

Section I Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: RULE TITLE:

64B11-2.003 Fees; Application

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address changes to the application form.

SUBJECT AREA TO BE ADDRESSED: Changes to the application for licensure.

RULEMAKING AUTHORITY: 456.013, 468.221, 468.204 FS.

LAW IMPLEMENTED: 456.013, 456.0635, 468.209, 468.213(1), 468.221 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: Allen Hall, Executive Director, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255.

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

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: RULE TITLE:

64B11-4.001 Use of Prescription Devices

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address changes to the appropriate use of prescription devices.

SUBJECT AREA TO BE ADDRESSED: Possible changes to the rule regarding the use of prescription devices.

RULEMAKING AUTHORITY: 468.203(4), 468.204 FS.

LAW IMPLEMENTED: 468.203(4) 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: Allen Hall, Executive Director, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255.

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

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NOS.: RULE TITLES:

5J-5.001 Definitions

5J-5.002 Forms Used with Complaints

5J-5.003 Enforcement Actions and Administrative Penalties

PURPOSE AND EFFECT: To update the definition section, incorporated department forms, and the penalty structure for statutory compliance.

SUMMARY: The proposed rules amend the definition section, update incorporated department forms and eliminate forms that are no longer necessary. They also amend the penalty section to conform with statutory changes in Chapters 2018-23 and 2018-84, Laws of Florida.

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 proposed rules update a definition, update incorporated forms and align the penalty section with statute. There are no increased regulatory costs associated with these revisions. Additionally, no interested party submitted additional information regarding the economic impact.

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: 501.059(12), 570.07(23) FS.

LAW IMPLEMENTED: 501.059(1)(g), (h), (5), (9)(a), (b), 570.544(4), 570.971(4) 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: W. Alan Parkinson, Bureau Chief, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, email at Alan.Parkinson@FreshFromFlorida.com or by phone (850)410-3697.

THE FULL TEXT OF THE PROPOSED RULE IS:

5J-5.001 Definitions.

(1) No change.

(2) As referenced in Section 501.059(1)(h)3., F.S., the term “prior or existing business relationship” means a relationship formed by a voluntary two-way communication between a telephone solicitor and a consumer with or without an exchange of consideration, on the basis of the consumer’s purchase or transaction with the entity within the eighteen (18) months immediately preceding the date of the telephonic sales call or on the basis of the consumer’s inquiry or application regarding products or services offered by the entity within the three months immediately preceding the date of the telephonic sales call, which relationship has not been previously terminated by either party.

(3) As referenced in Section 501.059(5), F.S., the term “previously communicated” means:

(a) That the consumer, business or donor has communicated directly to the telephone solicitor or person; or

(b) That the consumer, business or donor has communicated to the department in the form of a written complaint and that complaint has been provided to the telephone solicitor or person as part of the department’s normal course of complaint mediation.

Rulemaking Authority 501.059(12), 570.07(23) FS. Law Implemented 501.059(1)(h), (5) FS. History—New 12-28-15, Amended.

5J-5.002 Forms Used with Complaints.

(1) The following form is forms and instructions are hereby adopted by reference and is are used by the department in its investigations of alleged violations of Section 501.059, F.S.: ~~(a)~~ FDACS-10402, Florida Do Not Call Complaint Form, Rev. 10/18 ~~06/15~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-06108>.

~~(b) FDACS 10982, Florida Do Not Text Complaint Form, Rev. 06/15, <http://www.flrules.org/Gateway/reference.asp?No=Ref-06109>.~~

~~(c) FDACS 10983, Florida Business Reply Form, Rev. 06/15, <http://www.flrules.org/Gateway/reference.asp?No=Ref-06110>.~~

(2) Copies of the above forms may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Mediation and Enforcement, 2005 Apalachee Parkway, ~~Terry L. Rhodes Bldg.~~, Tallahassee, Florida 32399-6500, or accessed online at the links identified in subsection (1) above. ~~It They~~ may also be completed and submitted online at <http://www.freshfromflorida.com/Forms-Publications/Forms>.

Rulemaking Authority 501.059(12), 570.07(23) FS. Law Implemented 501.059(9)(a), 570.544(4) FS. History—New 12-28-15, Amended.

5J-5.003 Enforcement Actions and Administrative Penalties.

(1) This rule sets forth the guidelines the department will follow in imposing the administrative penalties authorized under Section 501.059, F.S. The purpose of the guidelines is to give notice of the range of administrative penalties which will be imposed for a single violation. These guidelines list aggravating and mitigating factors that, if present, will reduce or increase the administrative penalties to be imposed against the violator by the department. The guidelines in this rule chapter are based upon a single count violation of each provision listed. Multiple counts of the violated provision or a combination of the listed violations will be added together to determine a total penalty and will be grounds for enhancement of penalties.

~~(2) The department will enforce compliance with Section 501.059, F.S., and this rule chapter by issuing an administrative complaint or through civil litigation for violations of Section 501.059, F.S.~~

~~(3) Nothing in this chapter shall limit the ability of the department to informally dispose of administrative actions by settlement agreement, consent order, or other lawful means.~~

~~(2)(4)~~ Aggravating and Mitigating Factors. The department will consider aggravating and mitigating factors in determining administrative penalties for violations of Section 501.059, F.S. The factors shall be applied against each single count of the listed violation. Both aggravating and mitigating factors, if present, shall be applied against each single count of the listed violation.

(a) Aggravating factors shall include, ~~but not be limited to:~~

1. No change.

2. Previous administrative or civil complaints brought by any governmental agency within the preceding three years for the same or a similar offense(s) that resulted in settlement, imposition of administrative penalties, or suspension or revocation of a license.

3. through 5. No change.
 6. The number of ~~other~~ violations proven in the same proceeding.

7. No change.

(b) Mitigating factors shall include, ~~but not be limited to:~~

1. through 5. No change.

6. A clean ~~The~~ disciplinary history of the person committing the violation.

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

~~(6) In addition to the penalties established in this rule, the department reserves the right to seek to recover any other costs, penalties, attorney's fees, court costs, service fees, collection costs, and damages allowed by law. Additionally, the department reserves the right to seek to recover any costs, penalties, attorney's fees, court costs, service fees, collection costs, and costs resulting from a payment that is returned for insufficient funds to the department.~~

~~(4)(7)~~ Penalties. Any violation of Section 501.059, F.S., shall result in the imposition of an administrative fine ranging from ~~\$5,000 to \$10,000~~ \$500 to \$1,000 per violation pursuant to a Class III ~~I~~ violation as referenced in Sections 501.059(9)(b) and 570.971, F.S.

