commercial Activity. No person shall:

(a) Engage in any commercial activity on the Turnpike System without the written permission of, or unless under contract with, the Department or Turnpike Enterprise. Nor shall any person solicit business or funds for any purpose on the Turnpike System without written permission granted by the Department or Turnpike Enterprise. No person shall at any time or in any manner electioneer on any part of the Turnpike System for or against any party ticket or any candidate for nomination, or officer on any party ticket, or for or against any proposition of any kind or nature to be voted upon at any election.

(b) Post, distribute, or display signs, advertisements, circulars, printed or written matter on the Turnpike System without written permission from, or written contract with, the Department or Turnpike Enterprise.

(6) Speed Limits. All vehicles shall comply with the posted speed limit. No vehicles shall be operated on the Turnpike System less than 50 miles per hour, except where a lesser speed is posted, or when necessary to do so under the conditions of the road, inclement weather, or with regard to the actual and potential hazards then existing on the Turnpike System.

(7) Turnpike staging areas are for the exclusive use of Turnpike Tandems. Vehicles not being used in tandem trailer operation are subject to immediate removal at the owner's expense.

Rulemaking Authority 334.044(2), ~~338.221(1)(b), 338.235, 338.239~~ FS. Law Implemented 316.083, 316.090, 316.183, 316.655, 338.234, 338.237, 338.239 FS. History—New 11-5-09, Amended ____.

~~PART III REGULATIONS COVERING THE OPERATION AND SAFETY OF TURNPIKE TANDEMS~~

~~14-61.0017 Other Regulations Covering the Operation and Safety of Turnpike Tandems~~

~~(1) Driver Requirements.~~

~~(a) All drivers of Turnpike Tandems ~~Tandem trailers~~ must have a current Commercial Driver's License (CDL) with an endorsement for double trailers consistent with the provisions of Section 322.57, F.S.~~

~~(b) All drivers of Turnpike Tandems and all other individuals or companies operating Turnpike Tandems must comply with Section 316.302(4), F.S., except that driver exemptions for farm vehicle drivers as set forth in 49 C.F.R.~~

~~391.21 and 391.67~~ shall not apply to drivers of Turnpike Tandems.

(c) All drivers of Turnpike Tandems must have a minimum of five ~~years~~ ^{years} experience driving truck tractor semi-trailer combinations.

(d) A driver of a Turnpike Tandem must have had no suspension or revocation of driving privileges in any state or province during the past three years where such suspension arose out of operations of a commercial motor vehicle.

(2) Overall Length, Height, and Width.

(a) All ~~overdimensional vehicles must comply with Rule Chapter 14-26, F.A.C. rules of the Turnpike Enterprise shall apply to Turnpike Tandems~~ unless specifically excluded under the provisions of this rule chapter.

(b) The overall cargo carrying length of a Turnpike Tandem, as measured from the front of the first trailer to the rear of the second trailer including, the interval between the two trailers, shall not exceed 106 feet.

(c) Turnpike Tandems shall not exceed 13 feet 6 inches in height or 8 feet 6 inches in width.

(3) Weight and Axle Requirements.

(a) All overweight rules of Section ~~316.535~~ ~~316.515~~, F.S., shall apply to Turnpike Tandems unless specifically excluded under the provisions of this rule chapter.

(b) The maximum gross weight of the truck tractor and the first ~~trailer~~ ~~semitrailer~~ of a Turnpike Tandem shall not exceed 80,000 pounds.

(c) The maximum gross weight of the ~~unit~~ of dolly and second trailer of a Turnpike Tandem shall not exceed the lesser of:

1. 67,000 pounds, or

2. The weight provisions of the State's outer bridge formula set forth in subsection 316.535(5), F.S., as measured between the center of the foremost axle of the dolly and the rearmost axle of the second trailer.

(d) In the event that a Turnpike Tandem is composed of trailers of unequal gross weight, the heavier of the two shall be used as the lead trailer.

(e) The gross weight limits described in Chapter 316, F.S., may be exceeded with a valid Turnpike Tandem Permit ~~oversize/overweight permit~~ issued by the Turnpike Enterprise Road Use Permits Office for a maximum gross weight not to exceed 147,000 pounds.

(f) A minimum of five load bearing axles are required unless stated otherwise in a valid Turnpike Tandem Permit ~~oversize/overweight permit~~ issued by the Turnpike Enterprise Road Use Permits Office.

(4) Tractor Requirements.

(a) A tractor used to haul trailers in a Turnpike Tandem configuration shall be capable of traveling at a speed of not less

than 50 mph on all portions of the turnpike system, regardless of grade.

(b) A tractor used to haul trailers in a Turnpike Tandem configuration shall be capable of hauling the maximum gross weight authorized by the permit. The maximum gross weight to be hauled with a Turnpike Tandem Permit is 147,000 pounds.

(5) Tire Requirements.

(a) Each axle on a Turnpike Tandem must have tires of the same size and construction. Tires must be properly inflated for the load to be carried. In no event shall any tire, wheel, or rim exceed the manufacturer's maximum load-carrying limit.

(b) A vehicle equipped with dual tires may have the dual tires replaced by a single tire so long as the vehicle, axle, and tire load ratings are not exceeded.

(c) No tire may exceed 550 pounds per inch of tire section width as defined by the rating molded in the tire sidewall. For example, a designation of 445/50R22.5 designates a tire section width of 445 mm (17.5 inches).

(6) Brake Regulations.

(a) Every Turnpike Tandem shall be equipped with full air brakes or air activated hydraulic brakes on the tractor and either air or electric brakes on the dolly and trailers. All brakes shall equal or exceed both the equipment requirements and the performance standards cited in Chapter 316, F.S.

(b) The brakes on any vehicle or combination of vehicles, used in Turnpike Tandem operations shall be adequate to control the movement of, and to stop and hold, such vehicle, or combination of vehicles, and meet the general requirements of the provisions of the Florida Uniform Traffic Control Law, Section 316.262, F.S.

(7) Converter Dolly Requirements.

(a) A converter (fifth-wheel) dolly used in Turnpike Tandem operations may have either a single or a double axle, according to its total gross weight. In addition to the tow bar(s), the dolly vehicle must be equipped with safety chains or cables for connecting the dolly to the trailer and adequate to prevent breakaway.

(b) When the distance between the rear of the first trailer and the front of the second trailer is 10 feet or more, the dolly shall be equipped with a device, or the trailers shall be connected along the sides with suitable material to alert other motorists that the trailers are connected and are in effect one unit.

(8) Inspection by Driver.

After all the component vehicles in a Turnpike Tandem are completely hooked up and prior to the departure of the unit from the assembly area, the driver or a mechanic shall inspect the tandem unit to ensure that each item is in proper operating condition.

(9) Coupling Devices/Hitch Connections.

(a) Vehicles in a Turnpike Tandem shall be designed, constructed, and connected as to ensure that shifting or swerving from side to side will not exceed two inches to each side of the path of the towing vehicle when it is moving in a straight line.

(b) All coupling devices/hitch connections shall be of a no-slack type which must be visible and operating. All drawbars, pickup plates, and fifth wheels must be rated to exceed the weight carried. Any kingpin must be rated to exceed the weight carried. Any kingpin must be solid and must be permanently fastened.

(10) Staging.

(a) Turnpike Tandems shall be coupled and decoupled only in designated staging areas when operating on the Turnpike System. All movement across traffic while entering or leaving a staging area shall be made using extreme caution.

(b) Permittees shall assume all responsibility for their vehicles and equipment, as well as the contents thereof, while such vehicles and equipment are in a staging area.

(c) Equipment may be parked in the staging area for no longer than eight (8) hours. Staging areas will be closed when equipment cannot be safely stored due to adverse weather or other hazardous conditions.

(d) Tractors, trailers and dollies parked in the Turnpike System staging areas must display valid decals in accordance with Rule 14-61.0016(5), F.A.C. at all times.

(11) Passing. A Turnpike Tandem may pass another vehicle traveling in the same direction only if the speed differential will allow the Turnpike Tandem to complete the maneuver and return to the normal driving lane within a distance of one mile and be performed within the posted speed limit. Turnpike Tandems must stay in the right lane, or those lanes designated for travel by posted signs, unless they are in the act of passing.

(12) Operations under Hazardous Conditions.

(a) Drivers of Turnpike Tandems shall exercise extreme caution and reduce speed when hazardous conditions exist, such as fog, smoke, dust, mist, or rain.

(b) The Turnpike Enterprise, Florida Highway Patrol, or their respective staffs, may restrict or prohibit operations during periods when traffic, weather, or other safety conditions make such operations unsafe or inadvisable.

Rulemaking Authority 316.515(12), 316.611, 334.044(2), 338.239 FS.
 Law Implemented 316.515(12), 316.55, 322.57, 322.64, 338.239 FS.
 History—New 11-5-09, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Debbie Meyer, Florida Turnpike Engineer of Maintenance Operations

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Dew, Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 12, 2018
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 9, 2018

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-9.025
 RULE TITLE: Medical Screening and Evaluation of Patients Receiving Second Trimester Abortions

PURPOSE AND EFFECT: The Agency proposes to update an abortion clinic rule to align with recently revised statutory changes per Chapter 2018-24, Laws of Florida. Revisions will remove obsolete language and references related to the removal of the licensure requirement for clinical laboratories.

SUMMARY: The removal of the licensure requirement for laboratories in abortion clinics.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A SERC has not been prepared by the agency. For rules listed where no SERC was prepared, the Agency prepared a checklist for each rule to determine the necessity for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not require legislative ratification.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 390.012(1) FS.

