

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

**DEPARTMENT OF REVENUE**

**RULE NOS.:**      **RULE TITLES:**  
12-13.007      Grounds for Reasonable Cause for  
                         Compromise of Penalties  
12-13.0075      Guidelines for Determining Amount of  
                         Compromise

**PURPOSE AND EFFECT:** The purpose of this rulemaking is to update the Department’s rules regarding compromise authority to address 2021 legislative changes contained in Chapter 2021-2, Laws of Florida. Section 5 of the chapter law amends Section 212.0596, to provide for the taxation of remote sales. Rules 12-13.007 and Rule 12-13.0075 are being updated to allow penalty to be compromised based on reasonable cause on transactions involving remote sales of consumer goods when the person is not required to register as a dealer and has paid use tax and interest on the item. Section 11 of the chapter law amends Section 212.12, Florida Statutes, to eliminate the sales tax bracket system for calculating sales and use tax and replaces it with a rounding algorithm. Rule 12-13.0075 is amended to reflect this change by eliminating obsolete guidelines for compromising tax, interest, and penalty for the failure to use the bracket system.

**SUBJECT AREA TO BE ADDRESSED:** This rulemaking addresses compromises of tax, penalty, and interest.

**RULEMAKING AUTHORITY:** 212.07(9)(c), 213.06(1), 213.21(5), (9) FS.

**LAW IMPLEMENTED:** 213.21, 213.24(3) FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Danielle Boudreaux, Technical Assistance and Dispute Resolution, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7082, email RuleComments@floridarevenue.com.

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**DEPARTMENT OF REVENUE**

**RULE NOS.:**      **RULE TITLES:**  
12-24.001      Scope of Rules  
12-24.003      Requirements to File or to Pay Taxes by  
                         Electronic Means

**PURPOSE AND EFFECT:** The purpose of this rulemaking is to update the Department’s rules on the payment of taxes and submission of returns by electronic means to address 2021 legislative changes contained in Chapter 2021-2, Laws of Florida. Section 10 of the chapter law amends Section 212.11, Florida Statutes, to require a marketplace provider that is a dealer and a person who is required to collect and remit sales tax on remote sales to file returns and pay taxes by electronic means. Rules 12-24.001 and 12-24.003 are amended to reflect these provisions.

**SUBJECT AREA TO BE ADDRESSED:** This rulemaking addresses electronic filing of sales and use tax returns and electronic remittance of sales and use tax by businesses reporting sales tax due on remote sales.

**RULEMAKING AUTHORITY:** 202.26(3)(a), 206.485(1), 213.06(1), 213.755(8), (9), 220.21(2), (3), 443.1317, 443.163(1) FS.

**LAW IMPLEMENTED:** 202.30, 206.485, 212.11(4)(f), 213.755, 220.21(2), (3), 443.163 FS.

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**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

RULE NOS.:	RULE TITLES:
12A-1.004	Sales Tax Brackets
12A-1.005	Admissions
12A-1.020	Licensed Practitioners; Drugs, Medical Products and Supplies
12A-1.056	Tax Due at Time of Sale; Tax Returns and Regulations
12A-1.057	Alcoholic and Malt Beverages
12A-1.060	Registration
12A-1.070	Leases and Licenses of Real Property; Storage of Boats and Aircraft
12A-1.091	Use Tax
12A-1.097	Public Use Forms
12A-1.103	Mail Order Sales
12A-1.104	Sales of Property to be Transported to a Cooperating State
12A-1.108	Exemption for Data Center Property
12A-1.112	Sales Tax Paid by Dealers on Behalf of Purchasers

PURPOSE AND EFFECT: The purpose of this rulemaking is to update the Department’s rules relating to sales and use tax to address 2021 legislative changes contained in Chapter 2021-2, Laws of Florida, and Chapter 2021-31, Laws of Florida. Revisions to Rule 12A-1.005 replace the application of the sales tax bracket system with the application of the rounding algorithm to the sale of admissions (Chapter 2021-2, § 11, L.O.F.). Revisions to Rule 12A-1.020 incorporate the exemption from tax of specific items of tangible personal property that assist in independent living (Chapter 2021-31, § 21, L.O.F.); these revisions are included in Form DR-46NT, Nontaxable Medical Items and General Grocery List, which is incorporated by reference in Rule 12A-1.097. Revisions to Rules 12A-1.056, 12A-1.060, 12A-1.091, and 12A-1.103 implement changes regarding the taxation of marketplace sales and remote sales (Chapter 2021-2, L.O.F.). Effective July 1, 2021, marketplace providers and persons who made a substantial number of remote sales in the previous calendar year are required to electronically register with the Department,

collect sales tax, and electronically remit collected taxes. The newly created reference document DR-1MP, Florida Business Tax Application for Marketplace Providers and Remote Sales, is incorporated in Rule 12A-1.060 and provides screenshots of registration screens required to be completed by an out-of-state business that is a marketplace provider or that makes remote sales and is registering as a new business in Florida (Chapter 2021-2, L.O.F.). Proposed amendments to Rule 12A-1.097 incorporate two revised forms to implement provisions related to marketplace providers and remote sales: Form DR-1, Florida Business Tax Application; and Form DR-1A, Application for Registered Businesses to Add a New Florida Location (Chapter 2021-2, L.O.F.). Proposed amendments to Rule 12A-1.097 incorporate three revised forms to replace the sales tax bracket system with information about the new rounding algorithm (Chapter 2021-2, § 11, L.O.F.): Form DR-7N, Instructions for Consolidated Sales and Use Tax Return; Form DR-15EZ, Instructions for DR-15EZ Sales and Use Tax Returns; and Form DR-15N, Instructions for DR-15 Sales and Use Tax Returns. Revisions to Rule 12A-1.057 and the creation of Rule 12A-1.112 address when a dealer may advertise or hold out to the public that they will pay all or part of the sales tax imposed by Chapter 212, F.S (Chapter 2021-31, § 19, L.O.F.). Revisions to Rule 12A-1.070 and the proposed repeal of Rule 12A-1.004 remove reference to the sales tax bracket system which has been replaced with a rounding algorithm (Chapter 2021-2, § 11, L.O.F.). Rule 12A-1.104 is proposed for repeal as it is duplicative of statute. Revisions to Rule 12A-1.108 extend the date for applications for a Data Center Property Temporary Tax Exemption Certificate (Chapter 2021-31, § 20, L.O.F.). The rulemaking addresses amendments to Sections 212.04, 212.05, 212.054, 212.0596, 212.06, 212.07, 212.11, 212.12, and 212.18, F.S., as well as the creation of Section 212.05965, F.S., contained in Chapter 2021-2, L.O.F. The rulemaking also addresses amendments to Sections 212.07 and 212.08, F.S., contained in Chapter 2021-31, L.O.F.

SUBJECT AREA TO BE ADDRESSED: This rulemaking addresses the replacement of the sales tax bracket system with a rounding algorithm; calculation of tax on admissions; exemption from sales tax for items that assist in independent living; definition of the term dealer; registration of marketplace providers and remote sellers; taxation of marketplace sales and remote sales; collection and remittance of sales tax and discretionary sales surtax by marketplace providers, marketplace sellers, and remote sellers; sales of property to be transported to a cooperating state; exemption for data center property; and payment of sales tax by a dealer on behalf of a purchaser.

RULEMAKING AUTHORITY: 201.11, 202.17(3)(a), 202.22(6), 202.26(3), 212.04(4), 212.0515(7), 212.0596(3), 212.07(1)(b), 212.08(5)(b)4., (n)4., (o)4., (7), 212.099(10),

212.11(5)(b), 212.12(1)(a)2., 212.17(8), 212.18(2), (3), 212.183, 213.06(1), 288.1258(4)(c), 376.70(6)(b), 376.75(9)(b), 403.718(3)(b), 403.7185(3)(b), 1002.40(16) FS.  
**LAW IMPLEMENTED:** 119.071(5), 125.0104, 125.0108, 201.01, 201.08(1)(a), 201.133, 202.11(2), (3), (6), (16), (24), 202.22(3)-(6), 202.28(1), 203.01, 212.02(1), 212.03, 212.0305, 212.031, 212.04, 212.05, 212.0501, 212.0506(4), (11), 212.0515, 212.054, 212.055, 212.0596, 212.05965, 212.06, 212.0606, 212.07, 212.08, 212.084(3), 212.085, 212.09, 212.096, 212.099, 212.11, 212.12, 212.14(2), (4), (5), 212.15(1), 212.16(1), (2), 212.18(2), (3), 212.183, 212.1832, 213.235, 213.29, 213.37, 213.755, 215.26(6), 219.07, 288.1258, 290.00677, 365.172(9), 373.41492, 376.70, 376.75, 403.718, 403.7185, 443.131, 443.1315, 443.1316, 443.171(2), 465.187, 616.260, 681.117, 1002.40(13) FS.

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**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
12A-15.001	Scope of Rules
12A-15.002	Surtax Brackets
12A-15.003	Admissions; Tangible Personal Property; Services; Service Warranties; Real Property and Transient Accommodations; Use Tax
12A-15.008	Construction Contractors Who Repair, Alter, Improve, and Construct Real Property; Refund of Surtax
12A-15.012	Alcoholic and Malt Beverages
12A-15.014	Transition Rule

**PURPOSE AND EFFECT:** The purpose of this rulemaking is to update the Department’s rules relating to discretionary sales surtax to address 2021 legislative changes contained in Chapter 2021-2, Laws of Florida, and Chapter 2021-31, Laws of Florida. Revisions to Rule 12A-15.001 and the proposed repeal of Rule 12A-15.002 remove reference to the sales tax bracket system, which has been replaced by a rounding algorithm (Chapter 2021-2, § 11, L.O.F.). Revisions to Rules 12A-15.003 and 12A-15.008 implement changes regarding the taxation of marketplace sales and remote sales (Chapter 2021-2, L.O.F.). Effective July 1, 2021, marketplace providers and persons who made a substantial number of remote sales in the previous calendar year are required to electronically register with the Department, collect sales tax, and electronically remit collected taxes. Revisions to Rule 12A-15.012 address when a dealer may advertise or hold out to the public that they will pay all or part of the sales tax imposed by Chapter 212 (Chapter 2021-31, § 19, L.O.F.). Revisions to Rule 12A-15.014 replaces the commercial rent tax rate with a statutory citation to capture the rate change which will become effective when the Unemployment Compensation Trust Fund reaches a set dollar amount pursuant to Section 14., Chapter 2021-2, L.O.F.

**SUBJECT AREA TO BE ADDRESSED:** This rulemaking addresses the replacement of the sales tax bracket system with a rounding algorithm; taxation of marketplace sales and remote sales; commercial rental tax rate; and payment of tax by a dealer on behalf of a purchaser.