~~(5)(8)~~ Failure to respond to an administrative complaint shall result in the entry of a default Final Order against the violator or entity responsible for the violation and the department shall impose the maximum administrative fine amount of ~~\$10,000~~ \$1,000 per violation pursuant to a Class III ~~I~~ violation as referenced in Sections 501.059(9)(b) and 570.971, F.S.

~~(9) A violator's failure to comply with a Final Order shall result in additional penalties sought through the enforcement of the order in circuit court.~~

Rulemaking Authority 501.059(12), 570.07(23) FS. Law Implemented 501.059(9)(b), 570.971(4) FS. History—New 12-28-15, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: W. Alan Parkinson, Bureau Chief, Division of Consumer Services
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 24, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 29, 2018

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NO.: 5J-26.001
 RULE TITLE: Military Fee Waiver

PURPOSE AND EFFECT: The purpose of the proposed rule is to update the incorporated department form to be submitted when requesting a military waiver of an initial or renewal registration fee.

SUMMARY: The proposed rule incorporates by reference an updated department form to be completed by active duty military, honorably discharged veterans, military spouses or surviving spouses to request a registration fee waiver in compliance with sections 9 - 10, 31 - 35, and 37 - 40 ch. 2018-7, Laws of Florida.

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 proposed rule incorporates an updated department form to waive the initial or renewal registration fee for qualified military persons resulting in a decreased regulatory cost. Additionally, no interested party submitted additional information regarding the economic impact.

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: 472.008, 501.014(2), 501.626, 507.09(3), 527.06, 539.001(21), 559.92201, 559.9355(3), 570.07(23) FS.

LAW IMPLEMENTED: 472.015(3)(b), 472.016, 501.015(2), 501.605(5)(b), 501.607(2)(b), 501.609, 507.03(3)(b), (c), 527.02(3)(b), (c), 539.001(3)(c), (g), 559.904(3)(b), (c), 559.928(2)(c), (d) 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: Liz Compton, Bureau Chief, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, (850)410-3800.

THE FULL TEXT OF THE PROPOSED RULE IS:

5J-26.001 Military Fee Waiver

~~Within 60 months after the date of the veteran's discharge from any branch of the United States Armed Forces, an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse, may apply for an initial fee waiver pursuant to Sections 472.015(3)(b), 501.015(2), 501.605(5)(b), 501.607(2)(b), 507.03(3)(b), 527.02(3)(b), 539.001(3)(c), 559.904(3)(b), 559.928(2)(c), F.S.~~

(1) Applicants seeking a waiver must submit FDACS-10991, Military Veteran Fee Waiver Request, Rev. ~~10/18 07/17~~, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500 or accessed online at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-08667>.

(2) The waiver request and required documentation must be submitted to the department along with a completed program registration application.

Rulemaking Authority 472.008, 501.014(2), 501.626, 507.09(3), 527.06, 539.001(21), 559.92201, 559.9355(3), 570.07(23) FS. Law Implemented 472.015(3)(b), 472.016, 501.015(2), 501.605(5)(b), 501.607(2)(b), 501.609, 507.03(3)(b), (c), 527.02(3)(b), (c), 539.001(3)(c), (g), 559.904(3)(b), (c), 559.928(2)(c), (d) FS. History—New 2-12-17, Amended 10-31-17,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Liz Compton, Bureau Chief, Division of Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 23, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 29, 2018

DEPARTMENT OF TRANSPORTATION

RULE NO.: 14-61.0016
 RULE TITLE: Turnpike Tandem Access

PURPOSE AND EFFECT: To update rules for turnpike tandems.

SUMMARY: Provides a single form in place of multiple forms for turnpike-tandem operators. Allows turnpike-tandem operators to receive a separate permit to travel on state roads up to 15 miles off the turnpike system to and from designated areas without decoupling.

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: regulatory costs have been reduced by consolidation of the forms and allowance for off-turnpike travel.

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), 316.611 316.550(6), 334.044(2), 334.044(14), 338.2216(1)(b), 338.239 FS.

LAW IMPLEMENTED: 316.515, 316.550, 316.646, 321.05, 324.171, 334.044(14), 334.044(32), 338.2216(1)(a)(b) 338.22-.244, 338.239(2),F.S.

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, Department of Transportation, 605 Suwannee Street, Tallahassee, FL 32399, susan.schwartz@dot.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

Substantial rewording of Rule 14-61.0016 follows. See Florida Administrative Code for present text.

14-61.0016 Turnpike Tandem Access.

The Turnpike Enterprise will allow Turnpike Tandems access to the Turnpike System, consistent with the provisions specified herein:

(1) Size, Weight, and Safety Enforcement.

(a) The Turnpike Enterprise, the Florida Highway Patrol, or their respective staffs are authorized to inspect all equipment used in the tandem operation and to reject any defective equipment.

(b) The Florida Highway Patrol has primary responsibility for enforcing the State's general traffic safety on the Turnpike System and for enforcing commercial vehicle size, weight, and safety laws and rules on the Turnpike System.

(2) Turnpike Tandem Permits and Certifications.

(a) The Turnpike Enterprise is responsible for issuing Turnpike Tandem Permits and Certifications.

(b) The permittee is responsible for any vehicle operating with a Turnpike Tandem Permit and other certifications and for complete compliance with all terms of the permit and certification, including:

1. Ensuring that the driver is qualified to operate the vehicle and understands the terms and conditions of the permit, certifications, and the provisions of this rule chapter.

2. Ensuring that the vehicle is inspected and maintained in a safe and reliable condition; and,

3. Ensuring that the vehicle operates in conformity with the permit, certifications, and the provisions of this rule chapter.

(c) Turnpike Tandem Permits are issued for the Turnpike System only. Travel is not authorized on the Interstate Highway System. Travel on the local network must be coordinated with and authorized by the local authorities. When approved by a Route Specific Blanket Permit issued pursuant to Rule Chapter 14-26, F.A.C., a Turnpike Tandem is authorized to travel onto and off the Turnpike when traveling on state roadways within 15 travel miles of the Turnpike to and from designated staging areas, intermodal logistics centers as defined in section 311.101, F.S., and seaports listed in section 311.09(1), F.S. Route Specific Blanket Permit applications for Turnpike Tandems to travel on a state roadway off the Turnpike System must be supported by an analysis of the route conducted by Professional Engineer licensed in the State of Florida. The analysis must include a diagram of the vehicle configuration, route and turning radiuses and must be signed and sealed by a Professional Engineer, certifying that the route can safely accommodate the vehicle configuration. The Department's Road Use Permit Office will be responsible for verifying the load carrying capacity of the route. Route Specific Blanket permits issued pursuant to this subsection and rule 14-26, F.A.C., shall be valid for 3 months at a cost of \$63.00 each.