LAW IMPLEMENTED: 390.012(3)(d) 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: November 8, 2018, 9:30 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room D, Tallahassee, FL 32308

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: Jessica Munn, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, (850)412-4359. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica Munn at (850)412-4359 or email at Jessica.Munn@ahca.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-9.025 Medical Screening and Evaluation of Patients Receiving Second Trimester Abortions.

(1) Each abortion clinic that provides second trimester abortions shall formulate and adhere to written patient care policies and procedures designed to ensure professional and safe care for patients undergoing second trimester abortions and shall maintain a medical record for each such patient that records history, care and services. Any abortion clinic that performs second trimester abortions shall comply with these patient care policies and procedures for patients undergoing second trimester abortions, to include the following:

- (a) Admission criteria and procedures;
- (b) Identification in the medical record of physician(s) and nurse(s) involved in providing the services offered for patients undergoing second trimester abortions;
- (c) Specific details regarding the pre-operative procedures performed, to include:

1. History and physical examination, to include verification of pregnancy, period of gestation, identification of any past surgeries, preexisting conditions or complications; including allergies to medications, antiseptic solutions, or latex; and a complete obstetric and gynecological history.

2. Special examinations, lab procedures, and/or consultations required, to include ultrasonography to confirm period of gestation, and a physical examination including a bimanual examination estimating uterine size and palpation of the adnexa. The physician shall keep original prints of each ultrasound examination of a patient in the patient's medical history file. Urine or blood tests for pregnancy shall be performed before the abortion procedure.

(2) Laboratory Services.

(a) Laboratory services shall be provided onsite or through contractual arrangement with a laboratory that holds the appropriate federal Clinical Laboratory Improvement Amendments (CLIA) certificate ~~and state of Florida clinical laboratory license issued pursuant to Chapter 483, Part I, F.S.~~

(b) All laboratory services provided onsite shall be performed in compliance with ~~state of Florida clinical laboratory licensure and~~ federal CLIA provisions.

(3) Laboratory Equipment and Supplies.

(a) All equipment and supplies for the collection, storage, and testing of specimens shall meet the federal CLIA provisions ~~of Chapter 59A-7, F.A.C.,~~ and shall be maintained according to manufacturer's instructions and in a manner that ensures accurate test results.

(b) Temperature controlled spaces for the storage of specimens or testing supplies shall be monitored and recorded to ensure that the proper storage temperature is maintained.

(c) All dated supplies and materials shall not be used beyond their expiration date.

(d) Adequate facilities and supplies for the collection, storage and transportation of laboratory specimens shall be available onsite.

(4) Rh blood type D. Rh testing shall be performed on all patients, unless results of previous testing is available and documented in the medical record.

(5) All laboratory test reports shall be placed in the patient's medical record.

(6) All laboratory test and storage areas, records and reports shall be available for inspection by the Agency.

(7) If a person who is not a physician performs an ultrasound examination, that person shall have documented evidence that he or she has completed a course in the operation of ultrasound equipment. Such documentation shall be retained on file at the clinic.

(8) A test for anemia shall be performed.

(9) Each abortion clinic must be in compliance with Section 390.0111, F.S.

Rulemaking Authority 390.012(1) FS. Law Implemented 390.012(3)(d) FS. History--New 9-25-06, Amended 1-2-14, 4-5-17,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jessica Munn

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 10/03/2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 08/06/2018

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE NO.: RULE TITLE:

61G7-7.001 Disciplinary Guidelines; Range of Penalties

PURPOSE AND EFFECT: To clarify, simplify, and update the Board’s disciplinary guidelines.

SUMMARY: Disciplinary guidelines and penalty ranges are being updated by the Board.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST 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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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 455.2273, 468.522, 468.532(4) FS.

LAW IMPLEMENTED 455.227, 455.2273, 468.525, 468.526, 468.529, 468.530, 468.531, 468.532 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: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, Florida 32399-0783, Richard.Morrison@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-7.001 Disciplinary Guidelines; Range of Penalties.

(1) The Board sets forth below a range of disciplinary guidelines from which disciplinary penalties will be imposed upon practitioners guilty of violating Chapter 455, F.S., Chapter 468, Part XI, F.S., or the rules promulgated thereto. The

purpose of the disciplinary guidelines is to give notice to licensees of the range of penalties which will normally be imposed upon violations of the particular provisions identified in subsection (2) of Chapter 468, Part XI, F.S.

(a) The disciplinary guidelines are based upon a single count violation of each provision listed. Multiple counts of violations ~~and of the same provision of Chapter 468, Part XI, F.S. or the rules promulgated thereto, or other unrelated violations contained in the same administrative complaint will compound the listed~~ be grounds for enhancement of penalties. All penalties at the upper range of the sanctions ~~set forth in the guidelines, i.e., denial or revocation of a license, etc.,~~ includes lesser penalties, ~~i.e., fine, probation or reprimand~~ which may be included in the final penalty at the Board’s discretion.

(b) No change.

(2) The following disciplinary guidelines include costs related to the investigation and prosecution of the case, excluding costs associated with an attorney’s time, as permitted by Section 455.227(3)(a), F.S. The penalty for each count in the administrative complaint shall be determined by the Board to be within the minimum and maximum penalty range and reflect the seriousness of the harm to public welfare. The Board may impose a penalty outside the penalty range when mitigating or aggravating circumstances are identified, shall be followed by the Board in imposing disciplinary penalties upon licensees for violation of the below mentioned statutes and rules:

PENALTY RANGE

VIOLATION	MINIMUM	MAXIMUM
(a) Misdemeanor criminal conviction of bribery or fraud, in violation of <u>Section 468.532(1)(a), F.S.</u>	Reprimand, probation, <u>and/or</u> \$500 fine, and <u>administrative/legal costs.</u>	Denial or revocation of license, <u>and/or</u> \$5,000 fine <u>and</u> <u>administrative/legal costs.</u>
(b) Felony criminal conviction of bribery or fraud, in violation of <u>Section 468.532(1)(a), F.S.</u>	Suspension, <u>and/or</u> \$2,500 fine, <u>administrative/legal costs.</u>	Denial or revocation of license, <u>and/or</u> \$5,000 fine <u>and</u> <u>administrative/legal costs.</u>

<p>(e) Willful misrepresentation of facts in obtaining a license, in violation of section 468.532(1)(a), F.S.</p>	<p>Letter of guidance, and administrative/legal costs.</p>	<p>Suspension, \$2,500 fine, administrative/legal costs.</p>	<p>conviction relating to operation of or ability to engage in business as an employee leasing company, in violation of <u>Section 468.532(1)(b), or 455.227(1)(c), F.S.</u></p>	<p>\$500 fine and administrative/legal costs.</p>	<p>license, and/or \$5,000 fine and administrative/legal costs.</p>
<p>(c)(d) Willful misrepresentation of material facts in obtaining or renewing a license, in violation of Section 468.532(1)(a), F.S., or attempting to obtain, obtaining, or renewing a license to practice a profession by bribery, by fraudulent misrepresentation, or through an error of the board, in violation of Section 455.227(1)(h), F.S.</p>	<p>Reprimand, probation, <u>and/or \$2,500 fine and administrative/legal costs.</u></p>	<p><u>Denial or Revocation of license, and/or \$5,000 fine and administrative/legal costs.</u></p>	<p>(f) Felony conviction relating to operation of or ability to engage in business as an employee leasing company, in violation of <u>Section 468.532(1)(b), or 455.227(1)(c), F.S.</u></p>	<p>Suspension, probation, <u>and/or \$1,500 fine and administrative/legal costs.</u></p>	<p>Denial or revocation of license, <u>and/or \$5,000 fine per day, and administrative/legal costs.</u></p>
<p>(d) Being determined liable for civil fraud by a court in any jurisdiction, in violation of Section 468.532(1)(o), F.S.</p>	<p>Reprimand, probation, <u>and/or \$1,500 fine.</u></p>	<p><u>Denial or revocation of license and/or \$5,000 fine.</u></p>	<p>(g) Misdemeanor conviction of <u>fraud, deceit, or misconduct</u> relating to the classification of employees <u>for workers' compensation</u>, in violation of <u>Section 468.532(1)(c), F.S.</u></p>	<p>Reprimand, probation, <u>and/or \$500 fine and administrative/legal costs.</u></p>	<p><u>Denial or Revocation of license, and/or \$2,500 fine, and administrative/legal costs.</u></p>
<p>(e) Misdemeanor</p>	<p>Reprimand, probation, <u>and/or</u></p>	<p><u>Denial or Revocation of</u></p>	<p>(h) Felony conviction of <u>fraud, deceit, or misconduct</u> relating to the</p>	<p>Suspension, followed by probation, <u>and/or \$1,500 fine</u></p>	<p>Denial or revocation of license, <u>and/or \$5,000 fine per day, and</u></p>

classification of employees for workers' compensation, in violation of <u>S</u> ection 468.532(1)(c), F.S.	administrative/legal costs.	administrative/legal costs.
(i) Misdemeanor conviction of <u>f</u> raud, <u>d</u> eceit, or <u>m</u> isconduct relating to the establishment or maintenance of self-insurance, in violation of <u>S</u> ection 468.532(1)(d), F.S.	Reprimand, probation, <u>and/or</u> \$500 fine <u>and</u> administrative/legal costs.	Denial or <u>r</u> evocation of license, <u>and/or</u> \$2,500 fine <u>and</u> administrative/legal costs.
(j) Felony conviction of <u>f</u> raud, <u>d</u> eceit, or <u>m</u> isconduct relating to the establishment or maintenance of self-insurance, in violation of <u>S</u> ection 468.532(1)(d), F.S.	Suspension, followed by probation, <u>and/or</u> \$1,500 fine <u>and</u> administrative/legal costs.	Denial or revocation of license; <u>and/or</u> \$5,000 fine <u>per day</u> , <u>and</u> administrative/legal costs.
(k) Misdemeanor conviction of <u>r</u> elating to fraud, deceit, or misconduct in the operation of an employee leasing company, in violation of <u>S</u> ection 468.532(1)(e), F.S.	Reprimand, probation, <u>and/or</u> \$500 fine <u>and</u> administrative/legal costs.	Denial or <u>r</u> evocation of license, <u>and/or</u> \$2,500 fine <u>and</u> administrative/legal costs.

