

Section I Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-28.013 Indian Child Welfare Act

PURPOSE AND EFFECT: The Department intends to amend 65C-28.013, F.A.C, Indian Child Welfare Act, to incorporate a form and clarify required communication between the Department and the Indian Tribe.

SUBJECT AREA TO BE ADDRESSED: Indian Child Welfare Act

RULEMAKING AUTHORITY: 39.012, 39.0121(12), (13), FS.

LAW IMPLEMENTED: 39.0137, 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: Jodi Abramowitz. Jodi can be reached at Jodi.Abramowitz@myflfamilies.com or (850)717-4470.

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 CITRUS

RULE NO.: RULE TITLE:

20-3.005 General Provisions

PURPOSE AND EFFECT: Amendment adding language to protect the information provided to the department claimed to be trade secret by the reporting processors.

SUMMARY: Statement of trade secret of the information provided to the department

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within

one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the economic criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to 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: 601.10(1), 601.15(10)(a) FS.

LAW IMPLEMENTED: 601.10(8), 601.15(4), 601.69 FS.

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

DATE AND TIME: December 18, 2019, 9:00 a.m.

PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, Florida 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice Wiggins, Legal Assistant, P O Box 9010, Bartow, FL 33831 or AWiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-3.005 General Provisions.

(1) through (2) No change.

(3) Any data that a facility deems to be a trade secret shall be labeled as trade secrets at the time it is submitted to the Department of Citrus and at that time the reporting facility shall submit, in writing, the nature of such data and specific designations as to what portion of the data is to be treated by the Department of Citrus as a trade secret. Individual facility plant information reported in writing pursuant to this rule shall be held confidential as a designated trade secret as defined in Section 812.081, F.S., and will be treated as if it is exempt from the provisions of Section 119.07(1), F.S.

(4) No change.

Rulemaking Authority 601.10(1), 601.15(10)(a) FS. Law Implemented 601.10(8), 601.15(4), 601.69 FS. History—New 8-31-15, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Elliott Mitchell, General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Citrus Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 23, 2019
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 1, 2019

DEPARTMENT OF CITRUS

RULE NO.: 20-3.007 RULE TITLE: Post Estimate Price Report
 PURPOSE AND EFFECT: Amendment addressing the number of facilities required to be reporting data to FDOC before a report can be released; adding language to protect the information provided to the department claimed to be trade secret by the reporting processors.
 SUMMARY: Post Estimate Price Report facility reporting; statement of trade secret for processors
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the economic criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to 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: 601.10(1), 601.15(10)(a) FS.
 LAW IMPLEMENTED: 601.10(8), 601.15(4), 601.69 FS.

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

DATE AND TIME: December 18, 2019, 9:00 a.m.
 PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, Florida 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice Wiggins, Legal Assistant, P O Box 9010, Bartow, FL 33831 or AWiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-3.007 Post-Estimate Price Report.

(1) through (3) No change.

(4) The Department of Citrus shall compile and publish, subsequent to the initial USDA Crop Estimate (generally released in October of each year), audited Post-Estimate Price Reports six times during the citrus season: upon the early/mid-season varieties harvest being 33% complete, 66% complete and 100% complete; and upon the late season varieties harvest being 33% complete, 66% complete and 100% complete. Unaudited reports shall be posted to the website beginning four weeks after the data reported to the Department of Citrus has received data from a licensed facility or facilities contains data from at least three facilities and additional reports shall be submitted continue every four weeks thereafter. The number of facilities reporting activity shall not be disclosed within the facility data that is ultimately reported by the Department of Citrus. Any reporting facility that considers its data to constitute trade secret data, and therefore confidential, shall label its data as trade secrets and shall provide, in writing, the nature of such data to the Department of Citrus at the time it is provided to the Department of Citrus. Absent a written declaration that the facility deems the data to be a trade secret in compliance with the process set forth in this subsection, the data provided to the Department of Citrus will not be protected as a trade secret, as defined in s.812.081. Calculations used in this report are on a weighted average basis.

(5) No change.

Rulemaking Authority 601.10(1), 601.15(10)(a) FS. Law Implemented 601.10(8), 601.15(4), 601.69 FS. History—New 8-31-15, Amended 1-24-19, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Elliott Mitchell, General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Citrus Commission

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 1, 2019

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DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 1, 2019

DEPARTMENT OF CITRUS

RULE NO.: 20-13.024 RULE TITLE: Bingo: Classification and Standards
 PURPOSE AND EFFECT: New rule classifying the new variety of citrus hybrid “Bingo” to enhance the marketing strategies for fresh fruit, allowing the Florida citrus industry to better compete in the marketplace.
 SUMMARY: Classifying the new variety of citrus hybrid “Bingo”

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the economic criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to 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: 601.10(7), 601.11, 601.9910(3) FS.

LAW IMPLEMENTED: 601.11, 601.9910(3) FS.

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

DATE AND TIME: December 18, 2019, 9:00 a.m.

PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, Florida 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice Wiggins, Legal Assistant, P O Box 9010, Bartow, FL 33831 or AWiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-13.024 Bingo: Classification and Standards:

(1) Classification: The market classification of the citrus hybrid “Bingo” shall be “Tangerine” or “Mandarin,” a mandarin hybrid (*C. reticulata* x *C. Kinokuni*).

(2) Identification:

(a) The proper identification shall be either “Bingo,” “Florida Tangerine,” “Tangerine,” “Florida Mandarin” or “Mandarin” and one such name shall be used whenever this fruit is identified.

(b) In order to be marketed as “Florida Mandarin” or “Mandarin” the fruit must meet the requirements set forth in 20-13.0042.

(3) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in 20-13.0041.

(4) Standards: All state laws and rules applicable to “Tangerines” shall be applicable to this fruit.

Rulemaking Authority 601.10(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—New .

NAME OF PERSON ORIGINATING PROPOSED RULE:

Elliott Mitchell, General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Florida Citrus Commission

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: September 25, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: November 1, 2019

DEPARTMENT OF CITRUS

RULE NO.: RULE TITLE:

20-13.025 UFGlow: Classification and Standards

PURPOSE AND EFFECT: New rule classifying the new variety of citrus hybrid “UFGlow” to enhance the marketing strategies for fresh fruit, allowing the Florida citrus industry to better compete in the marketplace.

SUMMARY: Classifying the new variety of citrus hybrid “UFGlow”

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the economic criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to 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: 601.10(7), 601.11, 601.9910(3) FS.

LAW IMPLEMENTED: 601.11, 601.9910(3) FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice Wiggins, Legal Assistant, P O Box 9010, Bartow, FL 33831 or AWiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-13.025 UFGlow: Classification and Standards:

(1) Classification: The market classification of the citrus hybrid “UFGlow” shall be “Tangerine” or “Mandarin,” a mandarin hybrid (*C. reticulata*).

(2) Identification:

(a) The proper identification shall be either “UFGlow,” “Florida Tangerine,” “Tangerine,” “Florida Mandarin” or “Mandarin” and one such name shall be used whenever this fruit is identified.

(b) In order to be marketed as “Florida Mandarin” or “Mandarin” the fruit must meet the requirements set forth in 20-13.0042.

(3) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in 20-13.0041.

(4) Standards: All state laws and rules applicable to “Tangerines” shall be applicable to this fruit.

Rulemaking Authority 601.10(1), 601.15(10)(a) FS. Law Implemented 601.11, 601.9910(3) FS. History—New.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elliott Mitchell, General Counsel
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Citrus Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 25, 2019
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 1, 2019

DEPARTMENT OF CITRUS

RULE NO.: 20-13.026 RULE TITLE: 950: Classification and Standards
 PURPOSE AND EFFECT: New rule classifying the new variety of citrus hybrid “950” to enhance the marketing strategies for fresh fruit, allowing the Florida citrus industry to better compete in the marketplace.
 SUMMARY: Classifying the new variety of citrus hybrid “950”
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:
 The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within

one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the economic criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to 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: 601.10(7), 601.11, 601.9910(3) FS.