(3) Original Application. To operate Turnpike Tandems on the Turnpike System, complete Form Number 800-040-01, General Certification Covering Turnpike Tandem Operations, 9/18, incorporated herein by reference at <https://www.flrules.org/Gateway/reference.asp?No=Ref-09957> and available at www.fdot.gov/procedures/forms.shtm and submit to: Florida Turnpike Enterprise, Fleet Manager, Pompano Service Area, M.P. 65, Post Office Box 9828, Fort Lauderdale, Florida 33310-9828 or by email to: CO-TurnpikeTandems@dot.state.fl.us.

(4) All tractors, trailers, and dollies must be approved and certified by the Turnpike Enterprise before operating under a Turnpike Tandem Permit. Certification will be withdrawn by the Turnpike Enterprise when it determines that there is a material inconsistency between the provisions of the certification and the equipment in question, or that the

continued operation on the Turnpike System would constitute an unsafe operation.

(5) Identification Numbers and Certification.

(a) An identification number will be issued by the Turnpike Enterprise. A decal displaying the identification number must be purchased by the permittee and shall be placed on the left side of each tractor, trailer, and dolly approved for use in tandem trailer operations. The numerals must be white on green background; at least three inches in height; and, must be visible to a person standing at ground level.

(b) The permittee must include a description of the tractor, all trailers and dollies on Form 800-040-01 certification. Upon review and approval by the Department, this certification shall be carried in the cab of the tractor which it describes. A Tractor certification authorizes only the vehicle described therein and shall be made available at any time for inspection by the Turnpike Enterprise, Florida Highway Patrol, or their respective staffs. Any discrepancy between the description on the certification and the actual description of the vehicle will result in the withdrawal of approval.

(6) Renewal of Certification. Turnpike Tandem certifications are effective September 1st of each year, through August 31st of the following year. To allow for continuous use, the Department recommends submittal of Form 800-040-01 no later than August 1 of each year. The Florida Turnpike Enterprise does not provide notification of certification expiration.

(7) Responsibility of Permittee.

(a) Each certificate to operate Turnpike Tandems shall be valid only when the permittee has public liability insurance maintained in accordance with section 627.7415, F.S.

(b) Such public liability insurance certificate shall explicitly state that the Turnpike Tandem operations of the permittee are expressly covered under the policy(ies) in effect, or in the alternative, that there is no exclusion in said policy relative to Turnpike Tandem operations by the permittee. Such certificate shall also provide that the coverage under the policy may not be canceled without 30 days prior notice, in writing, to the Executive Director of the Florida Turnpike Enterprise. In the event of cancellation of such public liability insurance policy, every Turnpike Tandem Permit and certification covered by that certificate shall be automatically cancelled.

(c) Certificates of self-insurance issued by the Florida Department of Highway Safety and Motor Vehicles will be accepted in fulfillment of the insurance requirements stated herein, providing such certificates satisfy all the requirements of section 627.7415, F.S.

(d) Description of coverage shall include: Public liability arising in respect to all movement of tandem trailer units. This includes service trucks, wreckers, or any other vehicles used in the service of the tandem trailer operation, by the Permittee or

by anyone acting by, through, or for the permittee, including omissions and supervisory acts of the Turnpike Enterprise, the Florida Highway Patrol, and each of their respective officers, agents, or employees.

Rulemaking Authority 316.515(12), 316.611 316.550(6), 334.044(2), 334.044(14), ~~338.2216(1)(b)~~, 338.239 FS. Law Implemented 316.515, 316.550, 316.646, ~~321.05, 324.171~~, 334.044(14), ~~334.044(32), 338.2216(1)(a)(b) ~~338.22~~ 244, 338.239(2) 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

Medicaid

RULE NO.: 59G-4.028
RULE TITLE: Behavioral Health Assessment Services

PURPOSE AND EFFECT: The purpose of Rule 59G-4.028, Florida Administrative Code (F.A.C.), is to incorporate by reference the Florida Medicaid Behavioral Health Assessment Services Coverage Policy, _____.

SUMMARY: The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 409.919, 409.961 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913, 409.973 FS.

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

DATE AND TIME: November 28, 2018, 9:00 a.m. to 10:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Matt Brackett. 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: Matt Brackett, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4151, e-mail: Matt.Brackett@ahca.myflorida.com.

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

Official comments to be entered into the rule record will be received from the date of this notice until 5:00 p.m. November 29, 2018. Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, please contact the person specified above.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.028 Behavioral Health Assessment Services.

(1) This rule applies to all providers rendering Florida Medicaid behavioral health assessment services to recipients.

(2) All providers must be in compliance with the provisions of the Florida Medicaid Behavioral Health Assessment Services Coverage Policy, _____, incorporated by reference. The policy is available on the Agency for Health Care Administration's _____ Web site at <http://ahca.myflorida.com/Medicaid/review/index.shtml>, and at [DOS place holder Ref-_____].

Rulemaking Authority 409.919,409.961 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.912, 409.913, 409.973 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Matt Brackett

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 2018
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 3, 2018

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
 59G-4.029 Behavioral Health Medication Management Services.

PURPOSE AND EFFECT: The purpose of Rule 59G-4.029, Florida Administrative Code (F.A.C.), is to incorporate by reference the Florida Medicaid Behavioral Health Medication Management Services Coverage Policy, _____.

SUMMARY: The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

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

RULEMAKING AUTHORITY: 409.919, 409.961 FS.

LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.912, 409.913, 409.973 FS.

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

DATE AND TIME: November 28, 2018, 9:00 a.m. to 10:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Matt Brackett. 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: Matt Brackett, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4151, e-mail:Matt.Brackett@ahca.myflorida.com

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

Official comments to be entered into the rule record will be received from the date of this notice until November 29, 2018. Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, please contact the person specified above.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.029 Behavioral Health Medication Management Services.

(1) This rule applies to all providers rendering Florida Medicaid behavioral health medication management services to recipients.

(2) All providers must be in compliance with the provisions of the Florida Medicaid Behavioral Health Medication Management Services Coverage Policy, _____, incorporated by reference. The policy is available on the Agency for Health Care Administration's Web site at <http://ahca.myflorida.com/Medicaid/review/index.shtml>, and at [DOS place holder Ref-_____].
Rulemaking Authority 409.919, 409.961 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912, 409.913, 409.973 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Matt Brackett

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 23, 2018

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.031
 RULE TITLE: Behavioral Health Community Support Services

PURPOSE AND EFFECT: The purpose of Rule 59G-4.031, Florida Administrative Code (F.A.C.) is to incorporate by reference the Florida Medicaid Behavioral Health Community Support Services Coverage Policy, _____.