(l) Felony conviction of <u>r</u> elating to fraud, deceit, or misconduct in the operation of an employee leasing company, in violation of <u>S</u> ection 468.532(1)(e), F.S.	Suspension, followed by probation, <u>and/or</u> \$1,500 fine <u>and</u> administrative/legal costs.	Denial or revocation of license, <u>and/or</u> \$5,000 fine <u>per day</u> <u>and</u> administrative/legal costs.
(m) Practicing on an <u>i</u> nactive, <u>r</u> evoked, or suspended license, or unlicensed <u>p</u> ractice, in violation of <u>S</u> ection 468.532(1)(f), F.S.	Reprimand, probation, <u>and/or</u> \$1,500 fine <u>and</u> administrative/legal costs.	Denial or revocation of license; <u>and/or</u> \$5,000 fine <u>per day</u> <u>and</u> administrative/legal costs.
(n) Failure to maintain, <u>or</u> <u>p</u> rovide evidence to the <u>B</u> oard office of, workers' compensation insurance at the Board office , in violation of <u>S</u> ection 468.532(1)(g), F.S.	Reprimand, <u>and/or</u> \$500 fine, probation and administrative/legal costs.	Denial or revocation of license, <u>and/or</u> \$51,000 fine <u>per day</u> <u>and</u> administrative/legal costs.
(o) Transfer of a license in violation of <u>S</u> ection 468.532(1)(h), F.S.	Letter of <u>guidance</u> , Reprimand, probation, suspension until corrected, and/or \$500 fine <u>and</u> administrative/legal costs.	Denial or revocation of license, <u>and/or</u> \$54,000 fine <u>per day</u> <u>and</u> administrative/legal costs.

<p>(p) Violation of <u>Chapter 455, F.S., Chapter 468, Part XI, F.S.</u>, or any rule promulgated thereto issued under <u>Chapter 468 or 455, F.S.</u>, in violation of <u>Section 468.532(1)(i) or 455.227(1)(g), F.S.</u></p>	<p>Letter of guidance, Reprimand, probation, suspension until corrected, and/or \$500 fine and administrative/legal costs.</p>	<p>Denial or revocation of license, <u>and/or \$54,000 fine per day and administrative/legal costs.</u></p>
<p>(q) Failure to notify the Board of change of address, in violation of <u>Section 468.532(1)(j), F.S.</u></p>	<p>Letter of guidance, Reprimand, and/or \$100 fine probation, suspension until corrected, and administrative/legal costs.</p>	<p>Reprimand, \$500 fine <u>and administrative/legal costs.</u></p>
<p>(r) Incarceration or <u>mental</u> incompetence (mental or physical) which may impair ability to maintain confidentiality, in violation of <u>Section 468.532(1)(k), F.S.</u></p>	<p>Suspension until <u>demonstrates</u> ability to practice, followed by probation <u>and administrative/legal costs.</u></p>	<p>Denial or revocation of license, <u>and/or administrative/legal costs.</u></p>
<p>(s) Second finding of guilt for <u>any misconduct that warrants suspension or any as to</u> course of conduct which shows inability to maintain confidentiality, in violation of</p>	<p>Suspension until <u>demonstrates</u> ability to practice followed by probation, <u>Reprimand and/or \$500 fine and administrative/legal costs.</u></p>	<p>Denial or revocation of license, <u>and/or \$5,000 fine and administrative/legal costs.</u></p>

<p><u>Section 468.532(1)(l), F.S.</u></p>		
<p>(t) Failure to notify the Board of felony conviction <u>within 30 days</u>, in violation of <u>Section 468.532(1)(m) or 455.227(1)(t), F.S.</u></p>	<p>Suspension, <u>and/or \$2,500 fine, and administrative/legal costs.</u></p>	<p>Denial or revocation of license, <u>and/or \$5,000 fine and administrative/legal costs.</u></p>
<p>(u) Failure to conform to any lawful order of the Board, in violation of <u>Section 468.532(1)(n), F.S.</u></p>	<p><u>Reprimand, Suspension, and/or \$2,500 fine, and administrative/legal costs.</u></p>	<p>Denial or revocation of license, <u>and/or \$5,000 fine and administrative/legal costs.</u></p>
<p>(v) Failure to have a registered agent for service in the State of Florida, in violation of <u>Section 468.525(3), F.S.</u></p>	<p><u>Reprimand and/or \$100 fine Letter of guidance or reprimand, probation, and administrative/legal costs.</u></p>	<p>Denial or revocation of license, <u>and/or \$25,000 fine and administrative/legal costs.</u></p>
<p>(w) Failure to have a written agreement with client and written notice to employees, in violation of <u>Section 468.525(3)(a), F.S.</u></p>	<p>Reprimand, <u>and/or probation and administrative/legal costs.</u></p>	<p>Denial or revocation of license, suspension, <u>and/or \$1,500 fine and administrative/legal costs.</u></p>
<p>(x) Failure to maintain positive working capital, or accounting</p>	<p>Reprimand, probation, <u>and/or \$500 fine and administrative/legal costs.</u></p>	<p>Suspension, denial or revocation of license, <u>and/or \$2,500 fine</u></p>

net worth in violation of <u>Section 468.525(3)(d), F.S.</u>		administrative/legal costs.	compensation taxes or workers' compensation premiums, in violation of <u>Section 468.529(1), F.S.</u>	probation, and administrative/legal costs.	administrative/legal costs.
(y) Failure to satisfy the contract requirements of <u>Section 468.525(4), F.S.</u> , in violation of <u>Section 468.525(4), F.S.</u>	Reprimand, and probation, and/or \$1,000 fine, and administrative/legal costs.	Suspension, and/or denial or revocation of license and administrative/legal costs.	(dd) Failure to make available to its workers' compensation carrier information in <u>Section 468.529, F.S.</u> , in violation of <u>Section 468.529(2), F.S.</u>	Letter of guidance or Reprimand, and/or \$1000 fine, and administrative/legal costs.	Suspension, and/or denial or revocation of license and administrative/legal costs.
(z) Failure to pay annual fees when due, in violation of <u>Section 468.526(3), F.S.</u>	Reprimand, Suspension until fee is paid, and/or \$500 fine and administrative/legal costs.	Denial or revocation of license, Revocation and/or \$5,000 fine plus administrative/legal costs.	(ee) Failure to notify termination of client relationships, in violation of <u>Section 468.529(3), F.S.</u>	Letter of guidance or Reprimand, and/or \$100 fine, and administrative/legal costs.	Suspension, and/or denial or revocation of license, and administrative/legal costs.
(aa) Failure to have at least one controlling person per employee leasing company, in violation of <u>Section 468.530(1)(a), F.S.</u>	Reprimand, probation of company license, and/or \$1,000 fine, and administrative/legal costs.	Suspension, revocation, and/or \$5,000 fine and administrative/legal costs.	(ff) Failure to submit quarterly reports when due, in violation of Rule 61G7-10.001, F.A.C.	Letter of guidance or Reprimand, and/or \$100 fine, and administrative/legal costs.	Suspension, revocation, and/or \$5,000 fine and administrative/legal costs.
(bb) Conducting a business under a name other than the licensed name of the employee leasing company, in violation of <u>Section 468.530(3), F.S.</u>	Reprimand and/or Letter of guidance or \$100 fine, and administrative/legal costs.	Suspension, \$100 per day until corrected, and/or \$1,500 fine and administrative/legal costs.	(gg) Making misleading, deceptive, or fraudulent representations in or related to the practice of employee leasing, in violation of <u>Section 455.227(1)(a), F.S.</u>	Reprimand, probation, and/or \$2,500 fine and administrative/legal costs.	Denial or revocation of license, and/or \$5,000 fine and administrative/legal costs and restitution.
(cc) Failure to pay unemployment	Reprimand, probation, and/or \$1,000 fine,	Suspension, and/or denial or revocation of license and			

<p>(hh) Having a license or the authority to practice employee leasing revoked, suspended, or otherwise acted against in another jurisdiction for a violation that would constitute a violation under Florida law, in violation of <u>455.227(1)(f), F.S.</u></p>	<p>Imposition of a penalty identical <u>or substantially similar</u> to the other jurisdiction's penalty, or imposition of Florida's penalty for the same underlying offense.</p>	
<p>(ii) Having been found liable in a civil proceeding for knowingly filing a false report or complaint within the department or the agency against another licensee, in violation of <u>Section 455.227(1)(g), F.S.</u></p>	<p>Reprimand, probation, <u>and/or \$1,000</u> 500 fine <u>and administrative/legal costs.</u></p>	<p><u>Denial or revocation of license, and/or \$5,000 fine and administrative/legal costs.</u></p>
<p>(jj) Failing to report to the department any person who the licensee knows is in violation of Chapters 468 or 455, F.S., <u>or rules promulgated thereto, in violation of 455.227(1)(i), F.S.</u></p>	<p><u>Reprimand and/or \$100 fine</u> Letter of guidance and administrative/legal costs.</p>	<p>Written reprimand, <u>Probation, and/or \$500 fine and administrative/legal costs.</u></p>