LAW IMPLEMENTED: 601.11, 601.9910(3) FS.

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

DATE AND TIME: December 18, 2019, 9:00 a.m.

PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, Florida 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice Wiggins, Legal Assistant, P O Box 9010, Bartow, FL 33831 or AWiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-13.026 950: Classification and Standards:

(1) Classification: The market classification of the citrus hybrid “950” shall be “Tangerine” or “Mandarin,” a mandarin hybrid (*C. reticulata*).

(2) Identification:

(a) The proper identification shall be either “950,” “Florida Tangerine,” “Tangerine,” “Florida Mandarin” or “Mandarin” and one such name shall be used whenever this fruit is identified.

(b) In order to be marketed as “Florida Mandarin” or “Mandarin” the fruit must meet the requirements set forth in 20-13.0042.

(3) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in 20-13.0041.

(4) Standards: All state laws and rules applicable to “Tangerines” shall be applicable to this fruit.

Rulemaking Authority 601.10(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—New.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Elliott Mitchell, General Counsel
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Florida Citrus Commission
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: September 25, 2019
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: November 1, 2019

DEPARTMENT OF CITRUS

RULE NO.: 20-13.027 RULE TITLE: Marathon: Classification and Standards
PURPOSE AND EFFECT: New rule classifying the new variety of citrus hybrid “Marathon” to enhance the marketing strategies for fresh fruit, allowing the Florida citrus industry to better compete in the marketplace.

SUMMARY: Classifying the new variety of citrus hybrid “Marathon”

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the economic criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to 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: 601.10(7), 601.11, 601.9910(3) FS.

LAW IMPLEMENTED: 601.11, 601.9910(3) FS.

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

DATE AND TIME: December 18, 2019, 9:00 a.m.

PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, Florida 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice Wiggins, Legal Assistant, P O

Box 9010, Bartow, FL 33831 or
AWiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-13.027 Marathon: Classification and Standards:

(1) Classification: The market classification of the citrus hybrid “Marathon” shall be “Tangerine” or “Mandarin,” a mandarin hybrid (*C. reticulata* x *C. Kinokuni*).

(2) Identification:

(a) The proper identification shall be either “Marathon,” “Florida Tangerine,” “Tangerine,” “Florida Mandarin” or “Mandarin” and one such name shall be used whenever this fruit is identified.

(b) In order to be marketed as “Florida Mandarin” or “Mandarin” the fruit must meet the requirements set forth in 20-13.0042.

(3) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in 20-13.0041.

(4) Standards: All state laws and rules applicable to “Tangerines” shall be applicable to this fruit. Rulemaking Authority 601.10(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Elliott Mitchell, General Counsel
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Florida Citrus Commission
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: September 25, 2019
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: November 1, 2019

DEPARTMENT OF CITRUS

RULE NO.: 20-13.028 RULE TITLE: Nectar: Classification and Standards
PURPOSE AND EFFECT: New rule classifying the new variety of citrus hybrid “Nectar” to enhance the marketing strategies for fresh fruit, allowing the Florida citrus industry to better compete in the marketplace.

SUMMARY: Classifying the new variety of citrus hybrid “Nectar”

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the economic criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to 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: 601.10(7), 601.11, 601.9910(3) FS.

LAW IMPLEMENTED: 601.11, 601.9910(3) FS.

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

DATE AND TIME: December 18, 2019, 9:00 a.m.

PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, Florida 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice Wiggins, Legal Assistant, P O Box 9010, Bartow, FL 33831 or AWiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-13.028 Nectar: Classification and Standards:

(1) Classification: The market classification of the citrus hybrid “Nectar” shall be “Tangerine” or “Mandarin,” a mandarin hybrid (*C. Reticulata x Unknown*).

(2) Identification:

(a) The proper identification shall be either “Nectar,” “Florida Tangerine,” “Tangerine,” “Florida Mandarin” or “Mandarin” and one such name shall be used whenever this fruit is identified.

(b) In order to be marketed as “Florida Mandarin” or “Mandarin” the fruit must meet the requirements set forth in 20-13.0042.

(3) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in 20-13.0041.

(4) Standards: All state laws and rules applicable to “Tangerines” shall be applicable to this fruit.

Rulemaking Authority 601.10(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—New ____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elliott Mitchell, General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Citrus Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 25, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 1, 2019

DEPARTMENT OF CITRUS

RULE NO.: 20-100.004 RULE TITLE: Official Forms Used by Agency

PURPOSE AND EFFECT: Statement of Trade Secret: amending the form to better protect the trade secret information provided by the industry to the Department of Citrus

SUMMARY: Statement of trade secret for industry

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the economic criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to 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: 601.10(1), 601.15(5), 601.155(7), 601.56, 601.69(9) FS.

LAW IMPLEMENTED: 601.10(15), 601.15, 601.155, 601.55, 601.56, 601.69 FS.

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

DATE AND TIME: December 18, 2019, 9:00 a.m.

PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, Florida 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice Wiggins, Legal Assistant, P O Box 9010, Bartow, FL 33831 or AWiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-100.004 Official Forms Used by Agency

In its licensing, regulatory, assessing, marketing and other operational functions the Florida Department of Citrus requires use of the forms listed below. All of these forms are available for inspection by any interested party during regular business hours at the headquarters office located at 605 East Main Street, Bartow, Florida 33830 or may be received upon request by writing the Florida Department of Citrus, P.O. Box 9010, Bartow, Florida 33831-9010, by telephone (863)537-3999 or at <http://www.floridacitrus.org/grower/resources/forms/>.

(1) through (29) No change.

(30) Statement of Trade Secret – CIT/STS/10 Eff. 1-23-20
7-22-15 available at
<http://www.flrules.org/Gateway/reference.asp?No=Ref->

Rulemaking Authority 601.10(1), 601.15(5), 601.155(7), 601.56, 601.69(9), F.S. Law Implemented 601.10(15), 601.15, 601.155, 601.55, 601.56, 601.69, F.S. History—New 1-1-75, Amended 8-31-83, 2-26-84, Formerly 20-102.05, Amended 12-20-95, Formerly 20-102.005, Amended and Transferred 12-6-98, Amended 5-28-00, 9-20-07, 7-13-10, 11-28-12, 8-31-15, 2-12-17, 8-1-17, 6-24-18,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elliott Mitchell, General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Citrus Commission

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 1, 2019

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-6.010 RULE TITLE: Payment Methodology for Nursing Home Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-6.010, Florida Administrative Code, is to incorporate the reimbursement methodology for Nursing Home Services using the prospective payment methodology in accordance with section 409.908 (2)(b), F.S.

SUMMARY: The amendment specifies that the rule is

applicable to all nursing facility providers, updates existing language, and incorporates statutory changes.

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, 409.9082 FS.

LAW IMPLEMENTED: 409.908, 409.9082, 409.913 FS.

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

DATE AND TIME: December 6, 2019 from 1:00 p.m. to 1:30 p.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: Rebekah Falk. 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: Rebekah Falk, Bureau of Medicaid Program Finance, 2727 Mahan Drive, Mail Stop 23, Tallahassee, Florida 32308-5407, telephone: (850)412-4113, e-mail: Rebekah.Falk@ahca.myflorida.com.

