

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-23.005
RULE TITLE: Bag Limits, Length Limits, Open Season: Freshwater Fish

PURPOSE AND EFFECT: The purpose of this rule development notice is to address proposed amendments to the rule setting out harvest and possession limitations for shoal bass in the Chipola River and its tributaries.

SUBJECT AREA TO BE ADDRESSED: The subject area addressed in the rule development notice includes a prohibition on the killing and possession of shoal bass on the Chipola River and its tributaries.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator at (850)488-6411.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jon Fury, Freshwater Fisheries Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-0331.

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

Section II

Proposed Rules

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-10.004
RULE TITLE: Exemption of Spouses of Members of Armed Forces From Licensure Renewal Provisions

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the requirements for a licensee providing satisfactory proof of the absence from the State of Florida and spouse's military status.

SUMMARY: The requirements for a licensee providing satisfactory proof of the absence from the State of Florida and spouse's military status will be updated.

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.

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.

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: 456.024(2), 466.004(4) FS.

LAW IMPLEMENTED: 456.024(2) 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: Jennifer Wenhold, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-10.004 Exemption of Spouses of Members of Armed Forces From Licensure Renewal Provisions.

A licensee who is the spouse of a member of the Armed Forces of the United States and was caused to be absent from the State of Florida for a period of at least six consecutive months because of the spouse’s duties with the armed forces and who at the time the absence became necessary was in good standing with the Board of Dentistry and entitled to practice dentistry or dental hygiene in Florida shall be exempt from all licensure renewal provisions under these rules. The licensee must show satisfactory proof of the absence and the spouse’s military status through official military documents issued by the United States Armed Forces.

Rulemaking Authority 456.024(2), 466.004(4) FS. Law Implemented 456.024(2) FS. History—New 12-31-86, Formerly 21G-10.004, 61F5-10.004, 59Q-10.004, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Dentistry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:

Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD:

August 23, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:

September 24, 2019

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:

64B5-10.011 Retired Status and Reactivation of Retired Status License.

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the requirements for reactivation of a retired status license.

SUMMARY: The requirements for reactivation of a retired status license will be updated.

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: 456.036 FS.

LAW IMPLEMENTED: 456.036 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: Jennifer Wenhold, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-10.011 Retired Status and Reactivation of Retired Status License.

(1) No change.

(2) A licensee may reactivate a retired status license at any time, subject to meeting the following requirements:

(a) Paying the reactivation fee mandated in s. 456.036(12), F.S., set forth in Rule 64B5-15.0091, F.A.C.; which mandates that the licensee “pay any renewal fees imposed on an active status licensee for all biennial licensure periods during which the licensee was on retired status.”

(b) Showing documentary proof of satisfying the continuing education requirements of Rules 64B5-12.013, 64B5-12.016, ~~64B5-12.019, 64B5-12.020~~, F.A.C., for each licensure biennial period in which the license was in retired status.

(c) No change.

(3) Any dentist whose license has been on retired status for more than five (5) years or a licensee from another state who has not been in the active practice of dentistry within the past five (5) years shall be required to appear before ~~the Credentials Committee of~~ the Board and establish the ability to practice with care and skill sufficient to protect the health, safety and welfare of the public. At the time of such appearance, the dentist must:

(a) through (b) No change.

(4) No change.

Rulemaking Authority 456.036 FS. Law Implemented 456.036 FS. History—New 2-14-06, Amended 6-9-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Dentistry
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 23, 2019
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 24, 2019

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NOS.: RULE TITLES:
64B5-12.013 Continuing Education Requirements; Specific Continuing Education Course Requirements; and Cardiopulmonary Resuscitation (CPR) Certification
64B5-12.0185 Standards for Board Approval of Pro Bono Programs

PURPOSE AND EFFECT: For Rule 64B5-12.013, F.A.C., the Board proposes the rule amendment to update the requirements for continuing education for prescribing of controlled substances and to update language regarding approval of those courses. For Rule 64B5-12.0185, F.A.C., the Board proposes the rule amendment to add a pro bono program approved by the Board.

SUMMARY: For Rule 64B5-12.013, F.A.C., the requirements for continuing education for prescribing of controlled substances and language regarding approval of those courses will be updated. For Rule 64B5-12.0185, F.A.C., a Board-approved pro bono program will be added to the rule.

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: 456.013(9), 456.0301, 456.031, 466.004(4), 466.0135, 466.014 FS.

LAW IMPLEMENTED: 456.013(9), 456.0301, 456.031, 456.033, 466.0135, 466.014, 466.017(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: Jennifer Wenhold, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-12.013 Continuing Education Requirements; Specific Continuing Education Course Requirements; and Cardiopulmonary Resuscitation (CPR) Certification.

(1) through (4) No change.

(5) Prescribing of Controlled Substances: As part of every biennial licensure renewal or for reactivation of a dental license, all licensed dentists shall complete a board-approved, two-hour continuing education course on the safe and effective prescribing of controlled substances. ~~Pursuant to section 456.0301, F.S., all licensees who are registered with the United States Drug Enforcement Administration and authorized to prescribe controlled substances shall complete a board-approved 2-hour course on prescribing controlled substances by January 31, 2019 and at each subsequent biennium renewal or for reactivation of a license.~~

(a) The Board hereby deems the courses previously approved pursuant to section 456.0301, F.S., as approved to meet the requirement of this subsection. ~~To receive board approval, the course must meet all the mandates of section 456.0301, F.S. The course may be offered in a distance learning format.~~

(b) No change.

(6) No change.