**RULEMAKING AUTHORITY:** 212.0596(3), 212.18(2), 213.06(1) FS.

**LAW IMPLEMENTED:** 212.05(1), 212.05011, 212.054, 212.055, 212.06(1), 212.07(2), (4), 212.08(4), 212.14(5) FS.

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## DEPARTMENT OF REVENUE

### Sales and Use Tax

RULE NO.: 12A-19.100  
RULE TITLE: Public Use Forms

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-19.100, F.A.C., is to adopt, by reference, changes to forms used to report the Florida communications services tax, which are limited to annual tax rate adjustments for local jurisdictions.

SUBJECT AREA TO BE ADDRESSED: : Proposed updates to the Communications Services Tax Return.

RULEMAKING AUTHORITY: 175.1015(5), 185.085(5), 202.151, 202.16(2), 202.22(6)(a), 202.26(3)(a), (c), (d), (e), (j), 202.27(1), (7) FS.

LAW IMPLEMENTED: 119.071(5), 175.1015, 185.085, 202.11(3), (10), (11), 202.12(1), (3), 202.151, 202.16(2), (4), 202.17(6), 202.19(1), (7), 202.22(6), 202.27, 202.28(1), (2), 202.29, 202.30(3), 202.33, 202.34(3), (4)(c), 202.35(1), (2) FS.

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## DEPARTMENT OF REVENUE

### Miscellaneous Tax

RULE NO.: 12B-4.052  
RULE TITLE: Computation of Tax; Definitions

PURPOSE AND EFFECT: The purpose of this rulemaking is to update the Department's rules documentary stamp tax to address 2021 legislative changes contained in Chapter 2021-31, Laws of Florida. Section 14 of the chapter law amends Section 201.08, Florida Statutes, to provide that a modification of an original document, on which documentary stamp tax was previously paid, which changes only the interest rate and is made as the result of the discontinuation of an index to which the original interest rate is referenced, is not a renewal and is not subject to documentary stamp tax. Rule 12B-4.052 is updated to incorporate this change.

SUBJECT AREA TO BE ADDRESSED: : This rulemaking addresses modifications to original documents that are not considered renewals and are not subject to documentary stamp tax.

RULEMAKING AUTHORITY: 201.11(1), 213.06(1) FS

LAW IMPLEMENTED: 201.08, 201.09 FS

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**DEPARTMENT OF REVENUE**

**Miscellaneous Tax**

RULE NOS.: RULE TITLES:

12B-5.150 Public Use Forms

12B-5.600 Tracking System Reporting Requirements

PURPOSE AND EFFECT: : The purpose of this rulemaking creates Rule 12B-5.600, which provides guidelines for the submission of data used by the Department to track the movement of any product defined as motor, diesel, or aviation fuel that has been received, disbursed, delivered, imported, exported, or moved in any manner within Florida by a licensed fuel dealer. Rule 12B-5.150 is amended to incorporate revisions to six forms related to the creation of Rule 12B-5.600.

SUBJECT AREA TO BE ADDRESSED: This rulemaking addresses the creation of a new rule related to statutory requirements for tracking motor, diesel, and aviation fuel.

RULEMAKING AUTHORITY: 206.14(1), 206.485(1), 206.59(1), 213.06(1), 213.755(8) FS.

LAW IMPLEMENTED: 119.071(5), 206.02, 206.021, 206.022, 206.025, 206.026, 206.027, 206.028, 206.05, 206.055, 206.06, 206.095, 206.11, 206.404, 206.41, 206.416, 206.43, 206.44, 206.485, 206.86, 206.874, 206.8745, 206.90, 206.91, 206.92, 206.9835, 206.9865, 206.9931, 206.9942, 206.9943, 212.0501, 213.255, 213.755 FS

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**Miscellaneous Tax**

RULE NO.: RULE TITLE:

12B-8.003 Tax Statement; Overpayments

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12B-8.003, F.A.C., is to incorporate changes to forms used in the administration of insurance premium taxes, fees, and surcharges. These revisions include annual updates.

SUBJECT AREA TO BE ADDRESSED: : Changes to forms used in the administration of insurance premium taxes, fees, and surcharges.

RULEMAKING AUTHORITY: 175.1015(5), 185.085(5), 213.06(1), 624.509(3), 636.066(1) FS.

LAW IMPLEMENTED: 175.041, 175.101, 175.1015, 175.111, 175.121, 175.141, 175.151, 185.02, 185.03, 185.08, 185.085, 185.09, 185.10, 185.12, 185.13, 213.05, 213.053, 213.235, 213.37, 220.183, 220.191, 252.372, 288.99 (2010), 440.51, 443.1216, 624.11, 624.402, 624.4094, 624.4621, 624.4625, 624.475, 624.501, 624.509, 624.5091, 624.5092, 624.50921, 624.510, 624.5105, 624.511, 624.515, 624.516, 624.518, 624.519, 624.520, 624.521, 624.601, 624.610, 626.7451(11), 627.311, 627.351, 627.3512, 627.357(9), 627.7711, 627.943, 628.6015, 629.401, 629.5011, 632.626, 634.131, 634.313(2), 634.415(2), 636.066, 642.0301, 642.032 FS.

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**Corporate, Estate and Intangible Tax**

RULE NO.: RULE TITLE:

12C-1.051 Forms

PURPOSE AND EFFECT: The purpose of this rulemaking is to implement legislative changes, as well as general updates to conform with changes to the formatting of IRS form titles and numbers. These changes require revisions for four forms used to administer Florida Corporate Income Tax. The revised forms include Form F-1120A, Florida Corporate Short Form Income Tax Return; Form F-1120, Florida Corporate Income/Franchise Tax Return; Form F-1120N, Instructions for Corporate Income/Franchise Tax Return for taxable years beginning on or after January 1, 2021; and Form 1120XN, Instructions for Preparing Form F-1120X Amended Florida Corporate Income/Franchise Tax Return.

SUBJECT AREA TO BE ADDRESSED: This rulemaking addresses changes to Florida Corporate Income Tax forms.

RULEMAKING AUTHORITY: 213.06(1), 220.192(7), 220.193(4), 220.196(4), 220.51, 1002.395(13) FS.

LAW IMPLEMENTED: 119.071(5), 212.08(5)(p), 213.755(1), 220.11, 220.12, 220.13(1), (2), 220.15, 220.16, 220.181, 220.182, 220.183, 220.184, 220.1845, 220.185, 220.186, 220.1875, 220.1895, 220.1896, 220.1899, 220.191, 220.193, 220.194, 220.195, 220.196, 220.21, 220.211, 220.22, 220.221, 220.222, 220.23, 220.24, 220.241, 220.31, 220.32, 220.33, 220.34, 220.41, 220.42, 220.43, 220.44, 220.51, 220.721, 220.723, 220.725, 220.737, 220.801, 220.803, 220.805, 220.807, 220.809, 221.04, 624.5105, 624.51055, 1002.395 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: September 23, 2021, at 10:00 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building 1, Room 1220, Tallahassee, Florida 32399. Anyone wishing to attend the workshop remotely may register at [https://attendee.gotowebinar.com/register/7422330626551160080].

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: Tonya Fulford at (850)717-6799 If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Danielle Boudreaux, Technical Assistance and Dispute Resolution, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7082, email RuleComments@floridarevenue.com.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Published on the Department’s website at floridarevenue.com/rules.

**DEPARTMENT OF TRANSPORTATION**

RULE NO.: RULE TITLE:

14-15.0081 Toll Facilities Description and Toll Rate Schedule

PURPOSE AND EFFECT: Rule 14-15.0081, F.A.C., is being amended to add a new toll rate schedule for the Gateway Expressway, a new limited access facility in Pinellas County, and to include the addition of three toll plazas to the toll schedule for the Suncoast Parkway to accommodate the construction of a new extension of the facility from US 98 to SR 44, and to add five new interchanges to the toll rate schedule for new access points along the following Turnpike System Facilities: Ridge Road interchange on the Suncoast Parkway, Braddock Road interchange on the Polk Parkway, NW 8th Street interchange on the Sawgrass Expressway, and the NW 170th Street and Sand Lake Road interchanges on the Turnpike Mainline. The toll rate schedules for Alligator Alley, Pinellas Bayway and Sunshine Skyway are also updated to establish TOLL-BY-PLATE rates on these facilities. The amendment also removes the “Northern Coin”, “Ticket System”, “Southern Coin”, and “Homestead Extension of Florida’s Turnpike” facility names along the Turnpike Mainline to reflect the

transition of the coin and ticket systems to All-Electronic Tolling.

SUBJECT AREA TO BE ADDRESSED: Rates for toll facilities.

RULEMAKING AUTHORITY: 334.044(2), 338.155(1)(c), 338.231, F.S.

LAW IMPLEMENTED: 334.044(16)(a), 338.155, 338.165, 338.222, 338.2216, 338.231, F.S.

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: John Ashley Peacock, Assistant General Counsel, (850)414-5361, ashley.peacock@dot.state.fl.us

**COMMISSION ON ETHICS**

RULE NOS.:	RULE TITLES:
34-8.001	General
34-8.002	General Rules for Filing the CE Form 6 - Full and Public Disclosure of Financial Interests
34-8.004	Disclosure of Net Worth, Assets and Liabilities
34-8.005	Disclosure of Sources and Amounts of Income
34-8.006	Income Valuation
34-8.007	Choosing to File Copy of Income Tax Return
34-8.008	Final Filing Using the CE Form 6F
34-8.009	Amended Filing Using the CE Form 6X
34-8.011	Penalties for Late Filing

PURPOSE AND EFFECT: The purpose of the amendments to these rules is to update their language to reflect that--on January 1, 2022--the Commission on Ethics will accept certain disclosure filings only through the electronic filing system that will be created and maintained by the Commission as provided in Section 112.31446, Florida Statutes. In particular, this will affect the filing of the CE Form 6 -- Full and Public Disclosure of Financial Interests, the CE Form 6F -- Final Full and Public Disclosure of Financial Interests, and the CE Form 6X -- Amendment to Full and Public Disclosure of Financial Interests. The amendments to these rules will also update, clarify, and re-adopt the instructions incorporated by reference within them to also reflect that the forms must be filed electronically beginning January 1, 2022. In addition, all of the referenced instructions are being updated to reflect: (1) an active or former officer or employee listed in Section 119.071, F.S., submitting a written request to maintain the confidentiality

of his or her home address must ensure that the request is notarized; (2) bank accounts, debit, charge, and credit card numbers are not required to be disclosed; and (3) only that alimony considered gross income under federal law is subject to disclosure as a primary source of income. And Rule 34-8.002 is being amended to have the instructions for the Form 6 reference the 2021 calendar year, while Rule 34-8.008 is being amended to have the instructions for the Form 6F reference the 2022 calendar year.