Official comments to be entered into the rule record will be received until 5:00 p.m., December 9, 2019. 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-6.010 Payment Methodology for Nursing Home Services

~~(1) This rule applies to all nursing facility providers rendering Florida Medicaid nursing facility services in accordance with 59G-4.200 Florida Administrative Code. Reimbursement to participating nursing homes for services provided shall be in accordance with the Florida Title XIX Long Term Care Reimbursement Plan (the Plan), Version XLV, effective date July 1, 2017, available at http://www.flrules.org/Gateway/reference.asp?No=Ref_09139, incorporated by reference. A copy of the Plan, as revised, may be obtained by writing to the Bureau of Medicaid Program Finance, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #23, Tallahassee, Florida 32308. The Plan incorporates Provider Reimbursement Manual (CMS Pub. 15-1). The Plan is applicable to all providers of Florida Medicaid nursing facility services who are enrolled in or registered with the Florida Medicaid program.~~

~~(2) Definitions.~~

~~(a) Adjusted Facility Sq Ft - Component of the FRVS Calculation defined in section 409.908(2)(b)1.g., F.S.~~

~~(b) Allowable Medicaid Costs – Are defined in CMS Publication 15-1 chapter 21 under reasonable costs and costs related and not related to patient care.~~

~~(c) Budget Neutrality Factor - Budget neutrality multipliers shall be incorporated into the Prospective Payment System (PPS) to ensure that total reimbursement is as required through the General Appropriations Act. Quality Incentive Payments, Direct Care Staffing and Ventilator add-ons, and the Nursing Facility Quality Assessment are excluded.~~

~~(d) Depreciation Factor- Component of the FRVS Calculation defined in section 409.908(2)(b)1.g., F.S.~~

~~(e) Direct Care Cost Component- The direct patient care component shall include the Medicaid allowable portion of salaries and benefits of direct care staff providing nursing services including registered nurses, licensed practical nurses, and certified nursing assistants who deliver care directly to residents in the nursing facility, allowable therapy costs, and dietary costs adjusted for inflation.~~

~~(f) Equipment Cost - Component of the FRVS Calculation defined in section 409.908(2)(b)1.g., F.S.~~

~~(g) Exempt Providers – Pediatric facilities operated by the Florida Department of Veterans Affairs, and government-operated facilities are exempt from reimbursement under the prospective payment methodology and shall be reimbursed on a cost-based prospective payment system, as defined in section 409.908(2)(b)8, Florida Statutes (F.S.). Reimbursement of direct care, indirect care, and operating costs are subject to reimbursement ceilings and targets.~~

(h) Fair Rental Rate - Component of the FRVS Calculation defined in section 409.908(2)(b)1.g., F.S.

(i) Floors – Floors are calculated for the direct care and indirect care cost components for each peer group and are equal to the price times the floor percentage as defined in section 409.908(2)(b)1.c., F.S.

(j) Floor Reduction – The difference between the floor and the provider's inflated per day cost component, if a provider's cost is below the floor.

(k) FRVS Rate - A Fair Rental Value (FRV) system is used to reimburse providers for their facility related capital costs. A provider must submit an FRV survey to the Agency for Health Care Administration (AHCA) using the electronic form and instructions on the Florida Nursing Home: Fair Rental Value Survey web page. The survey information is used to compute an adjusted age for each provider, based on the most recent survey received by April 30 of each year for the subsequent rate period. The nursing facility provider's FRV survey will be used to calculate the rate for a future rate period.

(l) High Medicaid Utilization and High Direct Patient Care Add-On - Providers who meet the minimum Medicaid utilization and staffing criteria outlined in section 409.908(2)(b)6, F.S. and have a prospective payment per diem rate that is lower than their per diem rate effective September 1, 2016, shall receive the lesser of a \$20 per diem increase or a per diem increase sufficient to set their rate equal to their September 1, 2016 rate.

(m) Indirect Care Cost Component - All other allowable Medicaid patient care costs, that are not listed in the operating or direct care components, are adjusted for inflation and shall be included in the indirect patient care component.

(n) Land Allocation Percentage - Component of the FRVS Calculation defined in section 409.908(2)(b)1.g., F.S.

(o) Medians - The mid-points of the inflated per diems for direct care, indirect care, and operating cost components of all providers in a peer group. Beginning October 1, 2018 separate medians shall be calculated for operating, direct, and indirect cost components based on the most recent cost reports received for the September 2016 rate setting by the rate setting acceptance cut-off date, per section 409.908(2)(b)1.b., F.S. Beginning October 1, 2021 medians shall be calculated based on the most recently finalized, audited cost report.

(p) Medicaid Adjustment Rate (MAR) – An add-on to the direct care and indirect care cost components of exempt providers with greater than 50 percent Medicaid utilization.

(q) Medicaid Bad Debt – amounts considered to be uncollectible from accounts and notes receivable which are created or acquired in providing services per CMS publication 15-1 chapter 3 section 302.1.

(r) Medicaid Trend Adjustment (MTA) - The MTA is a percentage reduction that is uniformly applied to all Florida

Medicaid nursing facility providers each rate period which equals all recurring and nonrecurring budget reductions on an annualized basis. The exempt providers' rates are reduced by the appropriate percentage allocation as compared to all Medicaid nursing facility providers.

(s) Nursing Facility Quality Assessment (NFQA) – An assessment imposed on each nursing facility provider used to obtain Federal financial participation through the Medicaid program and partially fund the quality incentive payment program for nursing facilities that exceed quality benchmarks. The per diem Florida Medicaid share of the NFQA is calculated as follows:

1. Total patient days minus Medicare days is equal to total non-Medicare days.

2. The product of total non-Medicare days, NFQA rate and Florida Medicaid days as a percentage of total days is equal to the total NFQA Florida Medicaid share.

3. Total NFQA Florida Medicaid share divided by Florida Medicaid days is equal to the per diem Florida Medicaid Share of the NFQA.

(t) Offense - one month's total number of resident days not submitted and full quality assessment payment not received by the 20th day of the next succeeding calendar month.

(u) Operating Cost Component - The operating cost component shall include the Medicaid allowable costs for medical records, plant operation, housekeeping, administration, Medicaid bad debt, and laundry and linen adjusted for inflation.

(v) Pass-Through Payments - Real estate and personal property taxes and property insurance shall be reimbursed as pass-through payments calculated as the total cost, as reported in the most recent cost report received by the rate setting acceptance cutoff date, divided by the total patient days.

(w) Peer Group – Providers are divided into two peer groups defined in section 409.908(2)(b)1.a., F.S.

(x) Price - The standardized rate for each peer group that is calculated for the direct care, indirect care and operating cost components as the median times the price percentage as defined in section 409.908(2)(b)1.b., F.S.

(y) Quality Incentive Payment – A provider is awarded points for process, outcome, structural and credentialing measures. To qualify for a quality incentive payment, a provider must meet the minimum threshold defined in section 409.908(2)(b)1.f., F.S. The Quality Incentive budget is defined in section 409.908(2)(b)1.e., F.S.

1. Process Measures - Includes Flu Vaccine, Antipsychotic, and Restraint quality metrics. Providers are ranked based on the percentage of residents who have, or do not have, a particular condition. Providers who are at or above the 90th percentile for a particular measure will be awarded 3 points, those scoring from the 75th through the 89th percentiles will be awarded 2 points, and those scoring from the 50th through the 74th

percentiles will receive 1 point. Providers who score below the 50th percentile and achieve a 20 percent improvement from the previous year will receive 0.5 points. Data to calculate these quality metrics is from the Medicare Nursing Home Compare datasets.

2. Outcome Measures – Includes Urinary Tract Infections, Pressure Ulcers, Falls, Incontinence, and Decline in Activities of Daily Living quality metrics. Outcome Measures are scored using the same methodology as Process Measures. Data to calculate these metrics is from the Medicare Nursing Home Compare datasets.

3. Structure Measures – Includes Direct Care Staffing from the Medicaid cost report received by the rate setting cutoff date and Social Work and Activity Staff as reported on CMS 671 Reports. Structure Measures are scored using the same methodology as Process Measures and Outcome Measures.