<p>(kk) Aiding, assisting, procuring, employing, or advising any unlicensed person or entity to practice employee leasing contrary to <u>Chapter 455 or 468, XI, or rules promulgated thereto</u> this chapter, in violation of Section <u>455.227(1)(j), F.S.</u></p>	<p>Reprimand, probation, <u>and/or \$500 fine, and administrative/legal costs.</u></p>	<p>Denial or revocation of license, <u>and/or \$5,000 fine and administrative/legal costs.</u></p>
<p>(ll) Failing to perform any statutory or legal obligation placed upon a licensee, in violation of <u>Section 455.227(1)(k), F.S.</u></p>	<p>The Board shall impose as its minimum and maximum penalties, the same ones as the underlying offense involved in the violation under Chapter 455 or 468, F.S.</p>	
<p>(mm) Making or filing a report which the licensee knows to be false, intentionally or negligently failing to file a report or record required by state or federal law, or willfully impeding or obstructing another person to do so, in violation of <u>Section 455.227(1)(l), F.S.</u></p>	<p>Intentional/Willful – Reprimand, probation, <u>suspension until corrected, and/or \$500 fine and administrative/legal costs.</u> Negligent – Letter of guidance, <u>Reprimand, and/or probation, suspension until corrected, and administrative/legal costs.</u></p>	<p>Intentional/Willful – Denial or revocation of license, <u>and/or \$5,000 fine and administrative/legal costs.</u> Negligent – Reprimand, <u>and/or \$5000 fine and administrative/legal costs.</u></p>

(nn) Making deceptive, untrue, or fraudulent representations in or related to the practice of employee leasing or employing a trick or scheme in or related to the practice of employee leasing, in violation of <u>Section 455.227(1)(m), F.S.</u>	Reprimand, probation, <u>and/or \$500 fine,</u> and administrative/legal costs.	Denial or revocation of license, <u>and/or \$5,000 fine,</u> administrative/legal costs <u>and restoration.</u>
(oo) Exercising influence on a client for the purpose of financial gain of the licensee or a third party, in violation of <u>Section 455.227(1)(n), F.S.</u>	Reprimand, probation, <u>and/or \$500 fine,</u> and administrative/legal costs.	Suspension <u>Reprimand,</u> and/or \$2,500 fine <u>and/or \$2,500 fine</u> and administrative/legal costs.
(pp) Practicing or of offering to practice beyond the scope permitted by law, in violation of <u>Section 455.227(1)(o), F.S.</u>	<u>Reprimand, \$500 fine,</u> and/or Letter <u>of guidance,</u> administrative/legal costs <u>and requirement that activity be ceased.</u>	<u>Probation</u> Reprimand, <u>and/or \$1,500 fine</u> and administrative/legal costs.
(qq) Delegating <u>Knowingly</u> or contracting for the performance of professional responsibilities by an unqualified person, when such acts in violation of <u>Section</u>	<u>Reprimand and/or \$500 fine</u> Letter <u>of guidance,</u> administrative/legal costs.	<u>Suspension of license,</u> <u>and/or \$2,500 fine</u> and administrative/legal costs.

455.277(1)(p), F.S.		
(rr) Failing to comply with a lawfully issued subpoena of the department, in violation of <u>Section 455.227(1)(q), F.S.</u>	Reprimand, probation, \$500 fine, <u>administrative/legal costs</u> and/or compliance with the subpoena.	Revocation of license, <u>and/or \$5,000 fine</u> and administrative/legal costs.
(ss) Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding, in violation of <u>Section 455.227(1)(r), F.S.</u>	Reprimand, probation, <u>and/or \$500 fine</u> and administrative/legal costs.	Revocation of license, <u>and/or \$5,000 fine</u> and administrative/legal costs.
(tt) <u>Failing to inform the Board in writing within 30 days after any adverse material final action by a state or federal regulatory agency, in violation of Section 468.532(1)(q), F.S.</u>	<u>Reprimand and/or \$500 fine.</u>	<u>Denial or revocation of license and/or \$2,500 fine.</u>
(uu) <u>Failing to meet or maintain the requirements for licensure as an employee leasing company or controlling person, in violation of Section</u>	<u>Reprimand and/or \$500 fine.</u>	<u>Denial or revocation of license and/or \$2,500 fine.</u>

<u>468.532(1)(r), F.S.</u>		
<u>(vv) Engaging as a controlling person any person who is not licensed by the Board as a controlling person, in violation of Section 468.532(1)(s), F.S.</u>	<u>Reprimand and/or \$500 fine.</u>	<u>Denial or revocation of license and/or \$1,500 fine.</u>

468.531, 468.532, ~~455.227~~ FS. History--New 5-20-93, Formerly 21EE-7.001, Amended 5-29-94, 12-19-94, 11-9-95, 6-23-04, _____.
 NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Employee Leasing Companies
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 11, 2018
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 2, 2018

Section III Notice of Changes, Corrections and Withdrawals

(3) The Board shall be entitled to deviate from the above-mentioned guidelines, up to the limits provided in Section 455.227(2)(d), F.S., upon a showing of aggravating or mitigating circumstances by clear and convincing evidence presented to the Board prior to the imposition of a final penalty.

(a) Aggravating circumstances are those; ~~circumstances~~ which justify deviating from the above set forth disciplinary guidelines and cause the enhancement of a penalty beyond the maximum level of discipline in the guidelines, and are as follows:

1. History of previous violations of Chapter 455, F.S., the Practice Act, and the rules promulgated thereto.

2. No change.

3. Degree of public harm ~~Violation of the provision of the Practice Act wherein a letter of guidance as provided in Section 455.225(3), F.S., has previously been issued to the licensee.~~

(b) Mitigating circumstances are those; ~~circumstances~~ which justify deviating from the above set forth disciplinary guidelines and cause the lessening of a penalty below ~~beyond~~ the minimum level of discipline in the guidelines, and are as follows:

1. No change.

2. Voluntary ~~Restitution~~ of any damages suffered by the licensee's client.

3. The licensee's professional standing among his peers.

4. Steps taken by the licensee or the licensee's ~~his~~ company to ensure the non-occurrence of similar violations in the future.

5. No change.

6. Cooperation and timely communication with the Department of Business and Professional Regulation and the Board ~~including understanding and admission of the violation by the Respondent.~~

7. The licensee's full understanding and admission of the violation.

Rulemaking Authority 455.2273, 468.522, 468.532(4) FS. Law Implemented 455.227, 455.2273, 468.525, 468.526, 468.529, 468.530.

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:
 14-61.0012 Definitions
 14-61.0015 Prohibitions on the Turnpike System
 14-61.0017 Other Regulations

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 44 No. 139, July 18, 2018 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
 33-102.201 Notice of Proposed Rules

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 44 No. 124, June 26, 2018 issue of the Florida Administrative Register has been withdrawn.

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:
 53ER18-59 Waiver of Service Charges, Fees and/or Penalties for Retailers- Hurricane Michael

SUMMARY: The emergency rule sets forth the provisions for the waiver of certain retailer charges, fees and/or penalties set forth in Florida Lottery rules in response to damage and loss sustained by Florida Lottery retailers from Hurricane Michael.
 THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER18-59 Waiver of Service Charges, Fees and/or Penalties for Retailers- Hurricane Michael.

(1) Notwithstanding Florida Lottery Rules 53ER17-42 Retailer Application and Fee Schedule, 53ER07-18 Retailer Responsibilities, 53ER17-55 Retailer Accountability and 53ER08-43 Lost, Stolen or Damaged Instant Lottery Tickets, Florida Administrative Code, this emergency rule sets forth provisions for the waiver of certain retailer charges, fees and/or penalties set forth in the above-referenced rules in response to damage and loss sustained by Florida Lottery retailers from Hurricane Michael. This rule shall apply to retailers in counties in Florida that are at any time eligible because of Hurricane Michael for public or individual assistance from the Federal Emergency Management Agency, which as of October 13, 2018, includes the following counties: Holmes, Washington, Bay, Jackson, Calhoun, Gulf, Gadsden, Liberty, Franklin, Leon, Wakulla, Jefferson, Madison, Taylor, Hamilton, and Suwannee.

(2) Weekly Service Charge.

(a) The weekly service charge set forth in Rule 53ER07-18, Florida Administrative Code, shall be waived for any accounting week beginning October 15, 2018, provided the retailer's sales status is "non-selling" as determined by reviewing the retailer's Week to Date Sales Report on Sunday of each accounting week.

(b) The service charge waiver set forth in this subsection shall remain in effect until such time as the retailer regains its selling status, or this rule (or certain provisions herein) is replaced with a subsequent rule declaring its obsolescence, whichever occurs first, except as provided in paragraph (2)(c) below.

(c) The Florida Lottery reserves the right to make a case-by-case determination as to whether the retailer's non-selling status is for reasons not attributable to Hurricane Michael, in which case the weekly service charge will be assessed in the regular manner.

(3) Electronic Funds Transfer (EFT) Delinquency Penalty.

(a) Except as provided in paragraph (3)(b) below, a penalty for an EFT delinquency as set forth in Rule 53ER17-55, Florida Administrative Code, shall be waived until such time as the retailer regains its selling status and is no longer prevented from making bank deposits for reasons attributable to Hurricane Michael, or this rule (or certain provisions herein) is replaced with a subsequent rule declaring its obsolescence, whichever occurs first, except as provided in paragraph (3)(b) below.