Rulemaking Authority 456.013(9), 456.0301, 456.031, 466.004(4), 466.0135, 466.014 FS. Law Implemented 456.013(9), 456.0301, 456.031, 456.033, 466.0135, 466.014, 466.017(4) FS. History—New 4-2-86, Amended 12-31-86, 4-26-87, 7-20-87, 9-16-87, 11-18-89, 7-9-90, Formerly 21G-12.013, Amended 5-19-94, 7-18-94, Formerly 61F5-12.013, Amended 11-15-95, 4-8-96, Formerly 59Q-12.013, Amended 2-17-98, 2-15-99, 3-11-99, 11-9-00, 5-20-01, 8-25-03, 5-31-04, 7-13-05, 2-14-06, 12-25-06, 10-10-10, 4-19-18, 8-6-18,

64B5-12.0185 Standards for Board Approval of Pro Bono Programs.

(1) No change.

(2) The following pro bono programs are found by the Board to meet the foregoing requirements and are hereby approved by the Board:

(a) through (c) No change.

(d) SmileFaith, Incorporated's charitable dental events at its Veterans Dental Clinic.

(3) No change.

Rulemaking Authority 456.013(9) FS. Law Implemented 456.013(9) FS. History--New 2-15-99, Amended 5-12-16,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Dentistry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 23, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 24, 2019

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NOS.:	RULE TITLES:
64B5-12.019	Courses Required for Initial Licensure, Renewal, or Reactivation
64B5-12.020	Courses Required of Licensees for Renewal and Reactivation

PURPOSE AND EFFECT: The Board proposes the repeals of the rules to delete outdated or unnecessary language.

SUMMARY: The rules are being repealed to due to outdated or unnecessary language.

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: 456.031, 456.033, 466.004 FS.

LAW IMPLEMENTED: 456.013, 456.013(6), (7), (8), 456.031, 456.033, 466.0135, 466.014, 466.017(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: Jennifer Wenhold, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-12.019 Courses Required for Initial Licensure, Renewal, or Reactivation.

Rulemaking Authority 456.031, 456.033 FS. Law Implemented 456.013, 456.031, 456.033 FS. History--New 1-18-89, Amended 10-28-91, 2-1-93, Formerly 21G-12.019, Amended 6-14-94, Formerly 61F5-12.019, Amended 11-15-95, 2-10-97, Formerly 59Q-12.019, Amended 10-29-00, 8-2-01, 9-27-01, 12-23-02, 1-12-04, 12-25-06, Repealed _____.

64B5-12.020 Courses Required of Licensees for Renewal and Reactivation.

Rulemaking Authority 466.004 FS. Law Implemented 456.013(6), (7), (8), 466.0135, 466.014, 466.017(4) FS. History--New 4-11-94, Amended 7-18-94, Formerly 61F5-12.020, 59Q-12.020, Amended 1-23-01, 6-7-01, 9-27-01, 12-23-02, 10-8-03, 5-11-05, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Dentistry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 23, 2019

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NOS.:	RULE TITLES:
64B5-25.002	Definitions
64B5-25.003	Required Sterilization and Disinfection Procedures

PURPOSE AND EFFECT: For Rule 64B5-25.002, F.A.C., the Board proposes the rule amendment to further define sterilization and to incorporate the CDC Guidelines and OSHA Bloodborne Pathogen Standards. For Rule 64B5-25.003,

F.A.C., the Board proposes the rule amendment to update required sterilization and disinfection procedures.

SUMMARY: For Rule 64B5-25.002, F.A.C., sterilization will be further defined, and CDC Guidelines and OSHA Bloodborne Pathogen Standards will be incorporated in the rule. For Rule 64B5-25.003, F.A.C., required sterilization and disinfection procedures will be updated.

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: 456.032, 466.004(4) FS.

LAW IMPLEMENTED: 456.032, 466.028(1)(u), (x), 466.041 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: Jennifer Wenhold, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-25.002 Definitions.

(1) "Sterilization" is defined to mean the process by which all forms of microbial life within an environment are totally destroyed.

(2) through (3) No change.

(4) "CDC Guidelines" are the Center for Disease Control's Guidelines for Disinfection and Sterilization in Healthcare Facilities, 2008, adopted and incorporated by reference and

available at <https://www.cdc.gov/infectioncontrol/pdf/guidelines/disinfection-guidelines.pdf> and from <http://www.flrules.org/Gateway/reference.asp?No=Ref->.

(5) "OSHA's Bloodborne Pathogen Standards" are the Occupational Safety and Health Standards, 29 CFR §1910.1030 (2012), adopted and incorporated by reference and available at https://www.osha.gov/pls/oshaweb/owadis.show_document?p_id=10051&p_table=STANDARDS and from <http://www.flrules.org/Gateway/reference.asp?No=Ref-> Rulemaking Authority 466.004(4) FS. Law Implemented 466.028(1)(u), (x), 466.041 FS. History—New 2-24-87, Amended 1-7-92, 2-1-93, Formerly 21G-25.002, 61F5-25.002, 59Q-25.002, Amended 5-20-01, _____.

64B5-25.003 Required Sterilization and Disinfection Procedures.

(1) At least one of the following procedures must be used in order to provide proper sterilization:

(a) through (d) No change.

(e) Devices used to achieve sterilization must be approved by the U.S. Food and Drug Administration (FDA) for sterilization.

(f) ~~(e)~~ Disinfectant/sterilant. U.S. Environmental Protection Agency (EPA) approved disinfectant/sterilants or U.S. Food and Drug Administration (FDA) approved sterilant may be used but are only appropriate for sterilization when used in appropriate dilution and for the time periods set forth in the manufacturer's instructions for use recommendation and only on non-heat tolerant instruments which do not penetrate soft tissue.

(2)(a) Surgical and other instruments that normally penetrate soft tissue or bone, including, but not limited to, forceps, scalpels, bone chisels, scalers, and surgical burs, must be sterilized after each use.

(b) Instruments that are not intended to penetrate oral soft tissue or bone, including, but not limited to, high speed dental handpieces, contra-angles, prophylaxis angles, amalgam condensers, plastic instruments, and burs, but that may come into contact with oral tissues must be sterilized after each use according to the manufacturer's instructions for use.