4. Credentialing Measures – Includes CMS 5-Star, Florida Gold Seal, Joint Commission Accreditation, and American Health Care Association National Quality Award. Facilities assigned a rating of 3, 4, or 5 stars in the CMS 5-Star program will receive 1, 3, or 5 points, respectively. CMS 5-Star rating is found on the Medicare Nursing Home Compare datasets. Facilities that have either a Florida Gold Seal, Joint Commission Accreditation, or the silver or gold America Health Care Association National Quality Award on May 31 of the subsequent year will be awarded 5 points. Recipients of the Florida Gold Seal Award can be viewed on Florida Health Finder website, recipients of the Joint Commission Accreditation can be viewed on the Joint Commission website, and recipients of the American Health Care Association National Quality Award can be viewed on the American Health Care Association website.

(z) Rate Period – October 1 - September 30.

(aa) Rate Setting Acceptance Cost Report Cutoff Date – The cost report cutoff date is April 30, or the next business day if April 30 falls on a weekend, of the year in which the rate period begins.

(bb) Rebase Rate Semester – Direct care, indirect care, and operating cost components will be rebased every fourth year by using the most recently finalized, audited cost report available by the rate setting acceptance cut-off date beginning October 1, 2021.

(cc) Reimbursement Ceiling - The upper rate limits, calculated based on all Medicaid Nursing Facility providers, for operating, direct care, and indirect care components applicable to exempt nursing facility providers in a peer group.

(dd) Reimbursement Targets – Provider specific per diem limitations, for the operating and indirect care cost components for exempt providers.

(ee) RSMMeans Data -The industry-standard materials, labor, and equipment cost information database used by

contractors and other professionals to accurately estimate project costs.

(ff) Subsequent Offense - any offense within a period of five years preceding the most recent quality assessment due date.

(gg) Ventilator Supplemental Payment - Effective October 1, 2019, claims and encounter data with diagnosis code Z99.11, dependence on respirator (ventilator) status, with dates of service in the prior calendar year will be used to calculate the ventilator supplemental payment. The sum of claims and encounters with diagnosis code Z99.11 for the facility will be divided by annualized Medicaid days from the most recently submitted cost report received by the Rate Setting Acceptance Cost Report Cutoff Date, then multiplied by \$200.00. The result will be added to the rate setting per diem.

(3) Reimbursement. Effective each October 1 the AHCA will reimburse for Florida Medicaid nursing facility services rendered by nursing facilities using the Prospective Payment System (PPS) methodology in accordance with section 409.908 (2)(b), F.S. Exempt providers will be reimbursed using a cost based methodology.

(4) Reimbursement Methodology.

(a) PPS Calculation. The calculation is as follows:

(Operating Price + Direct Care Price - Floor Reduction + Indirect Care Price - Floor Reduction + FRVS Rate + Pass Through Payments) * Budget Neutrality Factor + Quality Incentive Payment + Medicaid Share of NFQA + Ventilator Supplemental Payment + High Medicaid Utilization and High Direct Patient Care Add-On

(b) Quality Incentive Payment Calculation. The calculation is as follows:

Facility Annualized Medicaid Days / Average Annualized Medicaid Days of All Facilities * Quality Points with Lower Limit / Sum of Total Points Awarded to All Facilities * Total Quality Budget/Facility Annualized Medicaid Days

(c) FRVS Calculation. The calculation is as follows:

Building = 2018 RSMMeans Cost Per Sq Ft * Adjusted Facility Sq Ft * Zip Code Location Factor

Land = Building * Land Allocation Percentage

Undepreciated Value = Building + Land + Equipment

Depreciation = (Building + Equipment) * Depreciation Factor * Facility Adjusted Age

FRVS Rate = (Undepreciated Value – Depreciation) * Fair Rental Rate / (Occupancy Percentage * 365.25)

1. 2018 RSMMeans Cost Per Sq Ft and Zip Code Location Factor are defined in the latest Gordian Building Construction Costs publication with RSMMeans Data available on March 31 of the year in which the rate period begins.

2. Adjusted Facility Sq Ft, Land Allocation Percentage, Equipment Cost, Depreciation Factor, and Fair Rental Rate are defined in section 409.908(2)(b)1.g., F.S.

3. Facility Adjusted Age is calculated using FRVS survey data.

(d) Exempt Calculation. The calculation is as follows:

Operating Cost Component + Direct Care Cost Component + Indirect Care Cost Component + MAR + FRVS Rate + Pass Through Payments + Medicaid Share of NFQA – MTA

(5) NFQA

(a) Participating nursing facilities ~~homes~~ shall use the Nursing Facility Quality Assessment form (only accepted electronically), AHCA Form 5000-3549, Revised October 2013, incorporated by reference, for the submission of its monthly quality assessment. This form can be accessed at <http://ahca.myflorida.com/QAF/index.shtml>.

~~(b)(3)~~ Each facility shall report monthly to ~~the Agency for Health Care Administration (AHCA)~~ its total number of resident days and remit an amount equal to the assessment rate times the reported number of days. Facilities are required to submit their full quality assessment payment no later than 20 days from the next succeeding calendar month.

~~(c)(4)~~ Providers are subject to the following monetary fines pursuant to section 409.9082(7), ~~Florida Statutes (F.S.)~~, for failure to timely submit the facility total number of resident days and pay the full amount of the a quality assessment:

~~1.(a)~~ For a facility's first offense, a fine of \$500 per day shall be imposed until the total number of resident days is submitted and quality assessment is paid in full, but in no event shall the fine exceed the amount of the quality assessment.

~~2.(b)~~ For any offense subsequent to a first offense, a fine of \$1,000 per day shall be imposed until total number of resident days is submitted and the quality assessment is paid in full, but in no event shall the fine exceed the amount of the quality assessment. ~~A subsequent offense is defined as any offense within a period of five years preceding the most recent quality assessment due date.~~

~~(c)~~ ~~An offense is defined as one month's quality assessment payment not received by the 20th day of the next succeeding calendar month.~~

~~3.(d)~~ In the event that a provider fails to report their total number of resident days as defined in section 409.9082(1)(c), F.S., by the 20th day of the next succeeding calendar month, the fines in paragraphs (a)-(c), apply and the maximum amount of the fines shall be equal to their last submitted quality assessment amount but in no event shall the total fine exceed the amount of the quality assessment.

~~(d)(5)~~ In addition to the aforementioned fines, providers are also subject to the non-monetary remedies enumerated in section 409.9082(7), F.S. Imposition of the non-monetary remedies by AHCA will be as follows:

~~1.(a)~~ For a third subsequent offense, AHCA will withhold any Medicaid reimbursement payments until the assessment is recovered.

~~2.(b)~~ For a fourth or greater subsequent offense, AHCA will seek suspension or revocation of the facility’s license.

~~(e)(6)~~ Fines for failure to timely submit a quality assessment are non-allowable costs for reimbursement purposes and shall not be included in the provider’s Medicaid per diem rate.

~~(f)(7)~~ The facility may amend any previously submitted quality assessment data, but in no event may an amendment occur more than twelve months after the due date of the assessment. The deadline for submitting an amended assessment shall not relieve the facility from their obligation to pay any amount previously underpaid and shall not waive AHCA’s right to recoup any underpaid assessments.

~~(6)(8)~~ The Florida Medicaid rate is equal to the Medicare allowed amount for Medicare approved Part B therapy services provided in nursing facilities ~~ty~~.