SUMMARY: The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 409.919, 409.961 FS.

LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.912, 409.913, 409.973 FS.

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

DATE AND TIME: November 28, 2018, 9:00 a.m. to 10:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Matt Brackett. 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: Matt Brackett, Bureau of Medicaid

Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4151, e-mail: Matt.Brackett@ahca.myflorida.com.

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

Official comments to be entered into the rule record will be received from the date of this notice until November 29, 2018. Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, please contact the person specified above.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.031 Behavioral Health Community Support Services.

(1) This rule applies to all providers rendering Florida Medicaid behavioral health community support services to recipients.

(2) All providers must be in compliance with the provisions of the Florida Medicaid Behavioral Health Community Support Services Coverage Policy, _____, incorporated by reference. The policy is available on the Agency for Health Care Administration's Web site at <http://ahca.myflorida.com/Medicaid/review/index.shtml>, and at [DOS place holder Ref-_____]. Rulemaking Authority 409.919, 409.961 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912, 409.913, 409.973 History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Matt Brackett

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 2018

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.052
 RULE TITLE: Behavioral Health Therapy Services

PURPOSE AND EFFECT: The purpose of Rule 59G-4.052, Florida Administrative Code (F.A.C.), is to incorporate by reference the Florida Medicaid Behavioral Health Therapy Services Coverage Policy, _____.

SUMMARY: The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 409.919, 409.961 FS.

LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.912, 409.913, 409.973 FS.

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

DATE AND TIME: November 28, 2018, 9:00 a.m. to 10:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Matt Brackett. 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: Matt Brackett, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4151, e-mail: Matt.Brackett@ahca.myflorida.com.

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

Official comments to be entered into the rule record will be received from the date of this notice until 5:00 p.m. November 29, 2018. Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, please contact the person specified above.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.052 Behavioral Health Therapy Services.

(1) This rule applies to all providers rendering Florida Medicaid behavioral health therapy services to recipients.

(2) All providers must be in compliance with the provisions of the Florida Medicaid Behavioral Health Therapy Services Coverage Policy, _____, incorporated by reference. The policy is available on the Agency for Health Care Administration's Web site at <http://ahca.myflorida.com/Medicaid/review/index.shtml>, and at [DOS place holder Ref-_____]

Rulemaking Authority 409.919, 409.961 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912, 409.913, 409.973 FS. History--New_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Matt Brackett

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 2018

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

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

RULE NO.: 60FF1-5.010 **RULE TITLE:** Fee Allocation

PURPOSE AND EFFECT: The Board proposes the rule to provide for the allocation percentages for distribution of the E911 fund.

SUMMARY: Fee allocation.

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: 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: 365.172(6)(a)11. FS.

LAW IMPLEMENTED: 365.172(6)(e), 365.172(8)(g), 365.173(2)(a), (e), (f), (g) 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: Matthey Matney, Chairman, E911 Board, 4030 Esplanade Way, Suite 135F, Tallahassee, Florida 32399-0950.

THE FULL TEXT OF THE PROPOSED RULE IS:

60FF1-5.010 Fee Allocation.

The E911 Board adjusts the wireless fee allocation as follows:

(1) Seventy-six percent of the money in the wireless category shall be distributed each month to counties, except that from January 1, 2019 to December 31, 2022, eighty-eight percent of the money in the wireless category shall be distributed each month to counties.

(2) Twenty percent of the money in the wireless category shall be distributed to wireless providers in response to sworn invoices submitted to the board by wireless providers to reimburse such wireless providers for the actual cost incurred to provided 911 or E911 service, except that from January 1, 2019 to December 31, 2022, eight percent of the money in the wireless category shall be distributed to wireless providers in response to sworn invoices submitted to the board by wireless providers to reimburse such wireless providers for the actual costs incurred to provided 911 or E911 service.

(3) Three percent of the money in the wireless category shall be used to make distribution to rural counties.

(4) One percent shall be retained by the board to be applied to costs and expenses incurred for the purposed of managing, administering, and overseeing the receipts and disbursements. Rulemaking Authority 365.172(6)(a)11. FS. Law implemented 365.172(6)(e), 365.172(8)(g), 365.173(2)(a), (e), (f), (g) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
E911 Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: E911 Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 7, 2018

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF REVENUE

RULE NO.: 12-19.002
RULE TITLE: Large Currency Transaction Reports Required
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 44 No. 218, November 7, 2018 issue of the Florida Administrative Register.

The following changes are made in response to written comments received from the staff of the Joint Administrative Procedures Committee.

12-19.002 Large Currency Transaction Reports Required.

(1)(a) No change.

(b) The term “engaged in a trade or business” has the same meaning as under ~~section 26 U.S.C. § 162, of the Internal Revenue Code in effect June 2018~~, hereby incorporated by reference, as amended and in effect effective 01/18, (http://www.flrules.org/Gateway/reference.asp?No=Ref-_____).

(c) through (f) No change.

(2) through (6) No change.

The incorporated material will be published on the Department’s website at http://floridarevenue.com/rules/Pages/1219002_0119.aspx.

DEPARTMENT OF TRANSPORTATION

RULE NO.: 14-61.0016
RULE TITLE: Turnpike Tandem Access
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 HEALTH

Board of Massage Therapy
RULE NUMBER: 64B7-30.002
RULE TITLE: Disciplinary Guidelines
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule published in Vol. 44 No. 14, January 22, 2018, issue of the Florida Administrative Register and the Notice of Change published in Vol. 44 No. 189, September 27,

2018, issue of the Florida Administrative Register, in accordance with subparagraph 120.54(3)(d)1., F.S.

64B7-30.002 Disciplinary Guidelines.

(1) through (2) No change.