(c) However, if heat, steam under pressure, or chemical vapor sterilization of an instrument is not technically feasible, due to its size or composition, the instrument must undergo sterilization with a disinfectant/sterilant that destroys viruses and spores. Disinfectants must be registered by the U.S. Environmental Protection Agency (EPA) as a disinfectant/sterilant and must be used in accordance with the manufacturer's recommendations and in accordance with CDC Guidelines as defined and incorporated by reference in Rule 64B5-25.002(4), F.A.C. ~~the recommendations of the Centers for Disease Control (CDC).~~

(d) through (e) No change.

(3) Before sterilization, instruments must be cleaned to remove debris. Cleaning must be accomplished by a thorough scrubbing with soap or a detergent and water or by using a an FDA approved mechanical device, such as an ultrasonic cleaner or an FDA-approved instrument washer following the manufacturer's instructions for use recommendations. Metal or heat-stable dental instruments must be sterilized after each use by one of the procedures identified in paragraphs (a)-(d), of subsection (1), above.

(4) No change.

(5) At the completion of dental treatment, all surfaces that may have become contaminated with blood, saliva or other bodily fluids must be disinfected in accordance with CDC Guidelines as defined and incorporated by reference in Rule 64B5-25.002(4), F.A.C. using a procedure recommended by the Centers for Disease Control (CDC).

(6) through (7) No change.

(8) Surgical or examination gloves and surgical masks shall be worn by all dentists, dental hygienists, and dental assistants while performing or assisting in the performance of any intra-oral dental procedure on a patient in which contact with blood and/or saliva is imminent. Surgical or examination gloves must be changed between patients. Hands shall be washed with soap and water and dried immediately after removing and prior to replacing gloves. A healthcare grade alcohol-based hand rub may also be used according to the most current CDC Guidelines as defined and incorporated by reference in Rule 64B5-25.002(4), F.A.C. Gloves are never to be washed and reused. Surgical or examination gloves that are punctured or torn must be removed and replaced immediately with new gloves following rewashing of provider's hands with soap and water. It is recommended that Protective eyewear protection must be worn by all dentists, dental hygienists, and dental assistants while performing or assisting in the performance of any dental procedure on a patient in accordance with OSHA's Bloodborne Pathogen Standard, as defined and incorporated by reference in Rule 64B5-25.002(5), F.A.C., and the CDC Guidelines as defined and incorporated by reference in Rule 64B5-25.002(4), F.A.C. recommendations

(9) through (10) No change.

Rulemaking Authority 456.032, 466.004(4) FS. Law Implemented 456.032, 466.028(1)(u), (x), 466.041 FS. History—New 2-24-87, Amended 12-6-87, 10-24-88, 1-7-92, 4-5-93, Formerly 21G-25.003, Amended 11-22-93, Formerly 61F5-25.003, 59Q-25.003, Amended 10-31-01, 3-19-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Dentistry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 23, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 24, 2019

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NOS.: RULE TITLES:

64B5-25.005 Monitoring of Licensees Infected With the Hepatitis B Virus

64B5-25.006 Emergency Suspension of Licensees Infected With the Hepatitis B Virus; Initiation of Complaints

PURPOSE AND EFFECT: The Board proposes the repeals of the rules to delete outdated or unnecessary language.

SUMMARY: The rules are being repealed to due to outdated or unnecessary language.

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: 456.032, 455.601, 466.004(4) FS.

LAW IMPLEMENTED: 455.601, 456.032, 466.028(1)(t), (v), (y), 466.041(3) 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: Jennifer Wenhold, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-25.005 Monitoring of Licensees Infected With the Hepatitis B Virus.

Rulemaking Authority 456.032, 466.004(4), FS. Law Implemented 456.032, 466.028(1)(t), (v), (y), 466.041(3) FS. History—New 7-12-88, Amended 10-28-91, Formerly 21G-25.005, 61F5-25.005, Amended 10-16-96, Formerly 59Q-25.005, Repealed.

64B5-25.006 Emergency Suspension of Licensees Infected With the Hepatitis B Virus; Initiation of Complaints.

Rulemaking Authority 455.601, 466.004(4) FS. Law Implemented 455.601, 466.028(1)(t), (v), (y) FS. History—New 7-12-88, Amended 10-28-91, Formerly 21G-25.006, 61F5-25.006, 59Q-25.006, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Dentistry
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 17, 2019

Section III
Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE NO.: RULE TITLE:
5B-57.014 State Hemp Program
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 45 No. 198, October 10, 2019 issue of the Florida Administrative Register.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Holly Bell; Cannabis@FDACS.gov

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

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

Notice is hereby given that the following changes have been made to the notice of change for the proposed rule, published in

Vol. 45, No. 126, June 28, 2019, issue of the Florida Administrative Register.

The Florida Medicaid Behavioral Health Assessment Services Coverage Policy has changed as follows:

1.0, Introduction.

Florida Medicaid provides behavioral health assessment services to recipients for screening and identification of mental health and substance use disorders in order to develop, plan, and maintain a schedule of services to restore a recipient to the best possible functional level ~~community support services to promote recovery from behavioral health disorders or cognitive symptoms by improving the ability of recipients to strengthen or regain skills necessary to function successfully.~~

2.0, Eligible Recipient.

2.1, General Requirements, No change.

2.2, Who Can Receive now reads:

Florida Medicaid recipients requiring medically necessary behavioral health assessment services.

Some services may be subject to additional coverage criteria as specified in section 4.0. ~~behavioral health community support services that have a mental health diagnosis and exhibit one of the following symptoms: Addictive behavior, Behavioral or cognitive, Clinical conditions severe enough to cause significant impairment in day to day functioning, Psychiatric~~

2.3, Coinsurance and Copayments, No change.

3.0, Eligible Provider.

3.1, General Criteria, No change.