Rulemaking Authority 409.919, 409.9082 FS. Law Implemented 409.908, 409.9082, 409.913 FS. History—New 7-1-85, Amended 10-1-85, Formerly 10C-7.482, Amended 7-1-86, 1-1-88, 3-26-90, 9-30-90, 12-17-90, 9-15-91, 3-26-92, 10-22-92, 4-13-93, 6-27-93, Formerly 10C-7.0482, Amended 4-10-94, 9-22-94, 5-22-95, 11-27-95, 11-6-97, 2-14-99, 10-17-99, 1-11-00, 4-24-00, 9-20-00, 11-20-01, 2-20-02, 7-14-02, 1-8-03, 6-11-03, 12-3-03, 2-16-04, 7-21-04, 10-12-04, 4-19-06, 7-1-06, 8-26-07, 2-12-08, 9-22-08, 3-3-10, 2-23-11, 5-3-12, 2-13-14, 1-19-15, 5-3-15, 7-17-16, 8-6-17, 3-25-18, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rebekah Falk
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mary C. Mayhew
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 05, 2019
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 10, 2019

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
59G-6.090 Payment Methodology for County Health Departments

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-6.090, Florida Administrative Code (F.A.C.), is to specify the Agency for Health Care’s reimbursement methodology for county health departments (CHD).

SUMMARY: The amendment clarifies definitions, effective dates, and exclusions to the reimbursement methodology and provides calculations for CHD reimbursement encounter rates.

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 FS.

LAW IMPLEMENTED: 409.908, 409.913 FS.

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

DATE AND TIME: December 10, 2019, 11:30 a.m. to noon

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: MedicaidRuleComments@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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:
MedicaidRuleComments@ahca.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.090 Payment Methodology for County Health Departments.

(1) This rule applies to all county health departments (CHD)s rendering Florida Medicaid clinic services to recipients in accordance with Rule 59G-4.055, Florida Administrative Code, (F.A.C.).

(2) Definitions.

(a) Allowable Cost – Cost(s) incurred for recipient-related health care services, except as outlined in subsection (5).

(b) Buy-back – A provision that allows a CHD to decrease the Medicaid Trend Adjustment from the established percent to zero percent.

(c) County Health Department (CHD) Clinic Services – Florida Medicaid primary and preventive health care services, related diagnostic services, and dental services.

(d) Encounter – A visit occurring on a specific day between a recipient and health care professional(s). Two Encounters occurring on the same day will not be reimbursed separately, even if the Encounters are for different types of services.

(e) Filing Due Date – Date that is no later than five calendar months after the close of a CHD’s cost reporting year; or, date that is within six months of a CHD’s cost reporting year, if a certified report is filed.

(f) Legislative Unit Cost – The weighted average per diem of the state anticipated expenditure after all rate reductions, but prior to any Buy-back.

(g) Medicaid Trend Adjustment – A proportional percentage rate reduction that is uniformly applied to all Florida Medicaid providers’ Rate Period, which equals all recurring and nonrecurring budget reductions on an annualized basis and is applied to all components of the prospective per diem.

(h) Rate Period – July 1 of a calendar year through June 30 of the next calendar year.

(i) Rate Setting Due Date – April 15: all cost reports received by Florida Medicaid on or before April 15 of each Rate Period will be used to establish the reimbursement rates for the subsequent Rate Period.

(j) Rate Setting Unit Cost – The weighted average per diem after all rate reductions but prior to any Buy-backs, which is based on submitted cost reports.

(3) Reimbursement. The Agency for Health Care Administration (AHCA) will reimburse for Florida Medicaid services rendered by Florida Medicaid-enrolled CHDs at a rate-per-Encounter, based upon the total Allowable Cost for each clinic in accordance with section 409.908, Florida Statutes (F.S.).

(4) Reimbursement Methodology.

The Agency for Health Care Administration establishes reimbursement Encounter rates for each CHD that renders services in accordance with Title 42, Code of Federal Regulations (CFR), section 440.90. The rates become effective on July 1 of the applicable Rate Period and are calculated as follows:

(a) Setting Individual CHD Rates. To determine reimbursement Encounter rates, AHCA will perform the following:

1. Review and adjust each CHD’s cost report (available to AHCA as of the Rate Setting Due Date) to reflect the results of desk and field audits.

2. Determine each CHD’s Encounter rate by dividing total Allowable Cost by total allowable Encounters.

3. Adjust each CHD’s Encounter rate with an inflation factor based on the Consumer Price Index (CPI) at the midpoint of the CHD’s cost reporting period divided by the CPI projected for the midpoint of each Rate Period.

(b) Method of Establishing Historical Rate Reductions.

1. To establish historical rate reductions, AHCA will apply a recurring methodology that incorporates the reductions imposed in the following manner:

a. Divide the total amount of each recurring reduction imposed by the number of Encounters originally used in the rate calculation for each rate setting period, which will yield a rate reduction per diem for each Rate Period.

b. Multiply the resulting rate reduction per diem for each Rate Period by the projected number of Encounters used in establishing the current budget estimate, which will yield the total current reduction amount to be applied to current rates.

c. In the event that the total current reduction amount is greater than the historical reduction amount, AHCA will hold the rate reduction to the historical reduction amount.

2. The recurring methodology includes an efficiency calculation wherein the reduction amount is subtracted from the CHD prospective rate to calculate the final prospective rate, which cannot exceed the \$180 ceiling rate nor be lower than the \$100 floor rate. If the floor rate is higher than the CHD prospective rate, the CHD prospective rate (which cannot exceed cost) will be used.

(c) Applying Historical Reductions to Rates. The Agency for Health Care Administration will perform the following:

1. Apply the first rate reduction based on the calculations outlined above and proportionately reduce the rates until the required savings is achieved.

2. Compare the unit cost for the current rate setting to the budgeted unit cost for state fiscal year (SFY) 2010-2011, which is (\$163.10). If the unit cost for the current rate setting is less than the budgeted unit cost for SFY 2010-2011, no further rate reduction will be required.

3. Utilize the Buy-back CHD Clinic Services amount provided in the General Appropriations Act for the applicable Rate Period for rate reductions that were effective on or after July 1, 2008.

4. The total Buy-back amount must not exceed the total reductions.

(5) Exclusion. Costs related to the following services are excluded from each CHD’s reimbursement Encounter rate and will be reported in the cost report under non-allowable service(s):

(a) Ambulance services.

(b) Home health services.

(c) Women, Infant and Children (WIC) certifications and recertifications.

(d) Any health care services rendered away from the clinic, at a hospital, or a nursing home, including off-site radiology and clinical laboratory services. However, services rendered away from the clinic may be reimbursable under a Florida Medicaid service-specific coverage policy, if the services were provided in accordance with the applicable coverage policy.

(e) Prescription drugs and immunization costs.

(6) Cost Settlement. Reimbursement rates may be adjusted under one of the following conditions:

(a) Submission of amended cost reports.

(b) The results of a desk or on-site audit.

~~Reimbursement to participating county health departments for services provided shall be in accordance with the Florida Title XIX County Health Department Reimbursement Plan (the Plan), Version XV XIV, effective date July 1, 2017 2016, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07930>, incorporated by reference. The Plan is applicable to the fee for service delivery system. A copy of the Plan as revised may be obtained by writing to the Bureau of Medicaid Program Finance, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop #23, Tallahassee, Florida 32308.~~

Rulemaking Authority 409.919 FS. Law Implemented 409.908, 409.913 FS. History—New 6-3-93, Formerly 10P-6.090, Amended 7-21-02, 3-10-94, 11-21-04, 1-11-09, 3-24-10, 2-23-11, 5-3-12, 4-3-13, 4-23-14, 5-3-15, 8-10-15, 6-15-16, 4-12-17, ____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Rydell Samuel

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Mary C. Mayhew

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: November 5, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: August 1, 2019

Section III

Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:

12A-19.100 Public Use Forms

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. 45 No. 187, September 25, 2019 issue of the Florida Administrative Register.