(3) Disciplinary Guidelines

VIOLATION	FIRST OFFENSE	SECOND OFFENSE
(a) through (p) No change.		
<p>(q) Section 480.046(1)(p) Violating any provision of this chapter or chapter 456, or any rules adopted pursuant thereto.</p> <p>Section 456.072(1)(b) Intentionally violating any rule adopted by the board or the department, as appropriate.</p> <p>Section 456.072(1)(dd) Violating any provision of this chapter, the applicable practice act, or any rules adopted pursuant thereto.</p>	<p>Reprimand, \$250 fine to revocation</p>	<p>Reprimand, \$1,000 fine, 30 day suspension to revocation</p>
1. through 9. No change.		
<p>10. Rule 64B7-26.010 (1) through (3) No change. (4) As used in this rule, “sexual activity” means any direct or indirect physical contact by any person or between persons</p>	<p>\$2,500 fine and, revocation to \$10,000 fine and revocation</p>	

<p>which is intended to erotically stimulate either person or both or which is likely to cause such stimulation and includes sexual intercourse, fellatio, cunnilingus, masturbation, or anal intercourse. For purposes of this subsection, masturbation means the manipulation of any body tissue with the intent to cause sexual arousal. As used herein, sexual activity can involve the use of any device or object and is not dependent on whether penetration, orgasm, or ejaculation has occurred. Nothing herein shall be interpreted to prohibit a licensed massage therapist, duly qualified under Rules <u>64B7-29.007 and 32.005, 64B7-31.001,</u> F.A.C., from practicing colonic irrigation.</p>		
(r) through (ee) No change.		

(4) No change.

Rulemaking Authority 456.072(2), 456.079(1), (3), 480.035(7) FS. Law Implemented 456.072(2), 456.079(1), (2), (3), 480.041, 480.043, 480.046, 480.047 FS. History—New 3-26-87, Formerly 21L-30.002, Amended 9-30-93, 12-12-93, 8-16-94, 10-1-95, 2-5-96, 5-12-96, 5-29-97, Formerly 61G11-30.002, Amended 2-18-98, 11-4-98, 1-26-00, 10-7-02, 10-12-03, 12-13-05, 5-19-13, 12-2-14, _____.

**Section IV
Emergency Rules**

NONE

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

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 October 23, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Lake Worth Enterprise, LLC d/b/a Oasis Health and Rehabilitation Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018016062. 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

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on October 22, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Lake View Care Center at Delray, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018016064. 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

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on October 23, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Stuart Rehab and Healthcare LLC d/b/a Stuart Rehabilitation and Healthcare, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018015923. 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.

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on October 23, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Stuart Rehab and Healthcare LLC d/b/a Stuart Rehabilitation and Healthcare, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018015923. 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

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on October 23, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Boca Group LLC d/b/a Menorah House Care Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018016001. 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

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010: Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On October 18, 2018 the Division of Hotels and Restaurants received a Petition for a Routine Variance for Paragraph 4-301.12(A), 2009 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code from The Life of Spice Inc. located in Mount Dora. The above referenced F.A.C. addresses the requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. They are requesting to share the warewashing located on the premises of a nearby business under the same ownership.

The Petition for this variance was published in Vol. 44/205 on October 19, 2018. The Order for this Petition was signed and approved on November 5, 2018. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the warewashing facilities located on the premises of The Loft Café (SEA4508658), is maintained in a clean and sanitary manner and is provided with hot and cold running water under pressure. If the ownership of Market at the Loft (The Life of Spice Inc.) and/or The Loft Cafe (The Life of Spice

Inc.) changes, a signed agreement for use of the warewashing is required immediately.

A copy of the order or additional information may be obtained by contacting: Daisy.Aleman@myfloridalicense.com

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On October 5, 2018, the Division issued an order. The Final Order was in response to a Petition for an emergency permanent Variance from Embassy Suites Sarasota, filed October 16, 2018, and advertised on October 25, 2018 in Vol. 44, No.209, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Chapter 3007.7.4, 2016 Supplement to 2014 Florida Building Code (effective July 1, 2016) that requires minimum lobby size because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2018-216).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on November 6, 2018, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, Section 3-305.14, 2009 FDA Food Code, Section 6-202.15, 2009 FDA Food Code, Section 6-202.16, 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from Taco Loco Express Inc. located in Plant City. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

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

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Aleman@myfloridalicense.com
 Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on November 6, 2018, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Section 5-203.13, 2009 FDA Food Code from CMMD LLC located in Deland. The above referenced F.A.C. addresses the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water. They are requesting to share the mop sink located within an adjacent business.

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

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Aleman@myfloridalicense.com
 Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LAW ENFORCEMENT

The Criminal and Juvenile Justice Information Systems (CJJIS) Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, November 29, 2018, 2:00 p.m.

PLACE: Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: The CJJIS Council Emerging Technology Committee will discuss the progress of Patch Management and Procurement Checklist topic papers.

A copy of the agenda may be obtained by contacting: racheltruxell@fdle.state.fl.us.

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

For more information, you may contact: racheltruxell@fdle.state.fl.us.

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

The South Florida Local Emergency Planning Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 14, 2018, 10:00 a.m.

PLACE: South Florida Regional Planning Council, One Oakwood Blvd., Suite 221, Hollywood, FL 33020

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the LEPC's ongoing regional hazardous materials training and planning activities for FY 1819.

A copy of the agenda may be obtained by contacting: South Florida Regional Planning Council, One Oakwood Blvd., Suite 221, Hollywood, FL 33020

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 1 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).

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: South Florida Regional Planning Council, One Oakwood Blvd., Suite 221

Hollywood, FL 33020, via email request to Manny Cela (celam@sfrpc.com), visiting the SoFlaLEPC website (sfrregionalcouncil.org/local-emergency-planning-committee/) or by calling (954)924-3653 in Broward or 1(800)924-3653 toll-free statewide.

SPACE FLORIDA

RULE NO.: RULE TITLE:

57-11.010 Operational Procedures

The Space Florida announces a public meeting to which all persons are invited.

DATE AND TIME: November 27, 2018, 1:30 p.m.

PLACE: Portofino Bay Hotel, 5601 Universal Blvd., Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Board of Directors meeting.

A copy of the agenda may be obtained by contacting: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301, ext. 241.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301, ext. 241. 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: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301, ext. 241.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

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

DATE AND TIME: November 13, 2018, 1:01 p.m.

PLACE: 4050 Esplanade Way, Conference Room 360K, Tallahassee, FL 32399-0950

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Section 120.525, Florida Statutes, the Pre-Reply Conference is hereby noticed within the timeline for the Request for Proposals No. 5-80101507-SA-D, Information Technology Staff Augmentation Services. The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Department will post notice of any changes or additional meetings within the Vendor Bid System (VBS) in accordance with subsection 287.042(3), Florida Statutes, and will not re-advertise notice in the Florida Administrative Register (FAR). Access the VBS at: http://vbs.dms.state.fl.us/vbs/main_menu.