3.2, Who Can Provide now reads:

All providers that deliver behavioral health assessment services must be either employed by, or contracted with, a Florida Medicaid-enrolled community behavioral health agency.

The following providers may ~~can~~ deliver all services specified in section 4.0:

~~Community behavioral health agencies that employ or contract with practitioners who perform services under the supervision of a treating practitioner.~~

Practitioners licensed in accordance with Chapters 458 or 459, F.S.

Psychiatric advanced practice registered nurses licensed in accordance with Chapter 464, F.S.

No changes to remainder of Who Can Provide.

4.0, Coverage Information.

4.1, General Criteria, No change.

4.2, Specific Criteria now reads:

Florida Medicaid covers the following in accordance with the Healthcare Common Procedure Coding System and the applicable Florida Medicaid fee schedule, or as specified in this policy. ~~Recipients residing in a nursing facility, reimbursed on a per diem basis, can receive behavioral health assessment services reimbursed under this benefit.~~

4.2.1 through 4.2.9, No change.
 4.3, Early and Periodic Screening, Diagnosis, and Treatment, No change.
 5.0, Exclusion, No change.
 6.0, Documentation.
 6.1, General Criteria, No change.
 6.2, Specific Criteria, Bullet added to list that reads:
 Providers must maintain the following in the recipient’s file:
 • Copy of the assessment
 7.0, Authorization, No change.
 8.0, Reimbursement.
 8.1 through 8.4, No change.
 8.5, Rate, 8.5.1 added after paragraph:
 8.5.1 Nursing Facilities.
Florida Medicaid reimburses separately for all covered behavioral health assessment services provided to recipients who reside in a nursing facility that is reimbursed per diem.
 There are no changes to the rule text.

**Section IV
Emergency Rules**

NONE

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

DEPARTMENT OF HEALTH
 Board of Clinical Laboratory Personnel
 RULE NO.: RULE TITLE:
 64B3-5.003 Technologist
 NOTICE IS HEREBY GIVEN that on October 7, 2019, the Board of Clinical Laboratory Personnel, received a petition for variance and waiver submitted by Willie J. Smith. Petitioner is seeking a variance or waiver of Rule 64B3-5.003, F.A.C., which sets forth the education, training/experience and examination requirements for a licensure as a medical technologist. Comments on the petition should be filed with the Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, telephone: (850)488-0595, or by electronic mail – Anthony.Spivey@flhealth.gov, within 14 days of publication of this notice.
 A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, at the above address.

FLORIDA HOUSING FINANCE CORPORATION
 RULE NO.: RULE TITLE:
 67-21.027 HC General Program Procedures and Requirements
 NOTICE IS HEREBY GIVEN that on October 9, 2019, the Florida Housing Finance Corporation, received a petition for variance from Florida Administrative Code subsection 67-21.027(1) FAC (2016) from Redland Crossings, LLC, requesting a variance from the provisions of the rules to allow for calculation of the minimum set aside percentage based on income averaging.
 A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing’s website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

FLORIDA HOUSING FINANCE CORPORATION
 RULE NO.: RULE TITLE:
 67-21.003 Application and Selection Process for Developments
 NOTICE IS HEREBY GIVEN that on October 9, 2019, the Florida Housing Finance Corporation, received a petition for waiver of paragraph 67-21.003(8)(b), FAC and the Non-Competitive Application Instructions from Jordan Park, LLC, requesting a permanent waiver to change the Developer and Applicant principals that were terminated and replaced.
 A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing’s website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The CRAFT Foundation, Inc. Technical Advisory Committee (known as the Technical Working Group) announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, October 21, 2019, 1:00 p.m.

PLACE: 600 N. Broadway Avenue, Suite 101, Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: The CRAFT Foundation Technical Working Group will conduct a meeting to discuss and execute matters including, but not limited to, establishing selection criteria, the review and ranking of submitted CRAFT applications, and recommendations for Board approval and negotiation of grower participation contracts.

A copy of the agenda may be obtained by contacting: Tamara Wood at 1(863)698-9276

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: Tamara Wood at 1(863)698-9276. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The CRAFT Foundation, Inc. Technical Advisory Committee (known as the Technical Working Group) announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, October 17, 2019, 9:30 a.m.

PLACE: Call-in: 1(866)613-5223, Meeting Code: 4189808#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting was previously advertised on October 4. It has changed to a conference call.

The CRAFT Foundation Technical Working Group will conduct a meeting to discuss and execute matters including, but not limited to, the development of application review criteria; the review of submitted CRAFT applications and recommendations for Board approval and negotiation of grower participation contracts.

A copy of the agenda may be obtained by contacting: Tamara Wood at 1(863)698-9276.

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: Tamara Wood at 1(863)698-9276. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

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

DATES AND TIMES: October 28, 2019, 4:00 p.m., Probable Cause Panel. The Probable Cause Panel meeting is closed to the public except for portions, if any, which deal with disciplinary cases that have already become public.

October 29, 2019, 8:30 a.m., Committee Meetings and General Business Session if time allows;

October 30, 2019, 8:30 a.m. General Business Session.

PLACE: Hilton St. Augustine Historic Bayfront, 32 Avenida Menendez, St. Augustine, FL 32804

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

A copy of the agenda may be obtained by contacting: Jenna Harper, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3674. One week prior to the meeting date, the agenda will also be available online at: <https://www.fdacs.gov/About-Us/Advisory-Councils-and-Committees/Board-of-Professional-Surveyors-and-Mappers>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jenna Harper at (850)410-3674. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Jenna Harper, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3674.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

The Florida Department of Agriculture and Consumer Services announces a public meeting to which all persons are invited.

DATE AND TIME: October 24, 2019, 8:00 a.m. – 9:30 a.m.

PLACE: The Shores Resort, 2637 South Atlantic Avenue, Daytona Beach Shores, FL 32118.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Florida LP Gas Advisory Board and the Florida Propane Gas Education, Safety and Research Council to discuss industry related issues.