As a result of recent changes to local jurisdictional rate changes, presented at the November 14, 2019, public meeting (a notice for which was published on November 7, 2019 (Vol. 45, No. 218, p. 4943), changes are made to Form DR-700016 (incorporated by reference in Rule 12A-19.100, F.A.C.) as described:

Local tax rates have been adjusted for the following jurisdictions:

- Palm Shores (Brevard County)
- Marco Island (Collier County)
- Gulf Breeze (Santa Rosa County)

A copy of the revised form is posted to the Department’s website at <http://floridarevenue.com/rules>.

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NO.: RULE TITLE:

12B-8.003 Tax Statement; Overpayments

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. 45 No. 187, September 25, 2019 issue of the Florida Administrative Register.

In response to information presented at the November 14, 2019, public meeting (a notice for which was published on November 7, 2019 (Vol. 45, No. 218, pp. 4943-4944), changes are made to the following forms as described.

Form DR-908:

- The Pace Fire Rescue District (code 059) in Santa Rosa County has been added to Schedule XII.
- The city of Bunnell (code 210) in Flagler County has been deleted from Schedule XII.

The changes to Form DR-908 have been identified on page 1 of Form DR-350900 under the “2019 Additions, Deletions, and Changes to Schedules XII and XIII” heading.

Copies of these revised forms are posted on the Department’s website at <http://floridarevenue.com/rules>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers’ Board

RULE NO.: RULE TITLE:

61G3-16.006 Restricted Barber License

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. 45 No. 121, June 21, 2019 issue of the Florida Administrative Register.

The changes are in response to a rule challenge and multiple public comments received both written and during various Board meetings. The changes are as follows:

61G3-16.006 Restricted Barber License.

(1) No change.

(a) All restricted barber courses which are taught for the purpose of qualifying an individual for a restricted license to practice barbering shall provide, at consist of a minimum, of 6500 hours of training. ~~If an applicant for licensure by examination for a restricted barber license meets all required qualifications except the minimum hours of training, he or she shall be entitled to take the licensure examination if the applicant has completed 300 hours of training and has been certified by the school or program in which he or she is currently enrolled to have achieved the minimum competency standards of performance in the skills, services and trade techniques listed in paragraph (1)(b). However, if the individual fails to achieve a passing grade on either or both portions of the licensure examination, he or she shall not be eligible to retake either portion of the licensure examination until the individual shall have completed the full 500 hours of training and instruction.~~

(b) A school of barbering shall certify on a student examination application that said student has completed his or her 500 hours of training in restricted barbering skills, services and correlating trade techniques along with ~~550 hours of~~ classroom instruction and lab studies. All restricted barber courses which are taught for the purpose of qualifying an individual for a restricted barber license to practice restricted barbering shall meet, at a minimum, the requirements ~~be as~~ specified below:

1. Florida Laws and Rules	75 450 Hours
2. Safety, Sanitation and Sterilization	325 350 Hours
3 4. Hair Structure, Cutting, and Cleansing	150 Hours
a. Taper Cuts	
I. Freehand	
II. Shear over comb	
III. Clipper over comb	
b. Style Cuts (to include blow drying)	
c 5. Shampooing	
4 6. Shaving, Beard and Mustache Trimming	50 Hours

(c) Any school authorized to provide a restricted barbering course with a minimum of 1,200 hours as of January 1, 2020, may continue to provide a restricted barber course with a minimum of 1,200 hours through December 31, 2020. This subsection (c) shall become null and void and be of no effect on January 1, 2021.

(2) through (4) No change.

Rulemaking Authority 476.064(4), 476.144(6) FS. Law Implemented 476.144(6) FS. History—New 11-12-87, Formerly 21C-16.006, Amended 5-23-99, 4-26-04, _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Krista B. Woodard, Executive Director, Barbers’ Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-0771.

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 November 8, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-4.1265(5), F.A.C., from Englewood Healthcare and Rehabilitation Center to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019017495. 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 November 8, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-4.1265(5), F.A.C., from Beneva Lakes Healthcare and Rehabilitation Center to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019017488. 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 November 8, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-4.1265(5), F.A.C., from Central Park Healthcare and Rehabilitation Center to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019017494. 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 November 8, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-4.1265(5), F.A.C., from Bay Breeze Health and Rehabilitation to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019017486. 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 November 8, 2019, the Agency for Health Care Administration, received a petition for

variance from subsection 59A-4.1265(5), F.A.C., from Brandon Health and Rehabilitation Center to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019017490. 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 November 8, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-4.1265(5), F.A.C., from Emerald Shores Health and Rehabilitation to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019017491. 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 November 8, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-4.1265(5), F.A.C., from Evans Health Care to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019017517. 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 November 8, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-4.1265(5), F.A.C., from Consulate Health Care of Bayonet Point to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019017518. 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 November 8, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-4.1265(5), F.A.C., from Consulate Health Care of Brandon to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019017520. 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 November 8, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-4.1265(5), F.A.C., from Consulate Health Care of Jacksonville to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019017526. 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 November 8, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-4.1265(5), F.A.C., from Fletcher Health and Rehabilitation Center to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019017527. 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 November 8, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-4.1265(5), F.A.C., from Consulate Health Care of Kissimmee to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019017529. 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 November 8, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-4.1265(5), F.A.C., from Health and Rehabilitation Centre at Dolphins View to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019017484. 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 November 8, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-4.1265(5), F.A.C., from Destin Healthcare and Rehabilitation Center to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019017482. 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 November 8, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-4.1265(5), F.A.C., from Deltona Health Care to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019017480. 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 November 8, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-4.1265(5), F.A.C., from Countryside Rehab and Healthcare Center to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019017478. 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 MANAGEMENT SERVICES

E911 Board

NOTICE IS HEREBY GIVEN that on November 13, 2019, the E911 Board, received a petition for variance filed by Martin County. The Petitioner is seeking a variance paragraph 60FF1-5.003(3)(k), F.A.C., with respect to the rule requirement regarding the grant fund usage between the beginning and ending dates of the grant, unless an extension is authorized by the E911 Board. Petitioner is requesting that expenditures be made within the two years of the award of grant funds be varied to grant an extension for another additional year. Comments on this petition should be filed with Matthew Matney, Chairman, E911 Board, 4030 Esplanade Way, Suite 135F, Tallahassee, Florida 32399-0950, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Matthew Matney, Chairman, E911 Board, at the above address or telephone: (850)922-4135, or by electronic mail, Matthew.Matney@dms.myflorida.com.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-3.002 Qualifications for Examination

NOTICE IS HEREBY GIVEN that on November 12, 2019, the Board of Nursing, received a petition for variance and waiver submitted by Winnie Ogeto. The Petitioner seeks a waiver regarding a completed Practical Nurse Equivalence (PNEQ)

Application Letter for certification to take the licensure examination found in Rule 64B9-3.002, F.A.C. Comments on the petition should be filed with the Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252, telephone: (850)488-0595, or by electronic mail – Joe.Baker@flhealth.gov, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, at the above address.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

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

DATE AND TIME: November 22, 2019, 9:00 a.m.

PLACE: R.A. Gray Building, 500 S Bronough Street, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Agriculture and Consumer Services will discuss changes to its proposed hemp rules to address public comments received by October 31st and to align with the USDA interim final hemp rules. The Department can no longer accept any more public comments at this time.

A copy of the agenda may be obtained by contacting: Kylie Werk at kylie.werk@fdacs.gov or (850)617-7700.

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: Kylie Werk at kylie.werk@fdacs.gov or (850)617-7700. 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: Kylie Werk at kylie.werk@fdacs.gov or (850)617-7700.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

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

DATE AND TIME: November 18, 2019, 9:00am THIS MEETING HAS BEEN CANCELLED

PLACE: Florida State Fairgrounds, 4800 US-301 Tampa, FL 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Agriculture and Consumer Services will discuss changes to its proposed hemp rules to address public comments received by October 31st and to align with the USDA interim final hemp rules. The Department can no longer accept any more public comments at this time.