A copy of the agenda may be obtained by contacting: To obtain a copy of the meeting agenda you may contact, Joel Atkinson at (850)487-0758, joel.atkinson@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Joel Atkinson at (850)487-0758,

joel.atkinson@dms.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).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NOS.:RULE TITLES:

61A-5.0105 Beverage Licenses, New Quota Issue

61A-5.747 Quota License Drawing Entry Form

The Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, November 27, 2018, 1:30 p.m. – 5:00 p.m., or until hearing adjourns

PLACE: 2601 Blair Stone Road, Building C, Room 409, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public hearing regarding proposed language for Rules 61A-5.0105 and 61A-5.747, F.A.C.

A copy of the agenda may be obtained by contacting: Rebecca Hays, Counsel for Compliance and Regulatory Programs, at (850)717-1314 or Rebecca.Hays@myfloridalicense.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rebecca Hays, Counsel for Compliance and Regulatory Programs, at (850)717-1314 or Rebecca.Hays@myfloridalicense.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: Rebecca Hays, Counsel for Compliance and Regulatory Programs, at (850)717-1314 or Rebecca.Hays@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION announces a public meeting to which all persons are invited.

DATE AND TIME: November 27, 2018, 9:00 a.m. – 12:00 Noon

PLACE: Division of Hotels and Restaurants, Building B, 2nd Floor Conference Room, 2601 Blair Stone road, Tallahassee, FL 32399.

Conference Call: 1(888)670-3525, participant code 2152927883#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Elevator Safety Technical Advisory Council will meet to discuss and recommend modifications for the 7th Ed. (2020) Florida Building Code.

A copy of the agenda may be obtained by contacting: latosha.jones@myfloridalicense.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 10 days before the workshop/meeting by contacting: latosha.jones@myfloridalicense.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: latosha.jones@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, December 7, 2018, 10:00 a.m.

PLACE: Telephone conference number: 1(888)585-9008, participant code: 564 952 647

GENERAL SUBJECT MATTER TO BE CONSIDERED: CE/Exams/Public Awareness Committee of the Board.

A copy of the agenda may be obtained by contacting: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, (850)717-1983.

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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, (850)717-1983. 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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, (850)717-1983.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.: RULE TITLE:

61G14-11.001 Determination of Openings for Deputy Pilots
The Board of Pilot Commissioners announces a public meeting to which all persons are invited.

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

PLACE: 1(888)670-3525, participant pass code: 7004064007#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business along with the consideration of a petition for waiver or variance filed by Captain Allen L. Thompson, Jr. on October 18, 2018, on behalf of the Tampa Bay Pilots Association, seeking a variance or waiver of subsection 61G14-11.001(3), which explains the process of filing deputy pilot positions prior to a scheduled exam.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Krista Woodard, Executive Director, Board of Pilot Commissioners, 2601 Blair Stone Road, Tallahassee, FL 32399-0790.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982.

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: Board of Pilot Commissioners, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Pilot Commissioners, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982.

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

The Council of Licensed Midwifery announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 16, 2018, 9:00 a.m.

PLACE: Teleconference: phone number: 1(888)670-3525, participant code: 7133577864

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Review Annual Report.

A copy of the agenda may be obtained by contacting: the Board office at (850)245-4161 or on the Board website at <http://www.floridahealth.gov/licensing-and-regulation/midwifery/meetings/index.html>.

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

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: Gerry Nielsen at Gerry.Nielsen@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Health Access and Tobacco

The Division of Community Health Promotion, Bureau of Tobacco Free Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 16, 2018, 2:00 p.m. Eastern time

PLACE: Call 1(888)670-3525, enter participant code: 5720848571 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of Policy Subcommittee of the Tobacco Advisory Council, an Advisory Council required by section 381.84 Florida Statutes. The council provides advice to the Department of Health relating to the Comprehensive Tobacco Education and Use Prevention Program. The council will be discussing the proposed constitutional amendment regarding electronic smoking devices.

A copy of the agenda may be obtained by contacting: Ron Davis at (850)203-6241, Ronald.Davis@flhealth.gov

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Ron Davis at (850)203-6241, Ronald.Davis@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Ron Davis at (850)203-6241, Ronald.Davis@flhealth.gov.

DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children & Families, Southern Region announces a public meeting to which all persons are invited.

DATE AND TIME: November 19, 2018, 12:00 Noon

PLACE: 401 NW 2nd Avenue-Visionary Room N1011, Miami, FL 33128

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of Negotiation Team to Develop Recommendation for Award.

A copy of the agenda may be obtained by contacting: Yanina Menendez-Procurement Manager, Yanina.Menendez@myflfamilies.com, (786)257-5085.

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: Yanina Menendez-Procurement Manager, Yanina.Menendez@myflfamilies.com, (786)257-5085. 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: Yanina Menendez-Procurement Manager, Yanina.Menendez@myflfamilies.com, (786)257-5085.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Public Meetings

INVITATION TO NEGOTIATE (ITN)

400:0072 Leased Space for Leon County

DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) announces a public meeting to which all persons are invited, related to DEO Invitation to Negotiate 400:0072, titled Leased Space for Leon County. Portions of the meeting will not be public, but the meeting will be recorded and released in accordance with Section 286.0113, Florida Statutes.

PUBLIC MEETINGS

LOCATION: Caldwell Building, 107 East Madison Street, Tallahassee, FL 32399-0950

DATE AND TIME: November 16, 2018, 10:30 a.m.

PURPOSE: Intent to Award Recommendation

In accordance with Section 120.525 Florida Statutes, a public meeting to recommend intention to award in DEO Invitation to Negotiate 400:0072 for Leased Space Leon County is hereby noticed.

Notice of any change will be posted within the Vendor Bid System (VBS) in accordance with subsection 287.042(3), Florida Statutes, and will not be re-advertised in the Florida

Administrative Register (F.A.R.). The VBS can be accessed at: http://vbs.dms.state.fl.us/vbs/main_menu.

A copy of the agenda may be obtained by contacting: Melinda Gill at (850)245-7440, melinda.gill@deo.myflorida.com, or Belinda George at (850)245-7458, belinda.george@deo.myflorida.com. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the Department at least 48 hours before the workshop/meeting by contacting: Melinda Gill at (850)245-7440, melinda.gill@deo.myflorida.com or Belinda George at (850)245-7458, belinda.george@deo.myflorida.com. If you are hearing or speech impaired, please contact the Department using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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, November 19, 2018, 10:00 a.m. – 11:00 a.m., Finance Committee Meeting

PLACE: 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.

POLK REGIONAL WATER COOPERATIVE

The Polk Regional Water Cooperative announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, November 14, 2018, 2:00 p.m. (Public Meeting); Wednesday, November 14, 2018, 2:15 p.m. or immediately following approval of the Consent Agenda during Public Meeting (Private Meeting with Counsel)

PLACE: Polk County Tourism and Sports Marketing Headquarters Building located within the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale, Florida 33823

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors of the Polk Regional Water Cooperative will meet to hold a regularly scheduled public meeting to address subjects dealing with organization, budgeting, water conservation, project selection, funding, planning, and development, all as provided within the Interlocal Agreement creating the Cooperative.