SUBJECT AREA TO BE ADDRESSED: Disclosure of Financial Interests. This rulemaking affects the CE Form 6 -- Full and Public Disclosure of Financial Interests; CE Form 6F -- Final Full and Public Disclosure of Financial Interests; and the CE Form 6X -- Amendment to Full and Public Disclosure of Financial Interests.

RULEMAKING AUTHORITY: Art. II, Section 8, Fla. Const., 112.3144, 112.31446, 112.3147, 112.322(9), FS

LAW IMPLEMENTED: Art. II, Section 8, Fla. Const., 112.3144, 112.31446, FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Diana Westberry, Office Manager, Florida Commission on Ethics (850)488-7864 If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gray Schafer, Assistant General Counsel, Florida Commission on Ethics (850)488-7864

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

**DEPARTMENT OF HEALTH**

**Board of Opticianry**

RULE NO.:	RULE TITLE:
64B12-8.020	Disciplinary Guidelines

PURPOSE AND EFFECT: To comply with Chapters 2021-190 and 2021-199, Laws of Florida, two new violations with penalty ranges are added to the disciplinary guidelines in this rule for violations of parental consent requirements under s. 1014.06, F.S., and for violations of offenses listed in s. 456.074(5), F.S., or a similar offense in another jurisdiction.

**SUBJECT AREA TO BE ADDRESSED:** To comply with Chapters 2021-190 and 2021-199, Laws of Florida, two new violations with penalty ranges are added to the disciplinary guidelines in this rule for violations of parental consent requirements under s. 1014.06, F.S., and for violations of offenses listed in s. 456.074(5), F.S., or a similar offense in another jurisdiction.

**RULEMAKING AUTHORITY:** 456.079, 456.47(7), 484.005 FS.

**LAW IMPLEMENTED:** 456.072, 456.079, 456.47(7), 484.014 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:** Janet Hartman, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

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

**DEPARTMENT OF HEALTH**

**Board of Optometry**

**RULE NOS.: RULE TITLES:**

64B13-15.005 Designation of Administrative Violations; Major; Minor

64B13-15.006 Designation of Patient Care Violations; Major; Minor

**PURPOSE AND EFFECT:** The Board proposes the rule amendments to update statutory references.

**SUBJECT AREA TO BE ADDRESSED:** Designation of Administrative Violations; Major; Minor. Designation of Patient Care Violations; Major; Minor.

**RULEMAKING AUTHORITY:** 456.079, 463.005(1) FS.

**LAW IMPLEMENTED:** 456.079, 465.0276(4) FS.

**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.**

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Christina McGinnis, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257; christina.mcginis@flhealth.gov.

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

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

**RULE NOS.: RULE TITLES:**

64B16-26.1032 Immunization Administration Certification Application and Information

64B16-26.203 Pharmacist Licensure by Examination (U.S. Graduates); Application

64B16-26.2031 Licensure by Examination; Foreign Pharmacy Graduates

64B16-26.204 Pharmacist Licensure by Endorsement; Application

**PURPOSE AND EFFECT:** The Board proposes the rule amendments to incorporate the revised forms.

**SUBJECT AREA TO BE ADDRESSED:** The revised forms will be incorporated.

**RULEMAKING AUTHORITY:** 456.013, 456.013(1), 465.005, 465.0075 FS.

**LAW IMPLEMENTED:** 456.013(1), (2), 456.025(3), 456.0635, 465.007, 465.007(1), 465.0075, 465.189 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:** Jessica Sapp, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C08, Tallahassee, Florida 32399-3258; Jessica.Sapp@flhealth.gov.

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

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

**RULE NO.: RULE TITLE:**

64B16-30.001 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

**PURPOSE AND EFFECT:** The Board proposes the rule amendment to clarify language due to statutory changes.

**SUBJECT AREA TO BE ADDRESSED:** Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

**RULEMAKING AUTHORITY:** 456.47(4), 456.47(7), 456.072, 456.079, 465.005 FS.

**LAW IMPLEMENTED:** 456.047(4), 456.072, 456.079, 465.016, 465.023 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: Jessica Sapp, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C08, Tallahassee, Florida 32399-3258 or by email at [jessica.sapp@flhealth.gov](mailto:jessica.sapp@flhealth.gov).

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 ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE

62-204.800 Federal Regulations Adopted by Reference  
PURPOSE, EFFECT AND SUMMARY: The proposed rule amendments update the Department's adoption by reference of air pollution regulations promulgated by the U.S. Environmental Protection Agency (EPA) at Title 40, Code of Federal Regulations (C.F.R.), to incorporate requirements of the Department's federally approved and delegated air pollution programs. These rule amendments include language to address the Municipal Solid Waste Landfill Emission Guidelines Federal Plan, adoption of New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP) amendments and streamlines adoptions by reference where appropriate.

RULEMAKING AUTHORITY: 403.061, 403.8055, F.S.

LAW IMPLEMENTED: 403.061, 403.087, 403.8055, F.S.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 403.8055, F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO: Terri Long, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, or [Terri.Long@dep.state.fl.us](mailto:Terri.Long@dep.state.fl.us).

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE ENVIRONMENTAL REGULATION COMMISSION, ADMINISTRATIVE ASSISTANT, DEP, MS 35, 3900 COMMONWEALTH BOULEVARD, TALLAHASSEE, FLORIDA 32399-3000. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

#### 62-204.800 Federal Regulations Adopted by Reference.

All federal regulations cited throughout the air pollution rules of the Department are adopted and incorporated by reference in this rule. The purpose and effect of each such federal regulation is determined by the context in which it is cited. Procedural and substantive requirements in the incorporated federal regulations are binding as a matter of state law only where the context so provides. Copies of the reference materials may be obtained by writing to the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by calling (850)717-9000.

(1) No change.

(2) Title 40, Code of Federal Regulations, Part 51, Requirements for Preparation, Adoption, and Submittal of Implementation Plans.

(a) Subparts F, I, P, T, and W of 40 C.F.R. Part 51, revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08865>), are adopted and incorporated by reference; amended November 28, 2018, at 83 FR 61127 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11956>); amended November 24, 2020, at 85 FR 74890 (link); amended July 19, 2021, at 86 FR 37918 (link).

(b) Appendices M, P, W, and Y of 40 C.F.R. Part 51, revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08864>); amended March 21, 2018, at 83 FR 12260 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09801>); amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>); amended August 14, 2020, at 85 FR 49596 (link); amended October 7, 2020, at 85 FR 63394 (link), are adopted and incorporated by reference.

(3) Title 40, Code of Federal Regulations, Part 52, Approval and Promulgation of Implementation Plans. The following subparts of 40 C.F.R. Part 52, are adopted and incorporated by reference:

(a) 40 C.F.R. Part 52, Subpart A, General Provisions; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09692>), or later as specifically indicated, are adopted and incorporated by reference; amended January 10, 2017, at 82 FR 3078 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08895>); amended November 24, 2020, at 85 FR 74890 (link); amended July 19, 2021, at 86 FR 37918 (link).

(b) 40 C.F.R. Part 52, Subpart K, Florida; revised as of July 1, 2019 (<http://www.flrules.org/Gateway/reference.asp?No=Ref->

[11959](#)); amended November 12, 2019, at 84 FR 60927 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11958>); amended February 20, 2020, at 85 FR 9666 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11960>); amended April 6, 2020, at 85 FR 19089 (link); amended May 1, 2020, at 85 FR 25295 (link); amended July 29, 2020, at 85 FR 45539 (link); amended September 16, 2020, at 85 FR 57707 (link); amended June 4, 2021, at 86 FR 29949 (link); amended July 7, 2021, at 86 FR 35608 (link).

(4) through (7) No change.

(8) Title 40, Code of Federal Regulations, Part 60, Standards of Performance for New Stationary Sources.

(a) No Change.

(b) Standards Adopted. The following Standards of Performance for New Stationary Sources contained in 40 C.F.R. Part 60, revised as of July 1, 2017, or later as specifically indicated, are adopted and incorporated by reference:

1. through 17. No change.

18. 40 C.F.R. Part 60, Subpart Kb, Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09752>); amended January 19, 2021, at 86 FR 5013 (link).

19. through 37. No change.

38. 40 C.F.R., Part 60, Subpart BBa, Standards of Performance for Kraft Pulp Mill Affected Sources for which Construction, Reconstruction, or Modification Commenced After May 23, 2013; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08875>); amended November 5, 2020, at 85 FR 70487 (link).

39. through 76. No change.

77. 40 C.F.R. Part 60, Subpart WWW, Municipal Solid Waste Landfills; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09795>); amended March 26, 2020, at 85 FR 17244 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11963>); amended October 13, 2020, at 85 FR 64398 (link).

78. 40 CFR Part 60, Subpart XXX, Municipal Solid Waste Landfills; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09798>); amended March 26, 2020, at 85 FR 17244 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11963>); amended October 7, 2020, at 85 FR 63394 (link).

79. No change.

80. 40 C.F.R. Part 60, Subpart CCCC, Commercial and Industrial Solid Waste Incineration Units; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09720>); amended April 16, 2019, at 84 FR 15846 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11964>); amended October 7, 2020, at 85 FR 63394 (link).

81. No change.

82. 40 C.F.R. Part 60, Subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09745>); amended December 4, 2020, at 85 FR 78412 (link).

83. 40 C.F.R. Part 60, Subpart JJJJ, Standards of Performance for Stationary Spark Ignition Internal Combustion Engines; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09749>); amended December 4, 2020, at 85 FR 78412 (link); amended October 7, 2020, at 85 FR 63394 (link).

84. 40 C.F.R. Part 60, Subpart KKKK, Standards for Stationary Combustion Turbines; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09755>); amended October 7, 2020, at 85 FR 63394 (link).

85. No change.

86. 40 C.F.R. Part 60, Subpart OOOO, Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09768>); amended September 14, 2020, at 85 FR 57018 (link).

87. 40 C.F.R. Part 60, Subpart OOOOa, Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09769>); amended March 12, 2018 at 83 FR 10628 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09806>); amended September 14, 2020, at 85 FR 57018 (link).

88. No change.

(c) General Provisions Adopted. The general provisions of 40 C.F.R. Part 60, Subpart A, revised as of July 1, 2017, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08874>), are adopted and incorporated by reference; amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>); amended November 26, 2018, at 83 FR 60696 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11962>); amended April 16, 2019, at 84 FR 15846 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11964>); amended October 7, 2020, at 85 FR 63394 (link).

(d) Appendices Adopted. The following appendices of 40 C.F.R. Part 60, revised as of July 1, 2017, or later as specifically indicated, are adopted and incorporated by reference:

1. through 2. No change.