(b) The Florida Lottery reserves the right to make a case-by-case determination as to whether an EFT delinquency penalty assessed to a retailer shall be waived and whether it

shall be counted towards the number of delinquency returns in a twelve-month period and associated penalties. (Example: the retailer EFT delinquency occurrence is for reasons not attributable to Hurricane Michael.)

(4) Lost, Stolen or Damaged Instant Lottery Ticket Service Fees and Charges.

(a) Any service fee for books of Scratch-Off lottery tickets (also known as instant lottery tickets) reported as lost, stolen, or damaged as set forth in Rule 53ER08-43, Florida Administrative Code, that were in received status as of October 10, 2018, shall be waived except as provided in paragraph (4)(b) below.

(b) The Florida Lottery reserves the right to make a case-by-case determination as to whether the retailer's reporting of inactive lost, stolen, or damaged books is for reasons not attributable to Hurricane Michael, in which case the service fee will be assessed in the regular manner.

(c) Active books of lost or damaged tickets will be handled in accordance with subsection (3) of Rule 53ER08-43, Florida Administrative Code. Active books of stolen tickets will be handled in accordance with subsection (3) of Rule 53ER08-43, Florida Administrative Code, except as follows. Upon the request of a retailer, the Lottery will review the timing and circumstances surrounding the reporting of stolen books. If determined by the Florida Lottery that stolen book charges are primarily attributable to Hurricane Michael, any such charges will be waived.

(d) The fee waiver set forth in this subsection shall remain in effect until such time as this rule (or certain provisions herein) is replaced with a subsequent rule declaring its obsolescence.

(5) Retailer Application Fee - Change of Location.

(a) The \$10.00 fee for retailers that apply for a change of location as set forth in Rule 53ER17-42, Florida Administrative Code, shall be waived except as provided in paragraph (5)(b) below.

(b) The Florida Lottery reserves the right to make a case-by-case determination as to whether the retailer's change in location is for reasons not attributable to Hurricane Michael, in which case the fee will be assessed in the regular manner.

(c) The fee waiver set forth in this subsection shall remain in effect until such time this rule (or certain provisions herein) is replaced with a subsequent rule declaring its obsolescence.

Rulemaking Authority 24.105(9)(j), 24.109(1), 24.112(1) FS. Law Implemented 24.105(9)(j), 24.112(1) FS. History- New- 10-15-18.

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

EFFECTIVE DATE: October 15, 2018.

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 October 16, 2018, the Southwest Florida Water Management District has issued an order granting a variance.

Petitioner's Name: Sun Lake Professional Center Owner's Association, Inc. – File Tracking No. 18-4290

Date Petition Filed: August 7, 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: August 16, 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 x. 2298, water.variances@watermatters.org. (J2018029-2).

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: RULE TITLE:

40E-6.221 Conditions for Issuance of Standard Permits

The South Florida Water Management District (District) hereby gives notice:

The South Florida Water Management District hereby gives notice: On October 11, 2018, the District's Governing Board issued SFWMD Order No. 2018-048-DAO-ROW to Lake Port Resort, LLC (Application No. 18-0712-1). The petition for waiver was received by the District on July 12, 2018. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Register, Vol. 44, No. 144 on July 25, 2018. No public comment was received. This Order provides a waiver of the District's criteria for utilization of the District right of way to allow a screened structure on an existing dock to remain in the north right of way of the L-49 Canal at the rear of the property located at 1076 Lakeport Plaza; Section 18/Township 40S/Range 33E, Glades County. Specifically, the Order grants a waiver from paragraph 40E-6.221(3)(j), Fla. Admin. Code, and the Right of Way Criteria Manual for Use of Works or Lands of the District, incorporated by reference in

subsection 40E-6.091(1), Fla. Admin. Code, which prohibits the full or partial enclosure of structures on docks with walls, screens or windows within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver as follows: 1) the proposed use will not interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule is based upon a substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Juli Russell at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680; telephone: (561)682-6268; or by email at: jurussel@sfwmd.gov.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Keystone Villas Assisted Living Center. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Hobe Sound Manor. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 01, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Fair Havens Center, LLC. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities
NOTICE IS HEREBY GIVEN that on October 01, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from H-Bay Ministries, Inc., d/b/a Superior Residences of Niceville. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 01, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from H-Bay Ministries, Inc., d/b/a Superior Residences of Brandon Memory Care. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at

doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 02, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Brookdale Bonita Springs. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 02, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Majestic Memory Care Center. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 02, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Summer Vista Assisted Living Community. Any interested person or other agency may submit written comments

on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 02, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Lourdes Pavilion. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 02, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Brookdale Senior Living Communities Inc., d/b/a Brookdale Centre Pointe Boulevard. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 02, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Orlando Lutheran Towers, Inc., d/b/a Orlando Lutheran Towers. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 02, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from ARHC ALSPGFL01, LLC., d/b/a Addington Place at College Harbor. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 03, 2018, the Florida Department of Elder Affairs, received a petition for Temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Harborchase of Tallahassee, LLC. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 27, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from ISLF Westchester of Sunrise, LLC d/b/a Westchester of Sunrise. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 27, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from ISLF Regents Park Winter Park, LLC d/b/a Westchester of Winter Park. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 01, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from H-Bay Ministries, Inc., d/b/a Superior Residences at Cala Hills. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 01, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Merritt Island RHF Housing, Inc., d/b/a Courtenay Oaks. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 1, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Riverfront Acquisition I, LLC., d/b/a Residence at Bay Vue. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 1, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an

alternate energy source for emergency environmental control, from H-Bay Ministries, Inc., d/b/a Superior Residences of Clermont. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 02, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from AM Autumn House, LLC., Autumn House. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 02, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Livewell at Grand Court Lakes, LLC., d/b/a Livewell at Grand Court Lakes. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 02, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Livewell Operations II, LLC., d/b/a Livewell at Courtyard Plaza. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 02, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Cloister RHF Housing, LLC., d/b/a The Cloisters of Deland. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 02, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Livewell Operations I, Inc., d/b/a Livewell at Coral Plaza.

Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 02, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Solomon Holdings I - The Triangle, LLC., d/b/a Brighton Gardens. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 02, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from S-H Thirty-Five OPCO - Sarasota, LLC., d/b/a Brookdale Downtown Sarasota. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 02, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from S-H OPCO Pinecrest Place, LLC d/b/a Brookdale Pinecrest. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 02, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from S-H Thirty-Five OPCO Bella Vita, LLC d/b/a Brookdale Venice. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 02, 2018, the Florida Department of Elder Affairs, received a petition for permanent/temporary waiver of Rule 58A-5.036, F.A.C.,

requiring an alternate energy source for emergency environmental control, from S-H Thirty-Five OPCO Vero Beach, LLC d/b/a Sonata Vero Beach. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on September 27, 2018, the Agency for Health Care Administration, received a petition for Ocean View Nursing & Rehabilitation Center LLC seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018014558. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing

NOTICE IS HEREBY GIVEN that on September 27, 2018, the Agency for Health Care Administration, received a petition for Broward Nursing & Rehabilitation Center L.L.C. d/b/a Broward Nursing & Rehabilitation Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018014555. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

NOTICE IS HEREBY GIVEN that on September 27, 2018, the Agency for Health Care Administration, received a petition for Pinecrest Convalescent Center, LLC d/b/a Pinecrest Rehabilitation Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018014559. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

NOTICE IS HEREBY GIVEN that on September 27, 2018, the Agency for Health Care Administration, received a petition for Plantation Nursing & Rehabilitation Center LLC d/b/a Plantation Nursing & Rehabilitation Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018014560. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

NOTICE IS HEREBY GIVEN that on September 27, 2018, the Agency for Health Care Administration, received a petition for Springtree Rehabilitation & Health Care Center LLC d/b/a Springtree Rehabilitation & Health Care Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018014561. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care

Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

NOTICE IS HEREBY GIVEN that on September 27, 2018, the Agency for Health Care Administration, received a petition for FI Casa Mora LLC d/b/a Casa Mora Rehabilitation & Extended Care, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018014623. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

NOTICE IS HEREBY GIVEN that on September 27, 2018, the Agency for Health Care Administration, received a petition for FI – Bay Pointe, LLC d/b/a Bay Pointe Nursing Pavilion, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018014619. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

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 October 15, 2018, the Board of Accountancy, received a petition for variance or waiver filed by Blanca M. Aquino, 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 October 08, 2018, the Board of Accountancy, received a petition for variance or waiver filed by Arlette Keeley, 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.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.010 Terms and Conditions of SAIL Loans

NOTICE IS HEREBY GIVEN that on October 16, 2018, the Florida Housing Finance Corporation, received a petition for waiver of Rule 67-48-010 Florida Administrative Code from In the Pines, Inc., requesting a permanent waiver for forgiveness of all outstanding SAIL loan interest.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing's website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Cultural Affairs

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

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

PLACE: Conference call, to join the teleconference, please call 1(888)670-3525 and enter the conference code 658 365 2830# when prompted.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review grant applications for the 2018-2019 Fast Track Cycle 2 Grant Program and Election of Officers.

A copy of the agenda may be obtained by contacting: The Division of Cultural Affairs at (850)245-6470 or by visiting our website: www.florida-arts.org/calendar.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rachelle Ashmore at (850)245-6490 or at Rachelle.Ashmore@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: The Division of Cultural Affairs website at <http://dos.myflorida.com/cultural/> or call (850)245-6470.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

The Florida Motor Vehicle Repair Advisory Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, November 1, 2018, 2:00 p.m.

PLACE: Call-in number: 1(888)670-3525, participant code: 7433766332#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the Florida Motor Vehicle Repair Advisory Council.

A copy of the agenda may be obtained by contacting: Amy Topol, Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3800.