A copy of the agenda may be obtained by contacting: Carrie Jenkins, Bureau of Standards at (850)921-1545.

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: Carrie Jenkins at (850)921-1545. 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: Carrie Jenkins, Bureau of Standards at (850)921-1545.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Tuesday, November 12, 2019, 5:30 p.m. – 7:30 p.m.

PLACE: Wauchula Train Depot, 135 East Main Street, Wauchula, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Community Open House is to provide an opportunity for the public to view information presented to-date at the Task Force meetings for the Southwest-Central Connector. Attendees may come anytime between 5:30 p.m. and 7:30 p.m. to view displays, hold one-on-one conversations with staff, and watch a presentation that will run on a continuous loop. Anyone wishing to provide comments for the public record will be able to speak to a court reporter, handwrite their comments, or type them into a laptop. The displays and video will be available to view online after the open house at www.FloridaMCORES.com. Comments can also be provided

directly through the website at www.FloridaMCORES.com or by email to FDOT.Listens@dot.state.fl.us. There will be no formal presentation at the open house; however, we encourage you to drop by at your convenience during the above listed hours. If you are unable to attend the meeting but would like more information, please visit www.FloridaMCORES.com.

The Florida Department of Transportation may adopt the result of this planning effort into the environmental review process, pursuant to Title 23 U.S.C. § 168(4)(d) or the state project development process.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. People who require special accommodations under the Americans with Disabilities Act or who require translation services (free of charge) should contact Angela Starke at Angela.Starke@dot.state.fl.us or (407)264-3321 at least seven (7) 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).

A copy of the agenda may be obtained by contacting: Angela Starke at Angela.Starke@dot.state.fl.us or (407)264-3321.

DEPARTMENT OF MANAGEMENT SERVICES

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

DATE AND TIME: Tuesday, October 22, 2019, 3:00 p.m. – 5:00 p.m. ET

PLACE: 301 Senate Office Building, 400 South Monroe, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Cybersecurity Task Force, established pursuant to s. 11.9005, F.S., announces its agenda to include: review and adoption of Task Force rules; discussion of scope, purpose, and responsibility of the Task Force, the state of Florida's Cybersecurity Infrastructure, and Government in the Sunshine Training. To participate by phone, dial: United States (toll free) 1(888)585 9008; Access Code 261-924-180

A copy of the agenda may be obtained by contacting: The agency website at https://www.dms.myflorida.com/other_programs/government_efficiency_task_force.

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 days before the workshop/meeting by contacting: Renee.Harkins@dms.myflorida.com or (850)412-6051. 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

Board of Pilot Commissioners

The Board of Pilot Commissioners Deputy Pilot Advancement Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, October 28, 2019, 2:45 p.m. ET

PLACE: 1(888)585-9008, participant passcode: 491089625

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancements

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 BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

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

DATE AND TIME: November 13, 2019, 11:00 a.m. until all business is concluded.

PLACE: Conference Call dial in number: 1(888)585-9008: Pass code number: 683213166

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Rules Committee will meet to discuss possible rule changes

A copy of the agenda may be obtained by contacting: Missy Williams, (352)333-2505.

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: Missy Williams, (352)333-2505. 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: Missy Williams, (352)333-2505.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-304.305 Ochlockonee Basin TMDLs

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

DATE AND TIME: November 20, 2019, 1:30 p.m.

PLACE: Northwest Florida Water Management District, Governing Board Room, 81 Water Management Drive, Havana, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Environmental Protection (department) will be holding a technical workshop, open to the public. The public technical workshop will provide an opportunity for the department to present and respond to any public comments about the model set that will be used in the development of the Lake Talquin nutrient TMDLs, and outline the next steps in the TMDL development. Furthermore, the department intends for these nutrient TMDLs, if adopted, to constitute site-specific numeric interpretations of the narrative nutrient criterion set forth in paragraph 62-302.530(48)(b), F.A.C., that would replace the otherwise applicable numeric nutrient criteria in subsection 62-302.531(2) for these particular waters. The Department will accept written comments on the topics above through December 6, 2019. Written comments should be directed to: Erin Rasnake, Program Administrator, Florida Department of Environmental Protection, MS 3555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, Erin.Rasnake@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Ms. Shamyah Gibson, Department of Environmental Protection, MS 3555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8556.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Shamyah Gibson, (850)245-8556. 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 HEALTH

Board of Speech-Language Pathology and Audiology
The Board of Speech-Language, Pathology and Audiology Ad Hoc Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 21, 2019, 11:00 a.m. ET
PLACE: Telephone conference number: 1(888)585-9008
Conference code: 346983002

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss possible rule changes to 64B20-4.003 & 4.004.

A copy of the agenda may be obtained by contacting: <https://floridasspeechaudiology.gov/meeting-information/>
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Christa Peace, Regulatory Specialist III, at (850)245-4161 or christa.peace@flhealth.gov or 4052 Bald Cypress Way, #C-06, Tallahassee, FL 32399. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program
The Department of Children and Families announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 19, 2019, 10:00 a.m. – 5:00 p.m. ET
PLACE: Conference Call Line 1(888)585-9008, Participation Code: 810 716 544#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The DCF Request for Application (RFA) #08J14GN1 Children Abuse and Prevention Treatment Act (CAPTA) and Community-Based Child Abuse Prevention (CBCAP) – Home Visitation for Substance-Affected Infants and their Families.

A copy of the agenda may be obtained by contacting: Jessica.Koburger@myflfamilies.com or (850)717-4393.
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: Jessica.Koburger@myflfamilies.com or (850)717-4393. 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: Jessica.Koburger@myflfamilies.com or (850)717-4393.

FLORIDA ATLANTIC RESEARCH AND DEVELOPMENT AUTHORITY

The Florida Atlantic Research and Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: October 23, 2019, 8:00 a.m.
PLACE: 777 Glades Road, Administration Room 305, Boca Raton, FL 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: Authority Meeting

A copy of the agenda may be obtained by contacting: jwales@research-park.org.