3. 40 C.F.R. Part 60, Appendix A-3, Test Methods 4 through 5I; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09705>); amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>); amended October 7, 2020, at 85 FR 63394 (link);

amended February 16, 2021, at 86 FR 9470 (link); March 23, 2021, at 86 FR 15421 (link).

4. 40 C.F.R. Part 60, Appendix A-4, Test Methods 6 through 10B; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09706>); amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>); amended October 7, 2020, at 85 FR 63394 (link).

5. 40 C.F.R. Part 60, Appendix A-5, Test Methods 11 through 15A; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09707>); amended October 7, 2020, at 85 FR 63394 (link).

6. 40 C.F.R. Part 60, Appendix A-6, Test Methods 16 through 18; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09708>); amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>); amended October 7, 2020, at 85 FR 63394 (link).

7. 40 C.F.R. Part 60, Appendix A-7, Test Methods 19 through 25E; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09709>); amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>); amended October 7, 2020, at 85 FR 63394 (link); except that in Method 23, the toluene rinse concentrate may be added to the acetone and methylene chloride concentrate, the filter, and the resin in the Soxhlet apparatus specified at section 5.1.4 of the method prior to analysis, in lieu of separate analysis of the toluene rinse extract pursuant to section 5.1.6 of the method.

8. 40 C.F.R. Part 60, Appendix A-8, Test Methods 26 through 30B; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09710>); amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>); amended October 7, 2020, at 85 FR 63394 (link).

9. 40 C.F.R. Part 60, Appendix B, Performance Specifications; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09711>); amended August 7, 2017, at 82 FR 36688 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09805>); amended September 21, 2017 at 82 FR 44106 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10921>); amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>); amended October 7, 2020, at 85 FR 63394 (link).

10. through 11. No change.

12. 40 C.F.R. Part 60, Appendix F, Quality Assurance Procedures; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08873>); amended August 14, 2017, at 82 FR 37822

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-08903>); amended September 21, 2017, at 82 FR 44106 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08904>); amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>); amended October 7, 2020, at 85 FR 63394 (link).

(9) Title 40, Code of Federal Regulations, Part 60, Emission Guidelines and Compliance Times. This subsection contains regulatory language that implements EPA's Emission Guidelines for various source categories. These regulations have been submitted to EPA as Clean Air Act Section 111(d) State Plans. EPA's approvals of Florida's 111(d) State Plans are codified at 40 C.F.R. Part 62, Subpart K which are hereby adopted and incorporated by reference, revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09694>).

(a) through (e) No change.

(f) Commercial and Industrial Solid Waste Incineration (CISWI) Units. 40 C.F.R. Part 60, Subpart DDDD, Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units that Commenced Construction on or Before June 4, 2010, revised as of July 1, 2019,

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-11684>); amended October 7, 2020, at 85 FR 63394 (link), is hereby adopted and incorporated by reference subject to the following provisions (all cross-references to 40 C.F.R. 63 Subpart LLL [40 C.F.R. §§63.1340 through 1359], are adopted and incorporated by reference at paragraph 62-204.800(11)(b), F.A.C.):

1. through 13. No change.

(g) No change.

(h) Municipal Solid Waste Landfills. 40 C.F.R. Part 60, Subpart Cf, Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills that commenced construction, reconstruction, or modification on or before July 17, 2014, promulgated as of August 29, 2016, at 81 FR 59276 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07805>); amended March 26, 2020, at 85 FR 17244 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11963>), is hereby adopted and incorporated by reference subject to the following provisions:

1. 7. No change.

8. Reporting Guidelines. The reporting requirements for owners and operators of designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. §60.38f(a) through (m), except the initial design capacity report requirements specified in 40 C.F.R. 60.38f(a) and the initial NMOC report requirements specified in 40 C.F.R. 60.38f(c).

9. through 12. No change.

(10) Title 40, Code of Federal Regulations, Part 61, National Emission Standards for Hazardous Air Pollutants.

(a) through (d) No change.

(e) Appendices Adopted. Appendices A, B and C of 40 C.F.R. Part 61, revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10944>); amended October 7, 2020, at 85 FR 63394 (link), or later as specifically indicated are adopted and incorporated by reference:

(11) Title 40, Code of Federal Regulations, Part 63, National Emission Standards for Hazardous Air Pollutants for Source Categories.

(a) No change.

(b) Standards Adopted. The following National Emission Standards for Hazardous Air Pollutants contained in 40 C.F.R. Part 63, revised as of July 1, 2017, or later as specifically indicated, are adopted and incorporated by reference:

1. through 10. No change.

11. 40 C.F.R. Part 63, Subpart R, Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations); revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10957>); amended December 4, 2020, at 85 FR 78412 (link).

12. through 28. No change.

29. 40 C.F.R. Part 63, Subpart MM, Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semicheical Pulp Mills; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08879>); amended October 11, 2017, at 82 FR 47328 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08906>); amended November 5, 2020, at 85 FR 70487 (link).

30. through 33. No change.

34. 40 C.F.R. Part 63, Subpart SS, Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10979>); amended July 6, 2020, at 85 FR 40386 (link).

35. through 38. No change.

39. 40 C.F.R. Part 63, Subpart XX, Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10984>); amended July 6, 2020, at 85 FR 40386 (link).

40. 40 C.F.R. Part 63, Subpart YY, Generic Maximum Achievable Control Technology Standards; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10985>); amended July 6, 2020, at 85 FR 40386 (link).

41. through 47. No change.

48. 40 C.F.R. Part 63, Subpart LLL, Portland Cement Manufacturing Industry; revised as of July 1, 2017

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-09699>); amended August 22, 2017, at 82 FR 39671

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-09809>); amended July 25, 2018, at 83 FR 35122

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-10922>); amended August 3, 2018, at 83 FR 38036

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-10923>); amended October 7, 2020, at 85 FR 63394 (link).

49. through 58. No change.

59. 40 C.F.R. Part 63, Subpart AAAA, Municipal Solid Waste Landfills; revised as of July 1, 2017

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-11001>); amended March 26, 2020, at 85 FR 17244

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-11963>); amended October 13, 2020, at 85 FR 64398 (link).

60. No change.

61. 40 C.F.R. Part 63, Subpart DDDD, Plywood and Composite Wood Products; revised as of July 1, 2017

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-11002>); amended August 13, 2020, at 85 FR 49434 (link);

amended August 21, 2020, at 85 FR 51668 (link).

62. 40 C.F.R. Part 63, Subpart EEEE, Organic Liquids Distribution (Non-Gasoline); revised as of July 1, 2017

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-11003>); amended July 7, 2020, at 85 FR 40740 (link); amended July 22, 2020, at 85 FR 44216 (link).

63. 40 C.F.R. Part 63, Subpart FFFF, Miscellaneous Organic Chemical Manufacturing; revised as of July 1, 2017

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-11004>); amended August 12, 2020, at 85 FR 49084 (link).

64. through 65. No change.

66. 40 C.F.R. Part 63, Subpart IIII, Surface Coating of Automobiles and Light-Duty Trucks; revised as of July 1, 2017

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-11007>); amended July 8, 2020, at 85 FR 41100 (link).

67. 40 C.F.R. Part 63, Subpart JJJJ, Paper and Other Web Coating; revised as of July 1, 2017

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-11008>); amended July 9, 2020, at 85 FR 41276 (link).

68. No change.

69. 40 C.F.R. Part 63, Subpart MMMM, Surface Coating of Miscellaneous Metal Parts and Products; revised as of July 1,

2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11010>); amended July 8, 2020, at 85 FR 41100 (link).

70. 40 C.F.R. Part 63, Subpart NNNN, Surface Coating of Large Appliances; revised as of July 1, 2017

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-11011>); amended March 15, 2019, at 84 FR 9590

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-11976>); amended July 8, 2020, at 85 FR 41100 (link).

71. 40 C.F.R. Part 63, Subpart OOOO, Printing, Coating, and Dyeing of Fabrics and Other Textiles; revised as of July 1, 2017

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-11012>); amended March 15, 2019, at 84 FR 9590 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11976>); amended July 8, 2020, at 85 FR 41100 (link).

72. 40 C.F.R. Part 63, Subpart PPPP, Surface Coating of Plastic Parts and Products; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11013>); amended July 8, 2020, at 85 FR 41100 (link).

73. No change.

74. 40 C.F.R. Part 63, Subpart RRRR, Surface Coating of Metal Furniture; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11015>); amended March 15, 2019, at 84 FR 9590 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11976>); amended July 8, 2020, at 85 FR 41100 (link).

75. through 76. No change.

77. 40 C.F.R. Part 63, Subpart UUUU, Cellulose Products Manufacturing; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11018>); amended July 2, 2020, at 85 FR 39980 (link).

78. through 79. No change.

80. 40 C.F.R. Part 63, Subpart XXXX, Rubber Tire Manufacturing; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11020>); amended July 24, 2020, at 85 FR 44752 (link).

81. No change.

82. 40 C.F.R. Part 63, Subpart ZZZZ, Stationary Reciprocating Internal Combustion Engines; revised as of July 1, 2016 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11022>); amended December 4, 2020, at 85 FR 78412 (link).

83. 40 C.F.R. Part 63, Subpart AAAAA, Lime Manufacturing Plants; revised as of July 1, 2016 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11024>); amended July 24, 2020, at 85 FR 44960 (link).

84. through 86. No change.

87. 40 C.F.R. Part 63, Subpart EEEEE, Iron and Steel Foundries; revised as of July 1, 2016 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11028>); amended September 10, 2020, at 85 FR 56080 (link).

88. 40 C.F.R. Part 63, Subpart FFFFF, Integrated Iron and Steel Manufacturing Facilities; revised as of July 1, 2016 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11029>); amended July 13, 2020, at 85 FR 42074 (link).

89. 40 C.F.R. Part 63, Subpart GGGGG, Site Remediation; revised as of July 1, 2016 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11030>); amended July 10, 2020, at 85 FR 41680 (link).

90. 40 C.F.R. Part 63, Subpart HHHHH, Miscellaneous Coating Manufacturing; revised as of July 1, 2016 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11031>); amended August 14, 2020, at 85 FR 49724 (link); amended November 25, 2020, at 85 FR 75235 (link).

91. through 95. No change.

96. 40 C.F.R. Part 63, Subpart NNNNN, Hydrochloric Acid Production; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11037>); amended April 15, 2020, at 85 FR 20855 (link).

97. 40 C.F.R. Part 63, Subpart PPPPP, Engine Test Cells/Stands; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11038>); amended June 3, 2020, at 85 FR 34326 (link).

98. No change.

99. 40 C.F.R. Part 63, Subpart RRRRR, Taconite Iron Ore Processing; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11040>); amended July 28, 2020, at 85 FR 45476 (link).