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: Amy Topol at (850)410-3800. 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 AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

The Board of Professional Surveyors and Mappers announces a public meeting to which all persons are invited.

DATES AND TIMES: October 29, 2018, 4:00 p.m., Probable Cause Panel. The Probable Cause Panel meeting is closed to the public except for portions, if any, which deal with disciplinary cases that have already become public.

October 30, 2018, 8:30 a.m., Committee Meetings and General Business Session if time allows;

October 31, 2018, 8:30 a.m., General Business Session.

PLACE: Hilton St. Augustine Historic Bayfront, 32 Avenida Menendez, Saint Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Professional Surveyors and Mappers Committee Meetings and General Business Meeting.

A copy of the agenda may be obtained by contacting: Jenna Harper, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3674. One week prior to the meeting date, the agenda will also be available online at: www.freshfromflorida.com/Public-Notices/.

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: Jenna Harper at (850)410-3674. 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: Jenna Harper, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3674.

DEPARTMENT OF LAW ENFORCEMENT

The Medical Examiners Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 9, 2018, 10:00 a.m. CT

PLACE: Hilton Sandestin Beach Golf Resort and Spa, 4000 Sandestin Boulevard South, Coral A Meeting Room, Miramar Beach, Florida, 32550-4214; (850)267-9500.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Medical Examiners Commission scheduled for 11/9/18 at 10:00 A.M. CT is postponed. The meeting will be rescheduled for a future date and time. Please contact Ms. Vickie Koenig, Chief of Policy & Special Programs, Medical Examiners Commission Office at (850)410-8600.

A copy of the agenda may be obtained by contacting: Ms. Vickie Koenig, Chief of Policy & Special Programs, Medical Examiners Commission Office at (850)410-8600.

PUBLIC SERVICE COMMISSION

The FLORIDA PUBLIC SERVICE COMMISSION announces a Rescheduled hearing in Docket No. 20180133-EI Petition for limited proceeding to approve second solar base rate adjustment (SoBRA), effective January 1, 2019, by Tampa Electric Company.

HEARING DATE AND TIME REVISED as follows: Monday, October 29, 2018, immediately following the Ten Year Site Plan.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED AT THE HEARING:

The purpose of this hearing shall be to receive testimony and exhibits and to take final action relative to the Commission's evaluation of Tampa Electric's 2017 Amended and Restated Stipulation and Settlement Agreement that included a Solar Base Rate Adjustment mechanism which provides for the recovery of costs associated with solar projects that meet the criteria laid out in the 2017 Settlement Agreement. The Commission will conduct a Limited Proceeding to approve second Solar Base Rate Adjustment and to take action on any motions or other matters that may be pending at the time of the hearing. The Commission may rule on any such motions from the bench or may take the matters under advisement. This proceeding shall: (1) allow the parties to present evidence and testimony in support of their positions; (2) allow for such other purposes as the Commission may deem appropriate.

EMERGENCY CANCELLATION OF HEARING

If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission's website (<http://www.floridapsc.com>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

PUBLIC SERVICE COMMISSION

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

DAY, DATE AND TIME: Thursday, October 25, 2018, 1:30 p.m.

PLACE: Gerald L. Gunter Building, Room 105, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Docket No. 20170039-TP - Request for submission of proposals for relay service, beginning in March 2018, for the deaf, hard of hearing, deaf/blind, or speech impaired, and other implementation matters in compliance with the Florida Telecommunications Access System Act of 1991. This is a meeting of the Telecommunications Access System Act Advisory Committee established pursuant to §427.706, F.S. The purpose of the meeting is to discuss current relevant issues related to relay such as Federal and State Regulatory updates, a current report on relay service, and other Telecommunications Relay Service matters. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting Curtis Williams, Office of Industry Development & Market Analysis, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, cjwillia@psc.state.fl.us, or at (850)413-6924. A copy of the agenda and meeting materials will also be available on the Commission's website, www.floridapsc.com on October 18, 2018.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at the meeting/workshop should contact the Office of Commission Clerk at least five days before the meeting/workshop at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service.

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, October 30, 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.

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) 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.

PUBLIC SERVICE COMMISSION

The FLORIDA PUBLIC SERVICE COMMISSION announces its Internal Affairs Meeting, to which all interested persons are invited.

DATE AND TIME: Tuesday, October 30, 2018, immediately following the Hearing which commences after the Commission Conference 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.

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) 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.

REGIONAL PLANNING COUNCILS

Northeast Florida Regional Planning Council

The Northeast Florida Regional Council announces a public meeting to which all persons are invited.

DATE AND TIME: November 1, 2018, 10:00 a.m. - Executive Committee Meeting

PLACE: 100 Festival Park Avenue, Jacksonville, FL 32202.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting

A copy of the agenda may be obtained by contacting: (904)279-0880

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: (904)279-0880. 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

South Florida Water Management District

The Big Cypress Basin Board announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 25, 2018, 9:00 a.m., Big Cypress Basin Board Meeting

PLACE: Collier County Board of County Commissioners Chambers 3299 Tamiami Trail East, 3rd Floor, Naples, FL 34112

GENERAL SUBJECT MATTER TO BE CONSIDERED: Big Cypress Basin Board to discuss and consider activities impacting the Big Cypress Basin of the South Florida Water Management District.

A copy of the agenda may be obtained by contacting: Charity Saieva, (239)263-7615, Ext. 7602.

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).

For more information, you may contact: Charity Saieva, (239)263-7615, Ext. 7602.

DEPARTMENT OF ELDER AFFAIRS

Division of Volunteer and Community Services

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

DATE AND TIME: November 5, 2018, 1:30 p.m.

PLACE: University of South Florida Department of Psychiatry and Behavioral Neurosciences, 3515 East Fletcher Ave., Tampa, FL 33613; telephone conference: 1(888)670-3525, participant code: 649 992 7145

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

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

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

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

DEPARTMENT OF ELDER AFFAIRS

Division of Volunteer and Community Services

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

DATE AND TIME: November 13, 2018, 8:30 a.m.

PLACE: Pine Hills Community Center, 6408 Jennings Road, Building B, Orlando, FL 32818; telephone conference: 1(888)670-3525, participant code: 649 992 7145

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

communities engaged in providing better care for those affected by dementia while we work towards a cure.

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

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

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

DEPARTMENT OF ELDER AFFAIRS

Division of Volunteer and Community Services

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

DATE AND TIME: November 13, 2018, 2:00 p.m. CT

PLACE: Northwest Florida Area Agency on Aging, 5090 Commerce Park Circle, Pensacola, FL 32505; telephone conference: 1(888)670-3525, participant code: 649 992 7145

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

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

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

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

DEPARTMENT OF MANAGEMENT SERVICES

Division of Communications

The DEPARTMENT OF MANAGEMENT SERVICES announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 23, 2018, 9:30 a.m. – 5:00 p.m.; call-in 1(888)670-3525, Password: 6395414829. Please reference ID 20827275, Vol. 44/197, published on October 9, 2018. This meeting has been canceled and has been rescheduled for December 10, 2018, 9:30 a.m. – 5:00 p.m.; call-in 1(888)670-3525, Password: 6395414829.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 152, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Please reference ID 20827275, Vol. 44/197, published on October 9, 2018. This notice replaces the meeting notice of October 23, 2018; this meeting has been canceled and has been rescheduled for December 10, 2018. Please reference ID 20827275, Vol. 44/197, published on October 9, 2018.

A copy of the agenda may be obtained by contacting:

For more information, you may contact: Millie Marchiano at (850)922-7435 or by email at millicent.marchiano@dms.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Application Committee and/or Educational Advisory Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 31, 2018, 10:00 a.m. or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review applications for licensure and other general business of the committees. If you would like to participate in the call, please contact Rebecca Sammons at (850)521-0500 ext. 114 at least 10 days prior to the date of the meeting. The call in number is 1(888)392-4560 (you will need to contact Ms. Sammons for the participant code).

A copy of the agenda may be obtained by contacting: Rebecca Sammons

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 10 days before the workshop/meeting by contacting: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 31, 2018, 2:00 p.m. or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the board. If you would like to participate in the call, please contact Rebecca Sammons at (850)521-0500 ext. 114 at least 10 days prior to the date of the meeting. The call in number is 1(888)392-4560 (you will need to contact Ms. Sammons for the participant code).

A copy of the agenda may be obtained by contacting: Rebecca Sammons

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 10 days before the workshop/meeting by contacting: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

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

DATE AND TIME: Meeting Cancelled - October 22, 2018, 1:00 p.m.

PLACE: Telephone conference

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General business of the board.

A copy of the agenda may be obtained by contacting: NA
For more information, you may contact: Christa Peace
christa.peace@flhealth.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Building Code Administrators and Inspectors Board
The Building Code Administrators and Inspectors Board
announces a public meeting to which all persons are invited.

DATES AND TIME: November 14, November 15, November
16, 2018, 9:00 a.m.

PLACE: The Shores Resort & Spa, 2637 South Atlantic
Avenue, Daytona Beach Shores, Florida 32118, (386)767-7350

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Committee meetings, probable cause panel (portions of which
may be closed to the public), general board business.

A copy of the agenda may be obtained by contacting:
Myfloridalicense.com - Businesses & Professions - Building
Code Administrators & Inspectors - Board 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 5 days before the workshop/meeting by
contacting: Department of Business and Professional
Regulation, Building Code Administrators and Inspectors
Board, 2601 Blair Stone Road, Tallahassee FL 32399, or by
calling (850)717-1980. 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: Department of
Business and Professional Regulation, Building Code
Administrators and Inspectors Board, 2601 Blair Stone Road,
Tallahassee FL 32399, or by calling (850)717-1980.