MOFFITT CANCER CENTER & RESEARCH INSTITUTE

The H. Lee Moffitt Cancer Center and Research Institute, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 25, 2019, 8:30 a.m.
PLACE: Tampa River Center, 402 West Laurel Street, Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the board of directors.

A copy of the agenda may be obtained by contacting: Kim Chewning at 1(813)745-3229, 12902 Magnolia Drive, SRB-OGC, Tampa, FL 33612

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: Kim Chewning. 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).

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The FWCJUA Producer Appeals Committee announces a public meeting to which all persons are invited.

DATE AND TIME: October 30, 2019, 11:00 a.m. ET
PLACE: Tampa Airport Marriott, Tampa International Airport, 4200 George J Bean Pkwy, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics include appeals from Agencies and their Designated Producers in response to the revocation of their privileges to submit business to the FWCJUA.

A copy of the agenda may be obtained by contacting: Kathy Coyne or at www.fwcjua.com.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF HEALTH

Board of Massage Therapy

NOTICE IS HEREBY GIVEN that the Board of Massage Therapy has received the petition for declaratory statement from Colleen Mary Martens Endrizzi. The petition does not identify a specific rule or statute for the agency’s opinion as to how it applies to the petitioner. Petitioner seeks a determination from the Board regarding questions or answers as to how the statutes, rules or orders, and the potential impact of the same applies to her as a skilled and certified lymphedema and lymphatic therapist. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4162, or by electronic mail - kama.monroe@flhealth.gov.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

NONE

Section XII
Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Friday, October 4, 2019 and 3:00 p.m., Thursday, October 10, 2019.

Rule No.	File Date	Effective Date
5J-18.001	10/9/2019	10/29/2019
5J-18.0011	10/9/2019	10/29/2019
5J-18.0012	10/9/2019	10/29/2019
5J-18.002	10/9/2019	10/29/2019
5J-18.003	10/9/2019	10/29/2019
5J-18.004	10/9/2019	10/29/2019
5J-18.005	10/9/2019	10/29/2019
5J-18.0051	10/9/2019	10/29/2019
5J-18.009	10/9/2019	10/29/2019
5J-18.012	10/9/2019	10/29/2019
5J-18.0127	10/9/2019	10/29/2019
5J-18.014	10/9/2019	10/29/2019
5J-18.0142	10/9/2019	10/29/2019
5J-18.015	10/9/2019	10/29/2019

5J-18.016	10/9/2019	10/29/2019
5J-18.024	10/9/2019	10/29/2019
6A-1.001	10/4/2019	10/24/2019
6A-1.004	10/4/2019	10/24/2019
6A-1.0071	10/4/2019	10/24/2019
6A-1.094124	10/4/2019	10/24/2019
6A-1.099811	10/4/2019	10/24/2019
6A-3.003	10/4/2019	10/24/2019
6A-5.066	10/4/2019	10/24/2019
6A-6.0573	10/4/2019	10/24/2019
6A-7.0710	10/4/2019	10/24/2019
12A-1.097	10/8/2019	10/28/2019
12A-1.109	10/8/2019	10/28/2019
12A-1.097	10/8/2019	10/28/2019
12A-1.110	10/8/2019	10/28/2019
61C-1.001	10/9/2019	11/1/2019
61C-4.010	10/9/2019	11/1/2019
61C-5.0015	10/9/2019	10/29/2019
61C-5.006	10/9/2019	10/29/2019
61H1-36.004	10/4/2019	10/24/2019
61J1-2.0025	10/9/2019	10/29/2019
64B8-4.008	10/9/2019	10/29/2019
64B8-4.029	10/9/2019	10/29/2019
64B8-6.008	10/9/2019	10/29/2019
64B8-7.002	10/9/2019	10/29/2019
64B8-7.004	10/9/2019	10/29/2019
64B8-8.002	10/9/2019	10/29/2019
64B8-12.005	10/9/2019	10/29/2019
64B15-12.003	10/8/2019	10/28/2019
64B15-12.005	10/8/2019	10/28/2019
64B15-12.009	10/8/2019	10/28/2019
64B15-12.010	10/8/2019	10/28/2019

64B15-12.011	10/8/2019	10/28/2019
64B15-14.0081	10/4/2019	10/24/2019
64B15-22.004	10/8/2019	10/28/2019
64B16-28.607	10/9/2019	10/29/2019
64B16-28.10801	10/9/2019	10/29/2019
65C-43.001	10/4/2019	10/24/2019
65C-43.002	10/4/2019	10/24/2019
65C-43.003	10/4/2019	10/24/2019
65C-43.0035	10/4/2019	10/24/2019
69A-40.024	10/7/2019	10/27/2019
69A-40.028	10/7/2019	10/27/2019
69A-40.029	10/7/2019	10/27/2019
69A-40.031	10/7/2019	10/27/2019
69A-40.035	10/7/2019	10/27/2019
69A-40.037	10/7/2019	10/27/2019
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	**/**/****

DEPARTMENT OF ECONOMIC OPPORTUNITY
DEO Final Order NO. DEO-19-035

In re: A LAND DEVELOPMENT REGULATION
 ADOPTED BY MONROE COUNTY, FLORIDA,
 ORDINANCE NO. 023-2019

FINAL ORDER
APPROVING MONROE COUNTY ORDINANCE NO. 023-2019

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to subsections 380.05(6) and 380.0552(9), Florida Statutes, approving land development regulations adopted by Monroe County, Florida, Ordinance No. 023-2019 (the “Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by Section 380.0552, Florida Statutes, as an area of critical state concern. Monroe County is a local government within the Florida Keys Area.
2. The Ordinance was adopted by Monroe County on June 19, 2019, and rendered to the Department on August 14, 2019.
3. The Ordinance amends Section 103-1 of the Land Development Code to allow temporary emergency housing to be provided at mobile home parks and RV parks for residents who are displaced by natural or manmade disasters. The Ordinance also authorizes the Board of County Commissioners to extend the duration of temporary emergency housing by resolution.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See §§ 380.05(6) and 380.0552(9), Fla Stat.
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. The regulations adopted by the Ordinance are land development regulations.
6. The Ordinance is consistent with the Monroe County Comprehensive Plan generally, as required by subsection 163.3177(1), Florida Statutes, and specifically, with Policy 101.3.7.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. §§ 380.05(6) and 380.0552(9), Fla Stat. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in subsection 380.0552(7), Florida Statutes.
8. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically complies with the following:
 - (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
 - (l) Making available adequate affordable housing for all sectors of the population of the Florida Keys.
 - (m) Providing adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a postdisaster reconstruction plan.