100. through 101. No change.

102. 40 C.F.R. Part 63, Subpart UUUUU, Coal and Oil-Fired Electric Utility Steam Generating Units; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11043>); amended July 2, 2018, at 83 FR 30879 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10924>); amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>); amended May 23, 2019, at 84 FR 23727 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11973>); amended September 9, 2020, at 85 FR 55744 (link).

103. No change.

104. 40 C.F.R. Part 63, Subpart ZZZZZ, Iron and Steel Foundries Area Sources; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11045>); amended September 10, 2020, at 85 FR 56080 (link).

105. through 118. No change.

(c) No change.

(d) General Subparts Adopted. The following general subparts of 40 C.F.R. Part 63, revised as of July 1, 2017, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 63, Subpart A, General Provisions; revised as of July 1, 2019 (link) ~~2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09696>); amended October 11, 2017, at 82 FR 47328 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08906>); amended October 16, 2017, at 82 FR 48156 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09811>); amended October 15, 2018, at 83 FR 51842 ([4133](https://www.flrules.org/Gateway/reference.asp?No=Ref-</a></del></p></div><div data-bbox=)~~

~~11968~~); amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>); amended February 28, 2019, at 84 FR 6676 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11974>); amended March 4, 2019, at 84 FR 7682 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11979>); amended March 15, 2019, at 84 FR 9590 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11976>); amended November 1, 2019, at 84 FR 58601 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11969>); February 25, 2020, at 85 FR 10828 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11966>); amended March 9, 2020, at 85 FR 13524 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11981>); amended March 12, 2020, at 85 FR 14526 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11970>); amended March 26, 2020, at 85 FR 17244 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11963>); amended July 2, 2020, at 85 FR 39980 (link); amended July 6, 2020, at 85 FR 40386 (link); amended July 7, 2020, at 85 FR 40740 (link); amended July 8, 2020, at 85 FR 41100 (link); amended July 9, 2020, at 85 FR 41276 (link); amended July 10, 2020, at 85 FR 41411 (link); amended July 10, 2020, at 85 FR 41680 (link); amended July 13, 2020, at 85 FR 42074 (link); amended July 22, 2020, at 85 FR 44216 (link); amended July 24, 2020, at 85 FR 44960 (link); amended July 28, 2020, at 85 FR 45476 (link); amended August 12, 2020, at 85 FR 49084 (link); amended August 13, 2020, at 85 FR 49434 (link); amended August 14, 2020, at 85 FR 49724 (link); amended October 7, 2020, at 85 FR 63394 (link); amended March 11, 2021, at 86 FR 13819 (link).

2. through 5. No change.

(e) Appendices Adopted. The following appendices of 40 C.F.R. Part 63, revised as of July 1, 2017, or later as specifically indicated, are adopted and incorporated by reference:

1. Appendix A, Test Methods; revised as of July 1. 2019 (link)~~2017~~ (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09695>); amended March 20, 2018, at 83 FR 12118 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09807>); amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>); amended March 4, 2019, at 84 FR 7682 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11979>); amended October 7, 2020, at 85 FR 63394 (link); December 2, 2020, at 85 FR 77384 (link).

2. through 5. No change.

(12) through (26) No change.

Rulemaking Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 403.0872, 403.8055 FS. History—New 3-13-96, Amended 6-25-96, 10-7-96, 10-17-96, 12-20-96, 4-18-97, 6-

18-97, 7-7-97, 10-3-97, 12-10-97, 3-2-98, 4-7-98, 5-20-98, 6-8-98, 10-19-98, 4-1-99, 7-1-99, 9-1-99, 10-1-99, 4-1-00, 10-1-00, 1-1-01, 8-1-01, 10-1-01, 4-1-02, 7-1-02, 10-1-02, 1-1-03, 4-1-03, 10-1-03, 1-1-04, 4-1-04, 7-1-04, 10-1-04, 1-1-05, 4-1-05, 7-1-05, 10-1-05, 1-1-06, 4-1-06, 7-1-06, 9-4-06, 9-6-06, 1-8-07, 1-31-07, 4-2-07, 5-31-07, 7-2-07, 10-1-07, 2-1-08, 7-1-08, 10-1-08, 10-6-08, 12-1-08, 11-18-09, 6-11-10, 7-1-10, 10-1-10, 12-30-10, 12-1-11, 12-1-12, 5-22-13, 12-17-13, 1-24-14, 1-14-15, 1-7-16, 10-23-16, 1-13-17, 12-21-17, 9-25-18, 8-12-19, 4-2-20, 6-15-20,\_\_\_\_\_.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.: RULE TITLE:

62-737.150 Applicability and Exemptions

PURPOSE, EFFECT AND SUMMARY: The purpose of this rulemaking is to update the federal regulation citation to the current version. Chapter 62-737, F.A.C., contains rules for the management of spent mercury-containing lamps and devices destined for recycling. To maintain consistency with federal regulations and the Hazardous Waste rules in Chapter 62-730, F.A.C, it is necessary to update the citation to federal rule 40 CFR Part 273, adopted by reference and revised as of July 1, 2017, to the currently adopted July 1, 2020 version of 40 CFR Part 273.

OTHER RULES INCORPORATING THIS RULE: 62-737.400.

EFFECT ON THOSE OTHER RULES: To clarify the federal requirements for management of spent universal waste lamps and devices.

RULEMAKING AUTHORITY: 403.061, 403.7186 FS.

LAW IMPLEMENTED: 403.7186, 403.721 FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION

403.8055, F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO: Kim Curran, Permitting and Compliance Assistance Program, Department of Environmental Protection 2600 Blair Stone Road, Tallahassee, FL 32399-2400; (850)245-8849, Kimberley.Curran@FloridaDEP.gov.

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

**62-737.150 Applicability and Exemptions.**

(1) No change.

(2) The provisions of this chapter, except where specified, apply to spent mercury-containing lamps and devices that are characteristically hazardous wastes for mercury per 40 C.F.R.

261.24, as adopted by reference under Rule 62-730.030, F.A.C. When managed in accordance with this chapter, these wastes are considered to be universal wastes in Florida and are also subject to the applicable 40 C.F.R. Part 273 requirements, revised as of July 1, 2020 ~~2017~~ <LINK> [http://www.flrules.org/Gateway/reference.asp?No=Ref\\_09048](http://www.flrules.org/Gateway/reference.asp?No=Ref_09048) and adopted here by reference.

(3) through (9) No change.

Rulemaking Authority 403.061, 403.7186 FS. Law Implemented 403.7186, 403.721 FS. History—New 5-10-95, Amended 5-20-98, 6-18-18,\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Respiratory Care**

RULE NO.: RULE TITLE:  
64B32-5.001 Disciplinary Guidelines

PURPOSE AND EFFECT: The proposed revisions amend existing guidelines.

SUMMARY: To amend existing language.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.079, 456.353(3), 468.365(4) FS.

LAW IMPLEMENTED: 456.0635, 456.072, 456.079, 468.365 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3253.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B32-5.001 Disciplinary Guidelines.

(1) through (2) No Change.

(3) Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Sections 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the severity and repetition of the violations as set forth below. The mitigating or aggravating circumstances used to justify any deviation from the specified guidelines must be enunciated in the final order. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included. For applicants, any and all offenses listed herein are sufficient for refusal to certify an application for licensure. In addition to the penalty imposed, pursuant to Section 456.072(4), F.S., the Board shall recover the costs of the investigation and prosecution of the case. Additionally, if the Board makes a finding of pecuniary benefit or self-gain related to the violation, then the Board shall require refund of fees billed and collected from the patient or a third party on behalf of the patient.

VIOLATION

RECOMMENDED RANGE OF PENALTY

(a) through (z) No Change.

(aa) through (jj) No Change.

(kk) Failure to comply with the parental consent requirements of Section 1014.06.

(Section 456.072(1)(rr), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand and a fine of \$250</u>	<u>\$500 fine and one (1) year probation</u>
<u>SECOND OFFENSE</u>	<u>\$500 fine and one (1) year of probation</u>	<u>Revocation.</u>
<u>TELEHEALTH REGISTRANTS</u>		

<u>FIRST OFFENSE</u>	<u>Reprimand</u>	<u>Suspension and a corrective action plan.</u>
<u>SECOND OFFENSE</u>	<u>Suspension and a corrective action plan</u>	<u>Revocation.</u>

(II) Being convicted or found guilty of, entering a plea of guilty or nolo contendere to, or committing or attempting, soliciting, or conspiring to commit an act that would constitute a violation of any of the offenses listed in Section 456.074(5). (456.072(ss), F.S.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Revocation</u>	<u>Revocation</u>
<u>SECOND OFFENSE</u>	<u>Revocation</u>	<u>Revocation</u>
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	<u>Revocation</u>	<u>Revocation</u>
<u>SECOND OFFENSE</u>	<u>Revocation</u>	<u>Revocation.</u>

(4) through (6) No Change.

Rulemaking Authority 456.079, 456.353(3), 468.365(4) FS. Law Implemented 456.0635, 456.072, 456.079, 468.365 FS. History—New 4-29-85, Formerly 21M-37.01, 21M-37.001, Amended 1-3-94, Formerly 61F6-37.001, 59R-74.001, 64B8-74.001, Amended 5-5-02, 12-5-04, 5-15-05, 2-23-06, 3-29-07, 5-4-10, 6-5-17,

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Respiratory Care  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Respiratory Care  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 16, 2021  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 25, 2021

**DEPARTMENT OF HEALTH**

**Division of Disease Control**

RULE NO.: 64D-3.048  
RULE TITLE: COVID-19 Vaccine Reporting Requirements

PURPOSE AND EFFECT: This rule sets forth the reporting requirements for all practitioners and other enrolled COVID-19 vaccine providers administering COVID-19 vaccines.

SUMMARY: COVID-19 vaccine administration reporting

**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: Based on the SERC checklist, this rulemaking will not have an adverse impact on regulatory costs in excess of \$1 million within five years as established in s.120.541(2)(a), F.S. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 381.003(2), 381.0031(8), 381.005(3) FS

LAW IMPLEMENTED: 381.0011(3), (4), 381.003(1), 381.0031, 381.005(1) FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Leah Bass at Immunization@FLHealth.gov or (850)245-4342.

THE FULL TEXT OF THE PROPOSED RULE IS:

64D-3.048 COVID-19 Vaccine Reporting Requirements

(1) All health care practitioners licensed under Chapters 458, 459 or 464, F.S., and all other enrolled COVID-19 vaccine providers, must report the following vaccination data elements in Florida SHOTS within 72 hours of administration to an individual of any dose of a COVID-19 vaccine that has been approved by or received Emergency Use Authorization from the U.S. Food and Drug Administration.