DEPARTMENT OF HEALTH

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

DATES AND TIMES: Thursday, October 18, 2018, 9:00 a.m.;
Friday, October 19, 2018, 9:00 a.m.

PLACE: Embassy Suites Tampa - USF/Near Busch Gardens,
3705 Spectrum Blvd., Tampa, FL 33612, 1(813)903-6620

GENERAL SUBJECT MATTER TO BE CONSIDERED:
THIS NOTICE UPDATES NOTICE 19784622

Cancellation of Board of Massage Therapy Meeting scheduled
for Thursday, October 18, 2018 - Friday, October 19, 2018 due
to weather events affecting the Tallahassee office.

A copy of the agenda may be obtained by contacting: the Board
Office at (850)245-4161.

For more information, you may contact: the Board Office at
(850)245-4161.

DEPARTMENT OF HEALTH

Division of Children's Medical Services
The Florida Department of Health, Children's Medical Services
announces a public meeting to which all persons are invited.

DATE AND TIME: October 17, 2018, 9:00 a.m. -
CANCELLED

PLACE: CANCELLED

GENERAL SUBJECT MATTER TO BE CONSIDERED: The
FICCIT meeting scheduled for October 17, 2018 at 9:00 am has
been CANCELLED due to Hurricane Michael.

A copy of the agenda may be obtained by contacting: NA
For more information, you may contact:
Hannah.Norcini@flhealth.gov.

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program
The Board of Directors of the South Florida Evaluation and
Treatment Center Financing Corporation (the "Corporation")
whose sole member is the State of Florida Department of
Children and Families announces a public meeting to which all
persons are invited.

DATE AND TIME: October 30, 2018 10:00 a.m.

PLACE: 800 Fairway Drive, Suite 490, Deerfield Beach, FL
33441, Call-in #: 1(888)354-0094, participant code: 5421695

GENERAL SUBJECT MATTER TO BE CONSIDERED: For
the purpose of conducting the annual meeting of the directors
and electing the officers of the Corporation.

The following have been proposed for election to serve as
officers of the Corporation for the offices set forth opposite
their names until the next annual meeting of the directors of
the Corporation or until the election and qualification of their
successors or until their earlier death, resignation, or removal:

Chris Bove, Chairman and President
David Perry, Secretary and Treasurer
Genna Marx Brisson, Vice President, Assistant Secretary, and
Assistant Treasurer

A copy of the agenda may be obtained by contacting:
Dineen.Cicco@myflfamilies.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: 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: Dineen.Cicco@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

The Board of Directors of the South Florida Evaluation and Treatment Center Financing Corporation (the "Corporation") whose sole member is the State of Florida Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: October 30, 2018, 10:02 a.m.

PLACE: 800 Fairway Drive, Suite 490, Deerfield Beach, FL 33441

Call-in #: 1(888)354-0094, participant code: 5421695

GENERAL SUBJECT MATTER TO BE CONSIDERED: For the purpose of conducting the annual meeting of the directors and electing the officers of the Corporation.

The following have been proposed for election to serve as officers of the Corporation for the offices set forth opposite their names until the next annual meeting of the directors of the Corporation or until the election and qualification of their successors or until their earlier death, resignation, or removal:

Chris Bove, Chairman and President

David Perry, Secretary and Treasurer

Genna Marx Brisson, Vice President, Assistant Secretary, and Assistant Treasurer

A copy of the agenda may be obtained by contacting: Dineen.Cicco@myflfamilies.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: 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: Dineen.Cicco@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

The Board of Directors of the South Florida Evaluation and Treatment Center Financing Corporation (the "Corporation") whose sole member is the State of Florida Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: October 30, 2018, 10:04 a.m.

PLACE: 800 Fairway Drive, Suite 490, Deerfield Beach, FL 33441

Call-in #: 1(888)354-0094, participant code: 5421695

GENERAL SUBJECT MATTER TO BE CONSIDERED: For the purpose of conducting the annual meeting of the directors and electing the officers of the Corporation.

The following have been proposed for election to serve as officers of the Corporation for the offices set forth opposite their names until the next annual meeting of the directors of the Corporation or until the election and qualification of their successors or until their earlier death, resignation, or removal:

Chris Bove, Chairman and President

David Perry, Secretary and Treasurer

Genna Marx Brisson, Vice President, Assistant Secretary, and Assistant Treasurer

A copy of the agenda may be obtained by contacting: Dineen.Cicco@myflfamilies.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: 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: Dineen.Cicco@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-4.014 Eligibility for Services

65G-4.015 Eligibility Criteria

65G-4.016 Application Process

65G-4.017 Establishing Eligibility

The Agency for Persons with Disabilities announces a workshop to which all persons are invited.

DATE AND TIME: November 13, 2018, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop is to discuss the Agency's proposed amendments to existing rule language regarding eligibility for services. This workshop was originally scheduled for October 10, 2018, but is being rescheduled to the date and time above. The preliminary text of the proposed rule development was published on September 25, 2018, and may be found at https://www.flrules.org/gateway/notice_Files.asp?ID=20931938.

A copy of the agenda may be obtained by contacting: Kathleen Brown-Blake, Senior Attorney, at (850)922-9399 or kathleen.brown-blake@apdcares.org.

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

agency at least 48 hours before the workshop/meeting by contacting: Kathleen Brown-Blake, Senior Attorney, at (850)922-9399 or kathleen.brown-blake@apdcares.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kathleen Brown-Blake, Senior Attorney, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, FL 32399, (850)922-9399, Kathleen.Brown-Blake@apdcares.org.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

The Office of Insurance Regulation and the Continuing Care Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: October 18, 2018, 8:30 a.m.

PLACE: The Office of Insurance Regulation, 200 East Gaines Street, Larson Building, Room 116, Tallahassee, FL 32399-0327.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting scheduled for 8:30 a.m. on October 18, 2018, is canceled and will be rescheduled at a future date. The meeting was scheduled for the purposes of electing the chair and electing or appointing a vice chair of the Continuing Care Advisory Council and to discuss issues currently facing the continuing care industry.

A copy of the agenda may be obtained by contacting: Melinda Cupp at Melinda.Cupp@flor.com or (850)413-5294.

For more information, you may contact: Melinda Cupp at Melinda.Cupp@flor.com or (850)413-5294.

Gulf Consortium

The Gulf Consortium announces a public meeting to which all persons are invited.

DATE AND TIME: October 24, 2018, 4:00 p.m. (ET)

PLACE: This meeting will be conducted via communications media technology (teleconference). Interested persons may participate by telephone via the following: Dial in Number: 1(571)317-3117 Participant Passcode: 285-322-405

Interested persons may also participate in the meeting at the following location, at which communications media technology will be provided: The Balmoral Group, 165 Lincoln Avenue, Winter Park, FL 32789

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Committee of the Gulf Consortium will meet to evaluate draft policies, procedures, and regulations for The Gulf Consortium.

A copy of the agenda may be obtained by contacting: Craig Diamond at (407)629-2185 or gulf.Consortium@balmoralgroup.us or at www.gulfconsortium.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Craig Diamond at (407)629-2185 or Gulf.Consortium@balmoralgroup.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If 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: Craig Diamond at (407)629-2185 or gulf.Consortium@balmoralgroup.us.

Florida Independent Living Council

The Florida Independent Living Council, Inc. announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, October 29, 2018, 10:00 a.m. until completion of agenda

MEETING: Finance Committee

PLACE: CALL IN NUMBER: 1(888)670-3525 CODE: 5073148497

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business of the Committee

Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Jenny Bopp at jenny@floridasilc.org.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1882 Capital Circle NE, Suite 202, Tallahassee, Florida 32308 (850)488-5624 or Toll Free 1(877)822-1993.

Pursuant to the Americans with Disabilities Act, accommodations for persons with disabilities are available upon request. If you have a disability and require a reasonable accommodation to fully participate in this event, please contact Beth Meyer, PA, ADA at beth@floridasilc.org, or (850)488-5624 to discuss your accessibility needs. Please allow 5 business days' notification to process: last minute requests will be accepted, but may not be possible to fulfill.

Florida Independent Living Council

The Florida Independent Living Council, Inc. announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, October 30, 2018, 9:00 a.m. – 10:00 a.m.

MEETING: SPIL Development Sub Committee

PLACE: Please join my meeting from your computer, tablet or smartphone: <https://global.gotomeeting.com/join/505705349>

You can also dial in using your phone: United States (Toll Free): 1(877)309-2073, United States: 1(571)317-3129

Access Code: 505-705-349

Joining from a video-conferencing room or system?

Dial: 67.217.95.2##505705349, Cisco devices: 505705349@67.217.95.2

First GoToMeeting? Let's do a quick system check: <https://link.gotomeeting.com/system-check>

GENERAL SUBJECT MATTER TO BE CONSIDERED: SPIL Development

Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Jenny Bopp at jenny@floridasilc.org

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1882 Capital Circle NE, Suite 202, Tallahassee, Florida 32308 (850)488-5624 or Toll Free 1(877)822-1993.

Pursuant to the Americans with Disabilities Act, accommodations for persons with disabilities are available upon request. If you have a disability and require a reasonable accommodation to fully participate in this event, please contact Beth Meyer, PA, ADA at beth@floridasilc.org, or (850)488-5624 to discuss your accessibility needs. Please allow 5 business days' notification to process: last minute requests will be accepted, but may not be possible to fulfill.