In accordance with Chapter 286.011 of the Florida Statutes, the Board of Directors of the Polk Regional Water Cooperative will meet Wednesday, November 14, 2018, 2:15 p.m. (or immediately following approval of the Consent Agenda during the Polk Regional Water Cooperative Public Meeting) in the Polk County Tourism and Sports Marketing Headquarters Building located within the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale, Florida 33823, in private with its attorneys to seek advice concerning the case of Polk Regional Water Cooperative, et al., v. Peace River/Manasota Regional Water Supply Authority and Southwest Florida Water Management District, DOAH Consolidated Case No. 18-3276. The subject matter of the meeting shall be confined to settlement negotiations or strategy sessions related to litigation expenditures. The names of persons who may be in attendance are as follows: PRWC Board Members Tim Pospichal, Richard Hamann, Billy Simpson, James Clements, Tom Fellows, Bobby Lynch, Bert Goddard, Steve Glenn, Michael Burdelak, Suzy Wilson, James Watts, Bob Elliott, Jon Albert, Morris West, Roy Tyler, Charles Lake, Nancy Daly, Marlene Wagner, Michael Kehoe, Eugene Fultz, Flora “Tonya” Stewart, Bill Mutz, Justin Troller, Rick Stradtman, George Hatch, Joe LaCascia, Mike Blethen, Nat Birdsong, George Lindsey, John Hall, PRWC Executive Director Ryan Taylor, and PRWC Legal Advisor Edward de la Parte, Esquire.

A copy of the agenda may be obtained by contacting: Copies of the meeting agenda are available in the Documents & Agendas section of the Cooperative’s website, www.prwcwater.org, or may be obtained by writing to the Polk Regional Water Cooperative, c/o Polk County Manager, Attn: Donna Purvis, P.O. Box 9005, Drawer CA01, Bartow, Florida, 33831-9005, or by calling Donna at 1(863)534-6444.

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: Polk County Communications Office located in the Polk County Administration Building, 330 West Church Street in Bartow, telephone 1(863)534-6090. 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: Ryan Taylor, Executive Director, Polk Regional Water Cooperative, by telephone at 1(863)534-6444 or by email at RyanTaylor@PRWCwater.org.

INFINITE SOURCE COMMUNICATIONS GROUP, LLC
 The Florida Department of Transportation (FDOT), District Six announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, November 13, 2018, 6:00 p.m. – 8:00 p.m.

PLACE: LOCATION CHANGE - Hilton Garden Inn - Flamingo Conference Room - 1695 NW 111 Avenue, Sweetwater, FL 33172

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Miami-Dade County Work Program Public Hearing will be held in order to present District Six's Five-Year Transportation Plan and allow the public to ask questions or make comments about the plan in general, as well as specific projects included in the plan.

At 6:45 p.m. a simultaneous webcast of the public hearing will be held online, and the live question and answer portion of the public hearing will also begin at this time. Online participants can view the hearing from anywhere via the Internet, during the dates and times listed above, by logging onto www.fdotmiamidade.com/work-program or registering on the hearing's GoToWebinar page. The public hearing can also be viewed on Facebook Live @MyFDOTMiami. Audience members will be able to make public comments and ask questions. Online viewers can submit questions or comments via email at wpcomments@dot.state.fl.us and will be responded to the next day.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Gerdy St. Louis, Public Information Specialist, at (305)573-0089 or via email at gerdy@iscprgroup.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Hong Benitez by phone at (305)470-5219, in writing at FDOT 1000 NW 111 Avenue, Miami, FL 33172, or via email at Hong.Benitez@dot.state.fl.us at least seven days prior to the meeting. 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: Gerdy St. Louis, Public Information Specialist, at (305)573-0089 or via email at gerdy@iscprgroup.com.

Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001 Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from Lineaire Designs, LLC. The petition seeks the agency's opinion as to the applicability of section 1607.8.1, Florida Building Code, Building, 6th Edition (2017), as it applies to the petitioner.

Petitioner seeks clarification about whether the provisions of section 1607.8.1 apply to the design of a glass handrail and guard assembly in an interior installation, where the project is located within a high velocity hurricane zone.

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

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

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:

64B16-28.606 Remote Medication Order Processing for Class II or Class III Institutional Pharmacies or Special Pharmacy Permits Servicing Class I, Class II, Modified Class II, Class III, and Special ALF Permitted Facilities

NOTICE IS HEREBY GIVEN that the Board of Pharmacy has received the petition for declaratory statement from Anthony J. Ciccone on behalf of Consulting Pharmacists Inc. The petition

seeks the agency’s opinion as to the applicability of paragraph 64B16-28.606(2)(a), F.A.C., as it applies to the petitioner. Petitioner seeks a Declaratory Statement from the Board regarding subsection (2)(a) which states, “All pharmacists participating in remote medication order processing shall be Florida Licensed Pharmacists,” and asks the following questions: (1) If an “Out of State” pharmacy provides medications for Florida jails, prisons or DJJ facilities and the pharmacists who work in those out of state pharmacies are NOT Florida licensed pharmacists, can they continue providing medications to Florida correctional facilities? (2) If not, what actions must be taken to continue provision of current services between Florida correctional facilities and out of state/remote pharmacy providers? Except for good cause shown, motions for leave to intervene must be filed within 21 days after the publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: C. Erica White, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254 or by email at info@floridaspharmacy.gov within 14 days of publication of this notice.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF FINANCIAL SERVICES

Division of Treasury

1819-01 ITN TR

e-Payment Collection and Processing Services

The Department of Financial Services (Department), an agency of the state of Florida (State), is issuing this Invitation to Negotiate (ITN) to establish a contract for statewide electronic payment (e-Payment) collection and processing services for its Division of Treasury (Treasury). The solicitation will be administered through the Vendor Bid System (VBS). The submitted Response must comply with the terms and conditions stated in this ITN.

Point of Contact/Procurement Officer: All questions must be in writing and should reference the above solicitation number and title. Submit all questions to Procurement Officer, Amy Jones, via email at DFSPurchasing@myfloridacfo.com.