(a) Administered at location: facility name/ID

(b) Administered at location: type

(c) Administration address (including county)

(d) Administration date

(e) CVX (Product)

(f) Recipient race

(g) Recipient ethnicity

(h) Lot number: unit of use and/or unit of sale

(i) MVX (manufacturer)

(j) Recipient address

(k) Recipient date of birth



- (l) Recipient name
- (m) Recipient sex
- (n) Sending organization
- (o) Vaccine administering site (on the body)
- (p) Vaccine expiration date
- (q) Vaccine route of administration
- (2) This rule will be reviewed and repealed, modified, or renewed through the rulemaking process five years from the effective date.

Rulemaking Authority 381.003(2), 381.0031(8), 381.005(3) FS. Law Implemented 381.0011(3), (4), 381.003(1), 381.0031, 381.005(1) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Leah Bass  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Scott A. Rivkees, MD, Surgeon General and Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 2, 2021  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 19, 2021

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Family Safety and Preservation Program**

RULE NOS.:	RULE TITLES:
65C-45.002	Parent Preparation Pre-service and Inservice Training for all Levels of Licensure
65C-45.003	Foster Home Initial Licensing Requirements for all Levels of Licensure
65C-45.005	Level I Waivable Requirements
65C-45.010	Standards for all Licensed Out-of-Home Caregivers
65C-45.0121	Level II Non-Child-Specific Foster Home Relicensing Requirements
65C-45.013	Conflict of Interest for all Levels of Licensure
65C-45.014	Terms of a License for all Levels of Licensure
65C-45.015	Over-Capacity Assessments and Exceptions for all Levels of Licensure
65C-45.017	Foster Care Referrals and Investigations for all Levels of Licensure

PURPOSE AND EFFECT: The Department intends to amend rules within chapter 65C-45, F.A.C., to improve standards for licensure of foster homes.

SUMMARY: The amendments accomplish the following: 1) Adds training requirements for certification as an Enhanced Level II foster home, 2) Amends home study as follows: The licensed out-of-home caregiver shall have access to transportation available 24 hours a day; 3) Amends waivable requirement as follows: The entry to a child’s bedroom shall not be located so as to require the child to pass through another

room (to include all bedrooms, offices, or rooms that are not common areas) bedroom or a bathroom in order to enter their bedroom; 4) Cites statutory provisions regarding pool safety requirements.; 5) Removes review and discussion of fire drill logs, and evacuation and disaster preparedness plan from relicensing requirements; 6) Adds provisions regarding Enhanced Level II foster home working agreements between the child-placing agency and foster parent; 7) Removes specific timeframe for granting/denying initial license application and replaces with reference to statutory timeframe; 8) Reorganizes rule and clarifies requirements for overcapacity waiver requests and approval; and 9) Requires corrective action plans to be uploaded into CCWIS.

**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 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: 409.145(5), 409.175(5), 435.01(2), FS.

LAW IMPLEMENTED: 409.145, 409.175, 435.04, FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jodi Abramowitz. Jodi can be reached at Jodi.abramowitz@myflfamilies.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

**65C-45.002 Parent Preparation Pre-service and Inservice Training for all Levels of Licensure.**

- (1) through (3) No change.

(4) Each applicant shall complete orientation prior to, but no later than, the first preservice training class.

(5) Applicants seeking certification as an Enhanced Level II Foster Home, as defined in 65C-30.001, F.A.C., must complete additional Department-approved training. The Department will approve training that includes the following components:

- (a) Attachment-based intervention;
- (b) Trauma-informed intervention;
- (c) Promotion of healing relationships;
- (d) Development of safety;
- (e) Teaching of self-management and coping skills;
- (f) Social connections and support systems;
- (g) Behavior management; and
- (h) Parental resilience relationship development.

(4) through (11) are renumbered (6) through (13) No change.

(14) This rule will be reviewed and repealed, modified, or renewed through the rulemaking process five years from the effective date.

Rulemaking Authority 409.175(5) FS. Law Implemented 409.175(5), (14) FS. History—New 4-26-20. Amended

**65C-45.003 Foster Home Initial Licensing Requirements for all Levels of Licensure.**

(1) through (2) No change.

(3) Initial Licensing Unified Home Study. A staff person, certified pursuant to Section 402.40, F.S., from the supervising agency shall perform a thorough assessment of each prospective licensed out-of-home caregiver and document this assessment in the Unified Home Study section of Florida Safe Families Network (FSFN). The assessment shall include:

- (a) through (e) No change.
- (f) Assessment and Unified Home Study details, including the following:

1. through 3. No change.

4. How the caregiver(s) is (are) willing and able to make a loving commitment to the child(ren)'s safety and well-being by:

- a. through f. No change.
- g. Ensuring the child's safety by employing safety measures, including in the household, for transportation, and with pets.

(I) Transportation. The licensed out-of-home caregiver shall have access to transportation available 24 hours a day. All vehicles used to transport children shall be in safe condition and equipped with seat belts for each child transported as required by Section 316.614, F.S., and car seats as required by Section 316.613, F.S. The licensed out-of-home caregiver shall not knowingly allow children to be transported in an uninsured vehicle. Vehicles shall be smoke free, including e-cigarettes and vapor smoke, when children are being transported. The

licensed out-of-home caregiver shall ensure safety equipment is utilized.

(II) No change.

5. through 15. No change.

(g) through (k) No change.

(4) No change.

(5) This rule will be reviewed and repealed, modified, or renewed through the rulemaking process five years from the effective date.

Rulemaking Authority 409.145(5), 409.175(5), 435.01(2) FS. Law Implemented 409.145(2), 409.175(5)(a)-(b), (6)(a)-(b), 435.04 FS. History—New 4-26-20, Amended 11-9-20. Amended

**65C-45.005 Level I Waivable Requirements.**

(1) through (4) No change.

(5) Waivable Requirements.

(a) through (i) No change.

(j) The entry to a child's bedroom shall not be located so as to require the child to pass through another room (to include all bedrooms, offices, or rooms that are not common areas) bedroom or a bathroom in order to enter their bedroom.

(k) through (s) No change.

(6) This rule will be reviewed and repealed, modified, or renewed through the rulemaking process five years from the effective date.

Rulemaking Authority 409.145(5), 409.175(5) FS. Law Implemented 409.145(2), 409.175(5)(a) FS. History—New 4-26-20, Amended 11-9-20. Amended

**65C-45.010 Standards for all Licensed Out-of-Home Caregivers.**

(1) No change.

(2) Physical Environment.

(a) through (b) No change.

(c) In Ground Swimming Pools.

1. No change.

2. All doors and windows providing direct access from the home to the pool shall comply with section 515.27, F.S. All other barriers to the pool shall comply with section 515.29, F.S. ~~access through the barrier shall have at least one of the following safety features: alarm, key lock, self-locking doors, bolt lock or another lock that is not accessible to children. Any exterior door leading from the house to the pool area shall have at least two of the safety features.~~

3. No change.

(d) through (e) No change.

(f) Sleeping Arrangements and Personal Space.

1. through 4. No change.

5. The entry to a child's bedroom shall not be located so as to require the child to pass through another room (to include all bedrooms, offices, or rooms that are not common areas) bedroom or a bathroom in order to enter their bedroom.

- (g) No change.
- (h) Fire Safety.
- 1. through 5. No change.
- ~~6. Fire drills shall be conducted a minimum of two times per year.~~
- 7. is renumbered 6. No change.
- (i) No change.
- (3) through (12) No change.

(13) This rule will be reviewed and repealed, modified, or renewed through the rulemaking process five years from the effective date.

Rulemaking Authority 409.145(5), 409.175(5) FS. Law Implemented 409.145(2), 409.175(5) FS. History—New 4-26-20, Amended 11-9-20. Amended

**65C-45.0121 Level II Non-Child-Specific Foster Home Relicensing Requirements.**

- (1) through (5) No change.
- ~~(6) Fire drill logs shall be reviewed and discussed with the licensed out-of-home caregiver to ensure continued compliance with licensing standards. The evacuation plan and disaster preparedness plan shall also be reviewed and discussed.~~

~~(6)(7) No change.~~

(7) This rule will be reviewed and repealed, modified, or renewed through the rulemaking process five years from the effective date.

Rulemaking Authority 409.145(5), 409.175(5) FS. Law Implemented 409.145, 409.175 FS. History—New 5-4-20. Amended

**65C-45.013 Conflict of Interest for all Levels of Licensure**

- (1) through (4) No change.
- (5) Enhanced Level II Foster Homes in which the child-placing agency and foster parent have a Department-approved working agreement regarding the terms and conditions of the foster parent’s responsibilities as a caregiver for the child-placing agency are exempt from this rule. The Department will approve working agreements that contain at minimum the following:

- (a) Purpose of the agreement;
- (b) Identification of foster parent;
- (c) Residential location for agreement;
- (d) Terms and Use of Residence;
- (e) Foster parent responsibility;
- (f) Reasons residency can be terminated.

(6) This rule will be reviewed and repealed, modified, or renewed through the rulemaking process five years from the effective date.

Rulemaking Authority 409.145(5), 409.175(5) FS. Law Implemented 409.145(2), 409.175(5) FS. History—New 4-26-20. Amended

**65C-45.014 Terms of a License for all Levels of Licensure.**

(1) The Regional Licensing Authority shall request in writing any additional information required for the purposes of making a licensing determination within 10 business days of receipt of an application file. The Regional Licensing Authority shall grant or deny an initial license application in accordance with the timeframes set in section 409.175(6)(d) F.S. ~~within 10 business days of receipt of a complete application file.~~ The decision on whether to grant or deny the initial license application shall be based on whether the applicant has submitted a completed application file or attestation and has a favorable home study in accordance with Rules 65C-45.004 and 65C-45.012, F.A.C.

(2) through (8) No change.

(9) This rule will be reviewed and repealed, modified, or renewed through the rulemaking process five years from the effective date.

Rulemaking Authority 409.175(5) FS. Law Implemented 409.175(5) FS. History—New 4-26-20. Amended

**65C-45.015 Over-Capacity Assessments and Exceptions for all Levels of Licensure.**

(1) Capacity.

(a) A recommendation shall be made by the supervising agency for the licensed capacity in each family foster home based on the factors set forth in section 409.175(3)(a), F.S.:

- ~~1. An evaluation of the skills, experience, and support network of the prospective licensed out-of-home caregiver;~~
- ~~2. The physical space in the home; and~~
- ~~3. The needs of the children served.~~

(b) No home seeking to be licensed as a level II-V will be initially licensed for more than five (5) children, including the out-of-home caregiver’s own children.