Sunshine State Governmental Financing Commission

The Sunshine State Governmental Financing Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 2, 2018, 8:30 a.m. (ET)

PLACE: Innovations Room, Doubletree Hotel & Executive Meeting Center, 4431 PGA Boulevard, Palm Beach Gardens, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special Board of Directors Meeting and Strategic Planning Workshop

A copy of the agenda may be obtained by contacting: Richard C. Dowdy, Program Administrator, at ssgfc@embarqmail.com or (850)878-1874.

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

The Valerin Group, Inc.

The Florida Department of Transportation (FDOT) District One announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, October 25, 2018, 5:00 p.m.

PLACE: City of Lakeland, City Hall - Commission Chamber, 228 S. Massachusetts Avenue, Lakeland, FL 33801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No. 439436-1

The Florida Department of Transportation (FDOT), District One, is holding a Public Hearing to discuss the improvements on State Road (SR) 37 from south of Imperial Boulevard to north of Glendale Street in Polk County.

The hearing is Thursday, October 25, 2018 at City of Lakeland, City Hall - Commission Chamber, 228 S. Massachusetts Avenue, Lakeland, FL 33801. FDOT will hold this hearing to give interested persons the opportunity to view plans and project materials depicting the improvements. The hearing will begin with an open house at 5 p.m., with a formal presentation beginning at 6 p.m., and followed by a public comment period. after which participants may provide their verbal comments to all present. FDOT will conduct this public hearing to give interested persons an opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of the proposed improvements.

Participants may also provide verbal comments directly to a court reporter before and after the formal presentation. Written comments can be submitted at the hearing, sent by mail to Wayne Shelton, FDOT District One, 801 North Broadway Avenue, Bartow, FL 33830, or emailed to Wayne.Shelton@dot.state.fl.us, no later than November 5, 2018. All comments written and oral will become part of the project's public record.

Project improvements include milling and resurfacing the roadway; the installation of raised medians between John Church Lane/Hillsboro Street and Young Place; and the following proposed additional minor improvements: curb ramp upgrades to bring them into compliance with the Americans With Disabilities Act (ADA); sidewalk repair; and drainage improvements.

FDOT solicits public participation without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting Cynthia Sykes, Title VI Coordinator, at 1(863)519-2287 or by email at Cynthia.Sykes@dot.state.fl.us. People who require special accommodations under the Americans with Disabilities Act of 1990, or who require translation services (free of charge), should contact Tammy Sutton, District One ADA Coordinator, at 1(863)519-2517 or by email at Tammy.Sutton@dot.state.fl.us at least seven days prior to the public meeting. If you are hearing or speech impaired, please contact us by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information about the project, please visit the project website at www.swflroads.com/sr37/imperialtoglendale or contact Project Manager, Wayne Shelton, at 1(863)519-2353 or by e-mail at Wayne.Shelton@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: There is no agenda

OTHER AGENCIES AND ORGANIZATIONS

Lee Modica & Associates

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

DATE AND TIME: Wednesday, October 24, 2018, 1:30 p.m.

PLACE: Florida Department of Health in Miami-Dade County, 1350 NW 14 Street, Miami FL, Room 409.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Art Selection Committee for the Miami-Dade County Health Department Administration Building Phase 2 is meeting to evaluate a design proposal by their chosen artist.

A copy of the agenda may be obtained by contacting: Lee Modica, ASB Administrator, at Lee@LeeModica.com or (850)766-7117.

OTHER AGENCIES AND ORGANIZATIONS

Florida is for Veterans Inc.

The Florida is for Veterans Inc d/b/a Veterans Florida announces a public meeting to which all persons are invited.

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

PLACE: 2103 The Capitol, 400 S. Monroe Street, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Director Search Committee, Applicant Minimum Qualifications and Review for Executive Director Position

A copy of the agenda may be obtained by contacting: info@veteransflorida.org.

Section VII

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

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.

On 10/9/2018, the Florida Office of Financial Regulation (Consumer Finance) received a Petition for Declaratory Statement from Grapefruit Trading. The petition seeks a declaratory statement from the Office on whether his proposed

business model (to trade virtual currencies (bitcoin, ether, etc.) with individuals and corporations in the state of Florida and elsewhere. To conduct bilateral trades to buy or sell virtual currencies using US dollars or other virtual currencies) falls under the Florida Money Transmitter Statute, Chapter 560, Florida Statutes.

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**

NONE

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Wednesday, October 10, 2018 and 3:00 p.m., Tuesday, October 16, 2018.

Rule No.	File Date	Effective Date
14-15.017	10/15/2018	11/4/2018
33-103.008	10/15/2018	11/4/2018
33-103.016	10/15/2018	11/4/2018
53ER18-59	10/15/2018	10/15/2018
61G4-12.0021	10/15/2018	11/4/2018
64B13-10.001	10/15/2018	11/4/2018

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

Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****

**BABCOCK RANCH COMMUNITY INDEPENDENT SPECIAL DISTRICT
NOTICE OF RULEMAKING FOR ENVIRONMENTAL AND UTILITIES PLAN REVIEW FEES; WATER UTILITY FEES; AND SOLID WASTE FACILITY FEES**

A public hearing will be conducted by the Babcock Ranch Community Independent Special District (“District”) on November 15, 2018, 1:00 p.m., 14750 State Road 31, Punta Gorda, Florida 33982. The public hearing will be a rulemaking hearing and will provide an opportunity for the public to address proposed rules that set fees and charges related to environmental review fees and utilities plan review fees, potable water, sewer and irrigation quality water utility fees, and solid waste collection fees. The purpose and effect of the proposed rules is to provide for efficient and effective District operations, and to provide sufficient revenues to meet expenses and provide services within boundaries of the District. Prior notice of rule development for the rulemaking hearing was

published in the Florida Administrative Register on October 16, 2018. The proposed fees are as follows:

Environmental Review	Project area < 10 acres; no wetland impacts (just reviewing for species issues) - \$2,500
	Project area < 10 acres; < 1 acre wetland impacts - \$3,500
	Project area < 40 acres; < 3 acres wetland impacts - \$5,000
	Project area < 100 acres; < 5 acres wetland impacts - \$6,000
	Project area > 100 acres; ≥ 5 acres wetland impacts - \$7,200

POTABLE WATER, SEWER AND IRRIGATION QUALITY WATER UTILITY

Lien Search Request	\$50
Utilities Plan Review	1% of Construction Cost or minimum of \$750, whichever is greater
Reuse on a Bulk Basis (Golf)	+/- \$0.55 per 1000 gal

The District reserves the right to impose additional fees for the following to the extent not covered above.

Labor Classification	Regular Working Hours	After Working Hours
Administrative	\$60/hour	\$90/hour

INDUSTRIAL DISCHARGE AND APPROVAL FEES		
<i>Industrial Wastewater Discharge Approvals</i>		
Application Fee	\$75.00	
Transfer Fee	\$75.00	
<i>Industrial Wastewater Discharge Approval Annual Fee:</i>		
Flow Rate	Minor	Significant
Up to 2,500 gpd	\$100.00	\$225.00
2,501 to 5,000 gpd	\$175.00	\$375.00
5,001 to 10,000 gpd	\$250.00	\$425.00
10,001 to 25,000 gpd	\$325.00	\$575.00
25,001 to 50,000 gpd	n/a	\$625.00
50,001 to 100,000 gpd	n/a	\$775.00
Over 100,000 gpd	n/a	\$825.00

High Strength Industrial Wastewater Surcharge

Oil and Grease (O&G) concentration in excess of 50 mg/L	\$0.1110
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Waste Hauler Charges	
Annual Fee per Hauler	\$200.00
Remediation	Actual Cost + \$200 fee

SOLID WASTE COLLECTION RATES AND FEES SCHEDULE

NON-RESIDENTIAL SERVICES

Additional Services:

Extra pick up on regular service day while on site: \$4.64 (per yard)

Extra pick up, return or on-call: \$12.36 (per yard)

Deodorize spray while on site: \$8.24 per occurrence

Restoration of Service: \$75 per occurrence

BABCOCK RANCH WATER UTILITIES ERC CALCULATION TOOL

	Water (Calculated)		Waste water (Provided)	
Gallons/Day/ERC	125		113	
	Water ERCs	Water Gallons	Waste water ERCs	Waste water Gallons
Grocery/100 SF	0.03	3.36	0.03	3.36
Deli/100 SF Deli floor space	0.11	13.44	0.12	13.44
Bakery/100 SF Bakery floor space	0.11	13.44	0.12	13.44
Meat/100 SF Meat floor space	0.20	25.20	0.22	25.50
Water Closet	0.54	67.20	0.59	67.20

Specific legal authority for the rules includes Section 120.054, Florida Statutes, and Chapter 2007-306, Laws of Florida, as amended. Any person who wishes to provide the District with a proposal for a lower cost regulatory alternative as provided by

subsection 120.541(1), Florida Statutes, must do so in writing within twenty-one (21) days after publication of this notice.

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

TIME AND DATE: November 15, 2018 at 1:00 p.m.

PLACE: 14750 State Road 31, Punta Gorda, Florida 33982

The public hearing may be continued to a date, time, and place to be specified on the record at the hearing. If anyone chooses to appeal any decision of the Board with respect to any matter considered at the public hearing, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which such appeal is to be based.

At the hearing, one or more Supervisors may participate in the public hearing by telephone. Any person requiring special accommodations at the hearing because of a disability or physical impairment should contact the District Office at (561)571-0010 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1(800)955-8770, for aid in contacting the District Office. A copy of the proposed rules may be obtained by contacting the District Manager, Craig Wrathell, at 2300 Glades Road, Suite 410w, Boca Raton, Florida 33431 or by calling (561)571-0010.

Craig Wrathell, Manager

**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.