Response Due Date: 12/20/2018 by 3:00 p.m. ET, to the Procurement Officer identified, at the following office location: Department of Financial Services, 200 East Gaines Street, Larson Building, Room 146, Tallahassee, Florida 32399-0347. The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to any public meeting identified within the solicitation. The Department will post notice of any changes regarding this solicitation or additional meetings within the Vendor Bid System (VBS) in accordance with subsection 287.042(3), Florida Statutes, and will not re-advertise the notice in the Florida Administrative Register (FAR). To access the VBS go to the following web address: http://vbs.dms.state.fl.us/vbs/main_menu.

ADA Requirements: Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in any meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Procurement Officer – see 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).

**TAMPA BAY ESTUARY PROGRAM
TECHNICAL SUPPORT & DATA MANAGEMENT
SERVICES**

The Tampa Bay Estuary Program (TBEP) is requesting proposals from qualified respondents to conduct the following project:

Technical Support & Data Management Services

Request for proposal instructions and associated proposal documents may be obtained by contacting Ron Hosler at TBEP, 263 - 13th Avenue South, Suite 350, Saint Petersburg, Florida 33701 or ron@tbep.org. One digital version in electronic format (PDF preferred) of proposals must be submitted via email to: Mr. Ron Hosler, (ron@tbep.org), TBEP, 263 - 13th Avenue South, Suite 350, Saint Petersburg, Florida 33701 no later than 2:00 p.m., ET, Wednesday, December 20, 2018, at which time they will be publicly opened.

TBEP encourages and promotes the utilization of organizations owned or controlled by socially and economically disadvantaged, Minority Business Enterprises and Women’s Business Enterprises.

TBEP reserves the right to reject any and all proposals.

**TAMPA BAY ESTUARY PROGRAM
WEBSITE DESIGN & INTERNET SUPPORT SERVICES**

The Tampa Bay Estuary Program (TBEP) is requesting proposals from qualified respondents to conduct the following project:

Website Design & Internet Support Services

Request for proposal instructions and associated proposal documents may be obtained by contacting Ron Hosler at TBEP, 263 - 13th Avenue South, Suite 350, Saint Petersburg, Florida 33701 or ron@tbep.org. One digital version in electronic format (PDF preferred) of proposals must be submitted via email to: Mr. Ron Hosler, (ron@tbep.org), TBEP, 263 - 13th Avenue South, Suite 350, Saint Petersburg, Florida 33701 no later than 2:00 p.m., EST, Wednesday, December 20, 2018, at which time they will be publicly opened.

TBEP encourages and promotes the utilization of organizations owned or controlled by socially and economically disadvantaged, Minority Business Enterprises and Women’s Business Enterprises.

TBEP reserves the right to reject any and all proposals.

**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 31, 2018 and 3:00 p.m., Tuesday, November 6, 2018.

Rule No.	File Date	Effective Date
2ER18-1	10/31/2018	10/31/2018
5C-4.0015	11/1/2018	11/21/2018
5C-4.0016	11/1/2018	11/21/2018
5C-4.002	11/1/2018	11/21/2018
5C-4.003	11/1/2018	11/21/2018
5C-4.004	11/1/2018	11/21/2018
5C-24.003	11/1/2018	11/21/2018
25-4.0665	11/1/2018	11/21/2018
25-4.113	11/1/2018	11/21/2018
59A-3.2085	11/1/2018	11/21/2018
59A-3.272	11/1/2018	11/21/2018
64B10-15.001	11/1/2018	11/21/2018
64C-7.002	11/2/2018	11/22/2018
65-6.010	11/6/2018	11/26/2018
65-6.015	11/6/2018	11/26/2018
65-6.019	11/6/2018	11/26/2018
65-6.020	11/6/2018	11/26/2018
65-6.022	11/6/2018	11/26/2018
65-6.023	11/6/2018	11/26/2018
65A-1.900	11/6/2018	11/26/2018
65A-2.036	11/6/2018	11/26/2018
65C-15.028	11/6/2018	11/26/2018
68A-12.010	11/2/2018	11/22/2018
68A-12.011	11/2/2018	11/22/2018
68B-13.009	11/6/2018	10/1/2019
68B-13.010	11/6/2018	10/1/2019
68B-45.004	11/6/2018	1/20/2020
68B-45.011	11/6/2018	1/20/2020
68F-20.0015	10/31/2018	11/20/2018

68F-20.002	10/31/2018	11/20/2018
68F-20.0035	10/31/2018	11/20/2018
68F-20.0045	10/31/2018	11/20/2018
68F-20.0055	10/31/2018	11/20/2018
68F-20.0075	10/31/2018	11/20/2018
69A-64.005	10/31/2018	11/20/2018
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	**/**/****

AGENCY FOR HEALTH CARE ADMINISTRATION
 Medicaid
 Developmental Disabilities Individual Budgeting (iBudget)
 Waiver Renewal Request

RULE NO.: RULE TITLE:
 59G-13.070 Developmental Disabilities Individual Budgeting
 Waiver Services

The Agency for Health Care Administration (Agency) is submitting a request to renew the iBudget waiver, which operates under the authority of Section 1915(c) of the Social Security Act, to the Centers for Medicare & Medicaid Services (CMS). The Agency is providing public notice of the 30-day public comment period as specified in 42 CFR 441.304(f) to solicit meaningful input from recipients, providers, and all stakeholders on the renewal request prior to submission to CMS.

SUMMARY DESCRIPTION OF RENEWAL REQUEST:
 Significant changes to the approved waiver that are being made in the renewal application include:

- An update to the number of unduplicated recipients.
- An update to performance measures and the applicable remediations in Appendices A, B, C, D, and G.
- Removal of the Comprehensive Transitional Education Program as a provider type.
- An update to the waiver effective date to align with standardized reporting timeframes.

To view the full description of the proposed renewal request, please see the public notice documents published on the Agency's Web site at the following link:

http://www.ahca.myflorida.com/Medicaid/hcbs_waivers/ibudget.et.shtml

PUBLIC NOTICE AND PUBLIC COMMENT PERIOD: The Agency will conduct a 30-day public notice and comment period prior to the submission of the proposed renewal request to the CMS. The Agency will consider all public comments received regarding the proposed renewal request. The 30-day public notice and public comment period is from November 7, 2018 through December 6, 2018. This public notice and public comment period is being held to solicit public input from recipients, providers, and all stakeholders and interested parties. When submitting comments, please include "Proposed Renewal to 1915(c) iBudget Waiver" in the subject line:

Submit email comments to
 FLMedicaidWaivers@ahca.myflorida.com.

Submit comments by mail to Bureau of Medicaid Policy, Agency for Health Care Administration, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308.

For more information, you may contact: Kimberly Quinn at (850)412-4284 or FLMedicaidWaivers@ahca.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).

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.