~~(b) The total number of children in the home shall not exceed five (5) children, including the out-of-home caregiver’s own children unless an assessment was completed, and approval was given pursuant to Section 409.175(3)(b), F.S., and in accordance with subsection (2), of this rule.~~

(c) There shall be no more than two (2) infants under 24 months in a licensed home, including the out-of-home caregiver’s own children, unless an assessment was completed, and approval was given in accordance with ~~subsection (2), of this rule.~~

(d) There shall be no more than seven (7) children in a licensed home, including the out-of-home caregiver’s own children, unless a request was made, an assessment was completed, and approval was given in accordance with this rule.

(e) There shall be no more than five (5) dependent children in a licensed home, unless a request was made, an assessment was completed, and approval was given in accordance with this

rule. For purpose of this rule, dependent means a child with an open dependency case placed in licensed out-of-home care.

(2) Overcapacity Waiver Requests

(a) Over-capacity waiver requests must include at least one of the following justifications:

1. To allow a parenting youth in foster care to remain with his or her child;
2. To allow siblings to remain together;
3. To allow a child with an established meaningful relationship with the family to remain with the family; and/or
4. To allow a family with special training or skills to provide care to a child who has a severe disability.

(3) Over-Capacity Assessments. The assessment of each child in the home and of the child being placed in the home shall be completed by the child welfare professional.

(2) Approval of Over Capacity Assessments for Over Five (5) Children or More than Two (2) Infants.

(a) Assessment approvals for more than five (5) children or more than two (2) infants under 24 months of age shall be given by the supervisor in writing or via electronic method prior to placement and shall be approved personally and in writing the next business day by the

(b) The assessment of each child in the home and of the child being placed in the home shall be completed by the placement staff.

- (a)1- No change.  
a. through h. are redesignated 1. through 8. No change.
- (b)2- No change.  
a. through c. are redesignated 1. through 3. No change.

(4) Approval of Over-Capacity Waivers.

(a) Overcapacity waiver approvals for more than seven children in a licensed foster home, including the caregiver’s own children, shall be approved verbally or in writing by the Regional Managing Director or their Department designee. When approval is given verbally, it must be reduced to writing by the next business day.

(b) Overcapacity waiver approvals for more than two infants under 24 months in a licensed home, including the out-of-home caregiver’s own children, shall be approved verbally or in writing by the Regional Managing Director or their department designee, or CBC executive leadership. When approval is given verbally, it must be reduced to writing by the next business day.

(c) Approval of over-capacity waivers must be provided prior to placing additional children in the home.

~~(3) Over Capacity Exception and Age Differential Approvals.~~

~~(a) Written approval of the exception shall be obtained prior to placement when the licensed capacity and recommended ages of children are exceeded. The exception shall be approved by the supervisor in writing or via electronic~~

~~method and shall be approved personally and in writing the next business day by Regional Managing Director or their designee to include CBC executive leadership.~~

~~(d)(b) An initial approval shall not exceed 90 calendar days. Subsequent approvals for the same child may be approved for 180-day extensions.~~

~~(e)(e) The approval for the over-capacity exception shall automatically expire when the total number of children in the home is at or below the licensed capacity.~~

~~(f)(d) All child placements shall be recorded in the Florida Safe Families Network (FSFN) by the supervising agency within 48 hours of placement. When such a placement causes a home to exceed a total of five (5) children, the approval shall be recorded as a provider licensing screen note in FSFN.~~

(5) This rule will be reviewed and repealed, modified, or renewed through the rulemaking process five years from the effective date.

Rulemaking Authority 409.175(5) FS. Law Implemented 409.175(3) FS. History—New 4-26-20. Amended \_\_\_\_\_

**65C-45.017 Foster Care Referrals and Investigations for all Levels of Licensure.**

(1) through (2) No change.

(3) Foster Care Referrals. Upon receipt by the child protection investigation unit of a foster care referral regarding a foster home, the foster care referral shall be immediately forwarded to the appropriate supervising agency licensing staff. The licensing staff receiving the foster care referral shall:

- (a) No change.
- (b) Prepare a written corrective action plan (CAP) to correct the deficiencies that are identified as a result of a foster care referral and upload the CAP into the file cabinet in the state’s Comprehensive Child Welfare Information System (CCWIS). The plan shall be developed by the supervising agency in conjunction with the licensed out-of-home caregivers and shall be approved by the Regional Licensing Authority; and
- (c) No change.

(4) Investigations. When the supervising agency or Regional Licensing Authority is notified of an investigation, a staffing shall be coordinated according to local protocol. If licensing violations are found which do not pose an immediate threat to the health, safety, or well-being of the child, the supervising agency shall prepare a written corrective action plan to correct the deficiencies and upload the CAP into the file cabinet in the state’s CCWIS. The plan shall be developed by the supervising agency in conjunction with the licensed out-of-home caregivers and shall be approved by the Regional Licensing Authority.

(5) This rule will be reviewed and repealed, modified, or renewed through the rulemaking process five years from the effective date.

Rulemaking Authority 409.175(5) FS. Law Implemented 409.175(5), (8) FS. History—New 4-26-20. Amended

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Courtney Smith  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Shevaun L. Harris  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 8/30/21  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 9/8/21

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

NONE

**Section IV**  
**Emergency Rules**

NONE

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

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:  
11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers  
NOTICE IS HEREBY GIVEN that on August 30, 2021, the Department of Law Enforcement, received a petition for permanent waiver of subsection 11B-27.002(4) by Keith Geller. Petitioner wishes to waive that portion of the rule that states: (a) Within four years of the beginning date of a Commission-approved Basic Recruit Training Program, an individual shall successfully complete the program, achieve a passing score on the applicable State Officer Certification Examination, and gain employment, and certification as an officer.  
A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Florida Department of Law Enforcement, P.O. Box 1489 Tallahassee, FL, 32302 or by telephone at (850)410-7676.

DEPARTMENT OF HEALTH  
Board of Massage Therapy

RULE NO.: RULE TITLE:  
64B7-28.009 Required Continuing Education for Massage Therapists  
The Board of Message Therapy hereby gives notice: of the issuance of a Notice of Intent to Grant the Petition for Variance and Waiver, filed on July 15, 2021, by Heather Thompson. The Notice of Petition for Waiver or Variance was published in Vol. 47, No. 159, of the August 17, 2021 Florida Administrative Register. Petitioner sought a waiver of paragraph 64B7-28.009(4)(e), Florida Administrative Code entitled “Required Continuing Education for Massage Therapists,” which requires that during each subsequent biennial renewal cycle, the licensee shall complete: twelve classroom hours, taught in an in-person setting, which must include hands-on instruction or demonstration, and must have stated learner objectives which are relevant to and focused on massage therapy techniques, skills, and protocols as defined in subsection 480.033(3), F.S. The Board considered the instant Petition at a duly-noticed public telephonic meeting held on August 25, 2021. The Board’s Order, filed on September 2, 2021, granted the petition finding that Petitioner had established that the purpose of the underlying statute would be met by granting a variance or waiver from paragraph 64B7-28.009(4)(e), F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

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

DEPARTMENT OF HEALTH  
Board of Massage Therapy  
RULE NO.: RULE TITLE:  
64B7-28.009 Required Continuing Education for Massage Therapists  
The Board of Message Therapy hereby gives notice: of the issuance of a Notice of Intent to Grant the Petition for Variance and Waiver, filed on August 6, 2021, by Jerry Daniels. The Notice of Petition for Waiver or Variance was published in Vol. 47, No. 156, of the August 12, 2021 Florida Administrative Register. Petitioner sought a waiver of paragraph 64B7-28.009(4)(e), Florida Administrative Code entitled “Required Continuing Education for Massage Therapists,” which requires that during each subsequent biennial renewal cycle, the licensee shall complete: twelve classroom hours, taught in an in-person setting, which must include hands-on instruction or demonstration, and must have stated learner objectives which are relevant to and focused on massage therapy techniques,

skills, and protocols as defined in subsection 480.033(3), F.S. The Board considered the instant Petition at a duly-noticed public telephonic meeting held on August 25, 2021. The Board's Order, filed on September 1, 2021, granted the petition finding that Petitioner had established that the purpose of the underlying statute would be met by granting a variance or waiver from paragraph 64B7-28.009(4)(e), F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

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

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## DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-28.009 Required Continuing Education for Massage Therapists

The Board of Massage Therapy hereby gives notice: of the issuance of a Notice of Intent to Grant the Petition for Variance and Waiver, filed on August 10, 2021, by Haiying Xu. The Notice of Petition for Waiver or Variance was published in Vol. 47, No. 157, of the August 13, 2021 Florida Administrative Register. Petitioner sought a waiver of paragraph 64B7-28.009(4)(e), Florida Administrative Code entitled "Required Continuing Education for Massage Therapists," which requires that during each subsequent biennial renewal cycle, the licensee shall complete: twelve classroom hours, taught in an in-person setting, which must include hands-on instruction or demonstration, and must have stated learner objectives which are relevant to and focused on massage therapy techniques, skills, and protocols as defined in subsection 480.033(3), F.S. The Board considered the instant Petition at a duly-noticed public telephonic meeting held on August 25, 2021. The Board's Order, filed on September 1, 2021, granted the petition finding that Petitioner had established that the purpose of the underlying statute would be met by granting a variance or waiver from paragraph 64B7-28.009(4)(e), F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

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

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## DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-28.009 Required Continuing Education for Massage Therapists

The Board of Massage Therapy hereby gives notice: of the issuance of a Notice of Intent to Grant the Petition for Variance and Waiver, filed on July 15, 2021, by Angela Mantlo. The Notice of Petition for Waiver or Variance was published in Vol. 47, No. 143, of the July 26, 2021 Florida Administrative Register. Petitioner sought a waiver of paragraph 64B7-28.009(4)(e), Florida Administrative Code entitled "Required Continuing Education for Massage Therapists," which requires that during each subsequent biennial renewal cycle, the licensee shall complete: twelve classroom hours, taught in an in-person setting, which must include hands-on instruction or

demonstration, and must have stated learner objectives which are relevant to and focused on massage therapy techniques, skills, and protocols as defined in subsection 480.033(3), F.S. The Board considered the instant Petition at a duly-noticed public telephonic meeting held on August 25, 2021. The Board's Order, filed on September 1, 2021, granted the petition finding that Petitioner had established that the purpose of the underlying statute would be met by granting a variance or waiver from paragraph 64B7-28.009(4)(e), F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

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

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#### DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-28.009 Required Continuing Education for Massage Therapists

The Board of Massage Therapy hereby gives notice: of the issuance of a Notice of Intent to Grant the Petition for Variance and Waiver, filed on July 2, 2021, by Judith Guerrero. The Notice of Petition for Waiver or Variance was published in Vol. 47, No. 131, of the July 8, 2021 Florida Administrative Register. Petitioner sought a waiver of paragraph 64B7-28.009(4)(e), Florida Administrative Code entitled "Required Continuing Education for Massage Therapists," which requires that during each subsequent biennial renewal cycle, the licensee shall complete: twelve classroom hours, taught in an in-person setting, which must include hands-on instruction or demonstration, and must have stated learner objectives which are relevant to and focused on massage therapy techniques, skills, and protocols as defined in subsection 480.033(3), F.S. The Board considered the instant Petition at a duly-noticed public telephonic meeting held on August 25, 2021. The Board's Order, filed on September 1, 2021, granted the petition finding that Petitioner had established that the purpose of the underlying statute would be met by granting a variance or waiver from paragraph 64B7-28.009(4)(e), F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06,

Tallahassee, Florida 32399-3258, (850)245-4162, or by electronic mail: kama.monroe@flhealth.gov.