WHEREFORE, IT IS ORDERED that the Department finds that Monroe County Ordinance No. 023-2019 is consistent with the Monroe County Comprehensive Plan and Principles for

Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register, unless a petition is timely filed as described in the Notice of Administrative Rights below. DONE AND ORDERED in Tallahassee, Florida.

/s/James D. Stansbury, James D. Stansbury, Chief, Bureau of Community Planning and Growth, Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, BY FILING A PETITION.

A PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE DATE OF FILING OF THE FINAL ORDER AS INDICATED ON THE CERTIFICATE OF SERVICE. A PETITION IS FILED WHEN IT IS RECEIVED BY: AGENCY CLERK, DEPARTMENT OF ECONOMIC OPPORTUNITY, OFFICE OF THE GENERAL COUNSEL, 107 EAST MADISON ST., MSC 110, TALLAHASSEE, FLORIDA 32399-4128, FAX (850)921-3230, AGENCY.CLERK@DEO.MYFLORIDA.COM.

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE DATE OF THE FILING OF THE FINAL ORDER.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO SUBSECTIONS 28-106.104(2), 28-106.201(2), AND SECTION 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTION 120.569 AND SUBSECTION 120.57(1), FLORIDA STATUTES, OR SECTION 120.569 AND SUBSECTION 120.57(2), FLORIDA STATUTES.

PURSUANT TO SECTION 120.573, FLORIDA STATUTES, AND CHAPTER 28, PART IV, FLORIDA ADMINISTRATIVE CODE, YOU ARE NOTIFIED THAT MEDIATION IS NOT AVAILABLE.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 10th day of October 2019.

/s/ Janay Lovett, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128

By U.S. Mail:

The Honorable Sylvia Murphy, Mayor, Monroe County, 102050 Overseas Highway, Suite 234, Key Largo, Florida 33037

Kevin Madok, Clerk, Monroe County, Board of County Commissioners, PO Box 1980, Key West, Florida 33041

DEPARTMENT OF ECONOMIC OPPORTUNITY

DEO Final Order No. DEO-19-036

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY CITY OF APALACHICOLA,
ORDINANCE NO. 2019-05

FINAL ORDER

APPROVING APALACHICOLA ORDINANCE NO. 2019-05

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to Section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Apalachicola (“City”), Ordinance No. 2019-05 (the “Ordinance”).

FINDINGS OF FACT

1. The Apalachicola Bay Area is designated by Section 380.0555, Florida Statutes, as an area of critical state concern. The City is within the Apalachicola Bay Area.
2. The Ordinance was adopted by the City on August 6, 2019, and rendered to the Department on August 15, 2019.
3. The Ordinance amends the City’s Land Development Regulations by creating and establishing standards for a Transitional Corridor Overlay District for commercially zoned property located in blocks 8, 9, 10, and 11 along South 4th Street in the City of Apalachicola. The Ordinance provides the principal uses permitted include all uses permitted by the underlying C1 zoning district and transient lodging on the first and/or upper floors. The Ordinance also provides for accessory uses and special exceptions including churches, community houses, and certain public utilities.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. *See* Section 380.05(6), Florida Statutes.
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

6. The Ordinance is consistent with the City’s Comprehensive Plan as required by Section 163.3177(1), Florida Statutes, generally, and is specifically consistent with Future Land Use Element Policy 1.3 and Economic Development Element Policy 2.1.

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. *See* subsection 380.05(6), Florida Statutes. The Principles for Guiding Development for the Apalachicola Bay Area of Critical State Concern are set forth in subsection 380.0555(7), Florida Statutes.

8. The Ordinance is consistent with the Principles for Guiding Development in subsection 380.0555(7), Florida Statutes, as a whole, and is specifically consistent with the following Principles:

- (a) Land development shall be guided so that the basic functions and productivity of the Apalachicola Bay Area’s natural land and water systems will be conserved to reduce or avoid health, safety, and economic problems for present and future residents of the Apalachicola Bay Area.
- (b) Land development shall be consistent with a safe environment, adequate community facilities, a superior quality of life, and a desire to minimize environmental hazards.
- (c) Growth and diversification of the local economy shall be fostered only if it is consistent with protecting the natural resources of the Apalachicola Bay Area through appropriate management of the land and water systems.

WHEREFORE, IT IS ORDERED that the Department finds that the City of Apalachicola Ordinance No. 2019-05 is consistent with the City of Apalachicola’s Comprehensive Plan and the Principles for Guiding Development for the Apalachicola Bay Area of Critical State Concern and is hereby APPROVED.

This Final Order becomes final 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ James D. Stansbury, James D. Stansbury, Bureau Chief, Bureau of Community Planning and Growth, Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, BY FILING A PETITION.

A PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE DATE OF FILING OF THE FINAL ORDER AS INDICATED

ON THE CERTIFICATE OF SERVICE. A PETITION IS FILED WHEN IT IS RECEIVED BY: AGENCY CLERK, DEPARTMENT OF ECONOMIC OPPORTUNITY, OFFICE OF THE GENERAL COUNSEL, 107 EAST MADISON ST., MSC 110, TALLAHASSEE, FLORIDA 32399-4128, FAX (850)921-3230, AGENCY.CLERK@DEO.MYFLORIDA.COM.