A copy of the agenda may be obtained by contacting: Kylie Werk at kylie.werk@fdacs.gov or (850)617-7700

DEPARTMENT OF REVENUE

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

DATE AND TIME: December 11, 2019, 3:00 p.m.

PLACE: 2450 Shumard Oak Blvd, Building 2, Suite 1600, Tallahassee, Florida 32399-0109

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Section 120.525, FS, a Request for Proposal (RFP) Response opening is hereby noticed as a public meeting within the timeline for the RFP Number 19/20 - 11 for Employment Data Matching Services which is posted on the Vendor Bid System (VBS). The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. Notice of any changes or additional meetings will be posted within the VBS in accordance with subsection 287.042(3), FS, and will not be re-advertised in the Florida Administrative Register (FAR). 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: Alison Thomas at (850)617-8132 or email: Alison.Thomas@floridarevenue.com.

The names of firms submitting a proposal to the RFP will be read aloud and no other information will be provided at the opening.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Alison Thomas at (850)617-8132 or email: Alison.Thomas@floridarevenue.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Alison Thomas at (850)617-8132 or email: Alison.Thomas@floridarevenue.com.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

The Florida Department of Environmental Protection's Office of Resilience and Coastal Protection announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 18, 2019, 6:00 p.m.

PLACE: Guana Tolomato Matanzas National Estuarine Research Reserve (GTMNERR), Marineland Field Office, 9741 Ocean Shore Blvd., St. Augustine, Florida, 32080

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Management Advisory Group for GTMNERR will hold a meeting to provide advisory input for the management of GTMNERR.

A copy of the agenda may be obtained by contacting: Abigail Kuhn by email: Abigail.Kuhn@FloridaDEP.gov, or by phone: (904)823-4500.

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: Abigail Kuhn at (904)823-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

The Southwest Florida Regional Planning Council/LEPC District 9 announces a public meeting to which all persons are invited.

DATE AND TIME: December 5, 2019, 9:30 a.m.

PLACE: Lee Memorial Hospital, 2776 Cleveland Ave, Fort Myers, FL 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Southwest Florida Local Emergency Planning Committee (LEPC)

A copy of the agenda may be obtained by contacting: Charles Kammerer, (239)938-1813, ext. 227, ckammerer@swfrpc.org. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Charles Kammerer, (239)938-1813, ext. 227, ckammerer@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

SPACE FLORIDA

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

DATE AND TIME: Friday, November 22, 2019, 9:00 a.m.

PLACE: Hilton St. Petersburg Carillon, 950 Lake Carillon Dr., St. Petersburg, FL 33716

GENERAL SUBJECT MATTER TO BE CONSIDERED: Investment Committee Workshop (In-person 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 HEALTH

Division of Children's Medical Services

The Office of CMS Managed Care Plan and Specialty Programs announces a public meeting to which all persons are invited.

DATE AND TIME: December 3, 2019, 11:30 a.m. ET

PLACE: via conference call and GoToMeeting

GoToMeeting and call in information: <https://global.gotomeeting.com/join/686875365>.

You can also dial in using your phone. (For supported devices, tap a one-touch number below to join instantly.)

United States (Toll Free): 1(866)899-4679, One-touch: tel: 1(866)899-4679, 686875365#

United States: (312)757-3119, One-touch: tel: (312)757-3119, 686875365#, Access Code: 686-875-365

Joining from a video-conferencing room or system? Dial in or type: 67.217.95.2 or inroomlink.goto.com, Meeting ID: 686 875 365 or dial directly: 686875365@67.217.95.2 or 67.217.95.2##686875365.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Children and Youth with Special Health Care Needs (CYSHCN) Needs Assessment Statewide Workgroup provides feedback to the Department during the needs assessment process of the Title V Block Grant so that stakeholder consultation and expertise is included in shaping the direction of Florida's Title V CYSHCN priorities.

A copy of the agenda may be obtained by contacting: Kelli Stannard at Kelli.Stannard@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 3 days before the workshop/meeting by contacting: Kelli Stannard at Kelli.Stannard@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).

For more information, you may contact: Kelli Stannard at Kelli.Stannard@flhealth.gov.

DEPARTMENT OF CHILDREN AND FAMILIES

Office on Homelessness

The Office on Homelessness announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, December 3, 2019, 10:00 a.m.

PLACE: Toll free: 1(888)585-9008, Enter Conference Room number: 351186925#

GENERAL SUBJECT MATTER TO BE CONSIDERED: COUNCIL ON HOMELESSNESS QUARTERLY COUNCIL CALL. This conference call will address the committees' continued development of policy recommendations and work tasks to address the Council's Annual Report on recommendations to end homelessness in Florida.

A copy of the agenda may be obtained by contacting: Zachary Summerlin, Deputy Director, Office on Homelessness, (850)922-4691 or zachary.summerlin@myflfamilies.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Zachary Summerlin, Deputy Director, Office on Homelessness, (850)922-4691 or zachary.summerlin@myflfamilies.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: Zachary Summerlin, Deputy Director, Office on Homelessness, (850)922-4691 or zachary.summerlin@myflfamilies.com.

CONCRETE MASONRY EDUCATION COUNCIL

The Florida Concrete Masonry Education Council announces a workshop to which all persons are invited.

DATE AND TIME: November 19, 2019, 10:00 a.m.

PLACE: 6353 Lee Vista Blvd, Orlando, FL 32822 (Florida Concrete & Products Association)

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business

A copy of the agenda may be obtained by contacting: jim@floridamasonrycouncil.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 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).

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 Superior Fence & Rail, Inc. The petition seeks the agency's opinion as to the applicability of section R4501.17.1.8, Florida Building Code, Residential, 6th Edition (2017), as it applies to the petitioner.

Petitioner seeks clarification on the following two points, based on the project described in the petition: 1) whether a barrier would be required on a pool gate when the latch is located at least 54" from the bottom of the gate, and 2) if a magnetic top pull latch is installed at least 54" from the bottom of the gate, whether the release mechanism and self-latching locking device could both be located on the outside of the gate.

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

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

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

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has issued an order disposing of the petition for declaratory statement filed by First Up Lending LLC. on August 1, 2019. The following is a summary of the agency's disposition of the petition: On November 13, 2019, a Final Order on the Petition was issued. The Office determined

that Petitioner's activities do not fall within Chapter 494 or 516, Florida Statutes, Petitioner is not required to obtain a license pursuant to those statutes for its activities in the State of Florida. *****The original petition was published August 22, 2019 in the Florida Administrative Register Volume 45, Number 164. A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.com. Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.com.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has issued an order disposing of the petition for declaratory statement filed by Coinsquare, LLC on August 15, 2019. The following is a summary of the agency's disposition of the petition: On November 13, 2019, a Final Order on the Petition was issued. The Office determined that Petitioner's activities do not fall within Florida's money services business licensing statutes and, therefore, Petitioner is not required to obtain a license as a money transmitter for its activities in the State of Florida. *****The original petition was published August 22, 2019 in the Florida Administrative Register Volume 45, Number 164.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.com. Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.com.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

University of Florida

UF-649, Basic Science Building – 1st Floor Renovation (Main Campus)

Advertisement for Design/Build services

The University of Florida Board of Trustees announces that Design/Build services will be required for the project listed below:

Project: UF-649, Basic Science Building – 1st Floor Renovation (Main Campus)

The project consists of the complete renovation of the 1st floor of the Basic Science Building in order to accommodate faculty offices, researcher dry workspace, as well as state of the art wet lab for cell and molecular biology. The wet lab will contain a series of cell culture rooms as well as traditional molecular biology workstations. The work will include an upgrade to the restrooms and janitor closet. Also included are upgrades to the plumbing, fire protection, electrical and telecommunication room and systems. Approximately 10,000 GSF.

The construction budget is approximately \$2,850,000 which includes all costs associated with construction of this renovation. Communications and audio-visual work by others in coordination with the construction manager. Construction shall be “fast-tracked” and must be completed by 6/30/20. GOLD LEED-IDv4 certification by the U.S. Green Building Council is required.

The contract for design/build services will consist of two parts. Part one services include design, construction administration, value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) proposal based on 100% Construction

Documents, for which the design/builder will be paid a fixed fee.

If the GMP is accepted, part two, the construction phase, will be implemented. In part two of the contract, the design/builder becomes the single point of responsibility for completion of the construction documents, performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for part one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the design/builder's contract.

Blanket design professional liability insurance will be required from the architect, mechanical, electrical, plumbing, fire protection, structural, and civil (if needed) engineering consultants for this project and will be provided as a part of Basic Services. The selected applicant will also be required to provide insurance coverage for General Liability, Automotive Liability, Workers' Compensation, and Builder's Risk.

Plans and specifications for University of Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

Applicants will be evaluated on the basis of their past performance, experience, personnel, design and construction ability, references, bonding capacity, workload, and responses to questions posed both in the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.

At the time of application, the applicant must be licensed to practice as a general contractor in the State of Florida and the applicant or its architectural, landscape architectural, and engineering consultants must possess current design licenses from the appropriate governing board and be properly registered to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Applicants desiring to provide design/build services for the project shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet, and other background information. The proposal shall be prepared as specified in the DBQS Instructions and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services, schedule, and other goals and considerations as outlined in the Project Fact Sheet and facilities program.
2. Company information and signed certification.
3. A completed, project-specific "Design/Builder Qualifications Supplement" (DBQS) proposal. Applications on any other form will not be considered.
4. Resumes, LEED accreditation, and other pertinent credentials for all proposed staff (applicant and consultants).

5. Proof of the applicant's corporate status in Florida (if applicable) and copies of current licenses for all construction, architectural, landscape architectural, and engineering entities (applicant firm and consulting firms) from the appropriate governing board.

6. Proof of bonding capacity and proof of design consultants' (architecture and engineering) ability to be insured for the level of professional liability coverage demanded for this project.

As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected design/builder must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Incomplete proposals will be disqualified. Submittal materials will not be returned.

Additional information to assist the applicant in preparing a complete proposal – including the project-specific DBQS forms, instructions, Project Fact Sheet, facilities program, UF Design and Commissioning Services Guide, UF Design and Construction Standards, standard University of Florida Owner-Design/Builder agreement, and other project and process information – can be found on the Planning Design& Construction website.

Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Planning Design & Construction office by 3:00 p.m. local time Monday, December 2nd, 2019. Facsimile (FAX) submittals are not acceptable and will not be considered.

Planning Design& Construction, 245 Gale Lemerand Drive / P.O. Box 115050, Gainesville, FL 32611-5050, Telephone: (352)273-4000, Internet: www.facilities.ufl.edu

CITY OF FT. LAUDERDALE

NOTICE OF RECEIPT OF UNSOLICITED PROPOSAL AND INVITATION TO SUBMIT PROPOSALS FOR SOUTH BUILDING LOCKER ROOM FACILITY

PLEASE TAKE NOTICE that the City of Fort Lauderdale, Florida, has received an unsolicited proposal from Hensel Phelps Construction Co. pursuant to Section 255.065, Florida Statutes, to design and construct the South Building Locker Room Facility at the Fort Lauderdale Aquatic Complex. The City of Fort Lauderdale will accept other proposals for the same project on or before the twenty-first day after Friday, November 15, 2019. Other proposals for the same project must be received in writing in the City of Fort Lauderdale City Manager's Office,

100 North Andrews Avenue, Fort Lauderdale, Florida, 33301,
before 5:00 p.m. local time on Friday, December 6, 2019.

Jeffrey A. Modarelli, City Clerk

Publish: Sun Sentinel-Broward Edition: 11/15/2019 and
11/21/2019

Florida Administrative Register: 11/15/2019 and 11/21/2019

**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, November 8, 2019 and 3:00 p.m., Thursday, November 14, 2019.

Rule No.	File Date	Effective Date
15C-21.001	11/13/2019	12/3/2019
40B-2.301	11/14/2019	12/4/2019
59G-4.023	11/8/2019	11/28/2019
59G-4.029	11/8/2019	11/28/2019
59G-4.031	11/8/2019	11/28/2019
59G-4.052	11/8/2019	11/28/2019
59G-4.370	11/12/2019	12/2/2019
61G7-7.003	11/14/2019	12/4/2019
64B9-15.005	11/8/2019	11/28/2019
64B9-15.007	11/8/2019	11/28/2019
64B10-15.001	11/13/2019	12/3/2019
64B10-15.003	11/14/2019	12/4/2019
65A-1.603	11/13/2019	12/3/2019
65C-23.001	11/13/2019	12/3/2019
65C-27.001	11/13/2019	12/3/2019
65C-27.002	11/13/2019	12/3/2019
65C-28.015	11/13/2019	12/3/2019
65C-35.001	11/13/2019	12/3/2019
65C-35.002	11/13/2019	12/3/2019
65C-35.003	11/13/2019	12/3/2019

65C-35.004	11/13/2019	12/3/2019
65C-35.005	11/13/2019	12/3/2019
65C-35.006	11/13/2019	12/3/2019
65C-35.007	11/13/2019	12/3/2019
65C-35.011	11/13/2019	12/3/2019
65C-35.012	11/13/2019	12/3/2019
65C-35.013	11/13/2019	12/3/2019
68-1.003	11/8/2019	11/28/2019
68D-15.002	11/8/2019	11/28/2019
69V-560.1000	11/8/2019	11/28/2019
69V-560.1012	11/8/2019	11/28/2019
69V-560.1013	11/8/2019	11/28/2019
69V-560.102	11/8/2019	11/28/2019
69V-560.103	11/8/2019	11/28/2019
69V-560.107	11/8/2019	11/28/2019
69V-560.201	11/8/2019	11/28/2019
69V-560.302	11/8/2019	11/28/2019
69V-560.504	11/8/2019	11/28/2019
69V-560.602	11/8/2019	11/28/2019
69V-560.606	11/8/2019	11/28/2019
69V-560.608	11/8/2019	11/28/2019
69V-560.609	11/8/2019	11/28/2019
69V-560.7041	11/8/2019	11/28/2019
69V-560.7042	11/8/2019	11/28/2019
69V-560.7043	11/8/2019	11/28/2019
69V-560.707	11/8/2019	11/28/2019
69V-560.902	11/8/2019	11/28/2019
69V-560.903	11/8/2019	11/28/2019
69V-560.904	11/8/2019	11/28/2019
69V-560.905	11/8/2019	11/28/2019
69V-560.907	11/8/2019	11/28/2019
69V-560.908	11/8/2019	11/28/2019

69V-560.909	11/8/2019	11/28/2019
69V-560.910	11/8/2019	11/28/2019
69V-560.911	11/8/2019	11/28/2019
69V-560.912	11/8/2019	11/28/2019
69V-560.913	11/8/2019	11/28/2019
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	**/**/****
60P-1.003	11/5/2019	**/**/****
60P-2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
64B8-10.003	12/9/2015	**/**/****

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary
 Florida State Clearinghouse

The state is coordinating reviews of federal activities and federally funded projects as required by subsection 403.061(42), F.S. This includes Outer Continental Shelf activities and other actions subject to federal consistency review under the Florida Coastal Management Program. A list of projects, comments and deadlines, and the address for providing comments, are available at: <https://fldep.dep.state.fl.us/clearinghouse/>. For information, call (850)717-9076. This public notice fulfills the requirements of 15 CFR 930.

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.