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE DATE OF THE FILING OF THE FINAL ORDER.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO SUBSECTIONS 28-106.104(2), 28-106.201(2), AND SECTION 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTION 120.569 AND SUBSECTION 120.57(1), FLORIDA STATUTES, OR SECTION 120.569 AND SUBSECTION 120.57(2), FLORIDA STATUTES.

PURSUANT TO SECTION 120.573, FLORIDA STATUTES, AND CHAPTER 28, PART IV, FLORIDA ADMINISTRATIVE CODE, YOU ARE NOTIFIED THAT MEDIATION IS NOT AVAILABLE.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 10th day of October, 2019.

/s/Janay Lovett, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128

By U.S. Mail:

The Honorable Van W. Johnson, Sr., Mayor, Apalachicola City Hall, 192 Coach Wagoner Boulevard, Suite 1, Apalachicola, Florida 32320

Deborah Guillotte, City Clerk, Apalachicola City Hall, 192 Coach Wagoner Boulevard, Suite 1, Apalachicola, Florida 32320

Cindy Clark, City Planner, Apalachicola City Hall, 192 Coach Wagoner Boulevard, Suite 1, Apalachicola, Florida 32320

DEPARTMENT OF ECONOMIC OPPORTUNITY

DEO Final Order No. DEO-19-037

In re: AMENDMENT TO THE ISLAMORADA, VILLAGE

OF ISLANDS, FLORIDA, LAND DEVELOPMENT

REGULATIONS ADOPTED BY ORDINANCE NO. 19-17

FINAL ORDER
APPROVING ISLAMORADA, VILLAGE OF ISLANDS
ORDINANCE NO. 19-17

The Florida Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to subsection 380.05(6), Florida Statutes, approving land development regulations adopted by Islamorada, Village of Islands, Florida (“Village”) by Ordinance No. 19-17 (“Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by section 380.0552, Florida Statutes, as an area of critical state concern. The Village is a local government within the Florida Keys Area.
2. The Ordinance was adopted by the Village on August 8, 2019, and rendered to the Department on September 6, 2019.
3. The Ordinance amends Chapter 30, Article V, Division 6, “Landscaping Standards,” of the Village Code. The Ordinance amends sections 30-813 and 30-821 and creates Section 30-827 to add landscaping requirements including, tree spacing criteria and plant material criteria, for development that requires a site plan approval pursuant to section 30-215(b) of the Code. Section 30-215(b) of the Code provides for the following:

Site plan approval shall be obtained prior to issuance of a building permit for any of the following types of developments:

- (1) New nonresidential or industrial development on vacant parcels of land;
- (2) Residential development of more than two dwelling units;
- (3) Any amendment to a previously approved site plan;
- (4) Any nonresidential development project that would constitute a substantial improvement as defined in this chapter on property with frontage on a major street and all property within the Village Center (VC) zoning district; or
- (5) As otherwise required by this chapter.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. § 380.05(6), Fla. Stat.

5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. The regulations amended by the Ordinance are land development regulations.

6. The Ordinance is consistent with the Village’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically, Policy 1-4.7.1, Policy 6-1.4.5, and Policy 6-1.7.13.

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent and in compliance with the principles for guiding development for that area. See § 380.05(6), Fla. Stat. The Principles for Guiding Development for the Village are set forth in subsection 380.0552(7), Florida Statutes.

8. The Ordinance is consistent with the Principles for Guiding Development for the Village as a whole, and specifically furthers the following principles:

- (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
- (c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
- (f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.

WHEREFORE, IT IS ORDERED that the Department finds that Ordinance No. 19-17 is consistent with the Village’s Comprehensive Plan and Principles for Guiding Development for the Village and is hereby APPROVED.

This Final Order becomes effective 21 days after publication in the *Florida Administrative Register* unless a petition is timely filed as described in the Notice of Administrative Rights below. DONE AND ORDERED in Tallahassee, Florida.

/s/James D. Stansbury, James D. Stansbury, Bureau Chief, Bureau of Community Planning and Growth, Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, BY FILING A PETITION.

A PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE DATE OF FILING OF THE FINAL ORDER AS INDICATED ON THE CERTIFICATE OF SERVICE. A PETITION IS FILED WHEN IT IS RECEIVED BY: AGENCY CLERK, DEPARTMENT OF ECONOMIC OPPORTUNITY, OFFICE

OF THE GENERAL COUNSEL, 107 EAST MADISON ST., MSC 110, TALLAHASSEE, FLORIDA 32399-4128, FAX (850)921-3230,

AGENCY.CLERK@DEO.MYFLORIDA.COM.

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE DATE OF THE FILING OF THE FINAL ORDER.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO SUBSECTIONS 28-106.104(2), 28-106.201(2), AND SECTION 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTION 120.569 AND SUBSECTION 120.57(1), FLORIDA STATUTES, OR SECTION 120.569 AND SUBSECTION 120.57(2), FLORIDA STATUTES.

PURSUANT TO SECTION 120.573, FLORIDA STATUTES, AND CHAPTER 28, PART IV, FLORIDA ADMINISTRATIVE CODE, YOU ARE NOTIFIED THAT MEDIATION IS NOT AVAILABLE.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 10th day of October 2019.

/s/Janay Lovett, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128

By U.S. Mail:

Deb Gillis, Mayor, Islamorada, Village of Islands, 86800 Overseas Highway, Islamorada, FL 33036

Kelly S. Toth, Village Clerk, Islamorada, Village of Islands, 86800 Overseas Highway, Islamorada, FL 33036

Ty Harris, Director of Planning, Planning and Development Services, 86800 Overseas Highway, Islamorada, FL 33036

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.