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#### DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-9.012 Standards for the Prescription of Obesity Drugs  
NOTICE IS HEREBY GIVEN that on September 2, 2021, the Board of Medicine, received a petition for variance or waiver filed on behalf of Belinda Escanio, Pearl Guerzon, Serena Satcher, and Calibrate Health Medical P.C., from subsection 64B8-9.012(6), F.A.C. In relevant part, each physician who is prescribing, ordering, or providing weight loss enhancers to patients must assure that such patients undergo an in-person re-evaluation within 2 to 4 weeks of receiving a prescription, order, or dosage. Petitioners are requesting that Calibrate, and the above-referenced physicians, be allowed to satisfy the "in-person" requirement via Calibrate's synchronous audiovisual telehealth technology, through which member patients meet with their physicians in a virtual face-to-face exchange from different locations. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Paul Vazquez, J.D., Executive Director, Board of Medicine/MQA, Paul.Vazquez@flhealth.gov.

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## Section VI

### Notice of Meetings, Workshops and Public Hearings

#### DEPARTMENT OF STATE

Division of Library and Information Services

The Department of State, Division of Library and Information Services announces a public meeting to which all persons are invited.

DATES AND TIMES: September 24, 2021, 9:00 a.m. – 5:00 p.m. Eastern; September 28, 2021, 9:00 a.m. Eastern to conclusion

PLACE: To register for the meeting, visit: <https://attendee.gotowebinar.com/register/3700516750417658892>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The State Library Council acting as the Library Services and Technology Act (LSTA) Panel will review American Rescue Plan Act (ARPA) grant applications to develop funding recommendations.

A copy of the agenda may be obtained by contacting: Grants Office staff at [grantsoffice@dos.myflorida.com](mailto:grantsoffice@dos.myflorida.com) or (850)245-6630.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Grants Office staff at grantsoffice@dos.myflorida.com or (850)245-6630. 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: Grants Office staff at grantsoffice@dos.myflorida.com or (850)245-6630.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Agricultural Environmental Services

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

DATE AND TIME: Tuesday, October 5, 2021, 10:00 a.m. – 12:00 Noon

PLACE: Web Conference Information - <https://global.gotomeeting.com/join/615872829>

Conference Phone: 1(877)309-2073, Access Code 615-872-829

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council discusses and makes recommendations regarding actions to be taken with respect to the regulation and enforcement of agricultural feed, seed and fertilizer.

A copy of the agenda may be obtained by contacting: The Bureau of Inspection or Incident Response at (850)617-7996. For more information, you may contact: Neil Richmond, Chief, Bureau of Inspection and Incident Response at (850)617-7996 or Neil.Richmond@fdacs.gov.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Agricultural Environmental Services

The Florida Coordinating Council on Mosquito Control announces a public meeting to which all persons are invited.

DATE AND TIME: September 28, 2021, 10:00 a.m.

PLACE: Due to COVID-19, this will be via Go-To-Meeting ONLY <https://global.gotomeeting.com/join/355022069>

Please use your integrated microphone and speakers if possible. You can also dial in using your phone. United States: (571)317-3112, Access Code: 355-022-069

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address the business of the council.

A copy of the agenda may be obtained by contacting: Lisa L. Brown, Coordinator Lisa.Brown8@FDACS.gov, (850)617-7945.

**FLORIDA COMMISSION ON OFFENDER REVIEW**

The Florida Commission on Offender Review announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, September 29, 2021, 9:00 a.m.; Thursday, September 30, 2021, 9:00 a.m.

PLACE: Jacksonville Beach City Hall, 11 North Third Street, Jacksonville Beach, FL 32250

GENERAL SUBJECT MATTER TO BE CONSIDERED: Betty Easley Conference Center, Room #152, 4075 Esplanade Way, Tallahassee, Florida 32399

The meeting will also be held via conference call. To participate in the meeting, call United States (Toll Free): 1(877)309-2073 or United States: (571)317-3129 and dial access code 337-350-165. For questions and correspondence from inmate supporters, please email [inmatessupporter@fcor.state.fl.us](mailto:inmatessupporter@fcor.state.fl.us). For questions and correspondence regarding victims' rights, please email [victimquestions@fcor.state.fl.us](mailto:victimquestions@fcor.state.fl.us).

A copy of the agenda may be obtained by contacting: Florida Commission on Offender Review, (850)488-1293.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Commission on Offender Review at [ada@fcor.state.fl.us](mailto:ada@fcor.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

**REGIONAL PLANNING COUNCILS**

Southwest Florida Regional Planning Council

RULE NO.: RULE TITLE:

29I-1.003 Staff Functions; General Description

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

DATE AND TIME: Thursday, September 16, 2021, 9:00 a.m.

PLACE: Virtual Zoom Meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Southwest Florida Regional Planning Council, 9:00 a.m.

A copy of the agenda may be obtained by contacting: Katelyn Kubasik, [kkubasik@swfipc.org](mailto:kkubasik@swfipc.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: Katelyn Kubasik, [kkubasik@swfrpc.org](mailto:kkubasik@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.

For more information, you may contact: Katelyn Kubasik, [kkubasik@swfrpc.org](mailto:kkubasik@swfrpc.org).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Engineers Management Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: October 13, 2021, 9:00 a.m. or soon thereafter

PLACE: via video and/or telephone conference

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the corporation.

<https://us02web.zoom.us/j/85832678351>, Meeting ID: 858 3267 8351

Dial by your location:

- (312)626-6799, US (Chicago)
- (929)436-2866, US (New York)
- (301)715-8592, US (Washington DC)
- (346)248-7799, US (Houston)
- (669)900-6833, US (San Jose)
- (253)215-8782, US (Tacoma)

Meeting ID: 858 3267 8351, Passcode: 141572

Find your local number:

<https://us02web.zoom.us/j/85832678351>

A copy of the agenda may be obtained by contacting: Rebecca Sammons, [rsammons@fbpe.org](mailto:rsammons@fbpe.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 10 days before the workshop/meeting by contacting: Rebecca Sammons, [rsammons@fbpe.org](mailto:rsammons@fbpe.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.

For more information, you may contact: Rebecca Sammons, [rsammons@fbpe.org](mailto:rsammons@fbpe.org).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers announces a public meeting to which all persons are invited.

DATES AND TIMES: October 13, 2021, 1:00 p.m. or soon thereafter; October 14, 2021, 8:30 a.m. or soon thereafter

PLACE: via video and/or telephone conference

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the board to include to review of licensure applications.

October 13, 2021 meeting information:

<https://us02web.zoom.us/j/88988829585>, Meeting ID: 889 8882 9585

Dial by your location:

- (301)715-8592, US (Washington DC)
- (312)626-6799, US (Chicago)
- (929)436-2866, US (New York)
- (253)215-8782, US (Tacoma)
- (346)248-7799, US (Houston)
- (669)900-6833, US (San Jose)

Meeting ID: 889 8882 9585, Passcode: 1725731

Find your local number:

<https://us02web.zoom.us/j/88988829585>

October 14, 2021 meeting information:

<https://us02web.zoom.us/j/83768146837>

Meeting ID: 837 6814 6837, Dial by your location

- (929)436-2866, US (New York)
- (301)715-8592, US (Washington DC)
- (312)626-6799, US (Chicago)
- (669)900-6833, US (San Jose)
- (253)215-8782, US (Tacoma)
- (346)248-7799, US (Houston)

Meeting ID: 837 6814 6837, Passcode: 77053032

Find your local number:

<https://us02web.zoom.us/j/83768146837>

A copy of the agenda may be obtained by contacting: Rebecca Sammons, [rsammons@fbpe.org](mailto:rsammons@fbpe.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 10 days before the workshop/meeting by contacting: Rebecca Sammons, [rsammons@fbpe.org](mailto:rsammons@fbpe.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.

For more information, you may contact: Rebecca Sammons, [rsammons@fbpe.org](mailto:rsammons@fbpe.org).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Accountancy

The Committee on Continuing Professional Education announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 21, 2021, 10:00 a.m.

PLACE: Teleconference, Dial-In-Number: 1(888)585-9008, Conference Room Number: 624-410-563

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee on Continuing Professional Education will meet to discuss items relating to CPE credits.

A copy of the agenda may be obtained by contacting: Karan Lee.

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).

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: Karan Lee.

**DEPARTMENT OF FINANCIAL SERVICES**

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

DATE AND TIME: Wednesday, September 22, 2021, 2:00 p.m. – 4:00 p.m. Eastern Time

PLACE: In-person option for ESC member attendance: Department of Children and Families, 2415 North Monroe Street, Room C100

Virtual, listen-only, option for public attendance. Virtual information is listed on the meeting agenda, located on the Florida PALM Project website: <https://www.myfloridacfo.com/floridapalm/governance/>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida PALM Executive Steering Committee will meet in-person to discuss the status of the Florida PALM Project. There will be an option for members of the public to attend virtually

in listen-only mode. Any member of the public desiring to provide comment on the subject matter discussed during the meeting may do so in writing via the virtual chat function or email [FloridaPALM@myfloridacfo.com](mailto:FloridaPALM@myfloridacfo.com) within 5 days after the meeting.

A copy of the agenda may be obtained by contacting: The Florida PALM Project website <https://www.myfloridacfo.com/floridapalm/governance/>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jenifer Hartsfield at (850)410-9025 or [FloridaPALM@myfloridacfo.com](mailto:FloridaPALM@myfloridacfo.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: For more information, or would like to submit public comment regarding the Florida PALM Executive Steering Committee, please email [FloridaPALM@myfloridacfo.com](mailto:FloridaPALM@myfloridacfo.com).

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-3.001 Scope

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from INTEX Millwork Solutions. The petition seeks the agency's opinion as to the applicability of Rule 61G20-3.001, F.A.C., as it applies to the petitioner.

Petitioner seeks clarification about whether exterior railing falls within the scope of the product approval program.

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](mailto: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](mailto: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](mailto:wjustin.vogel@myfloridalicense.com).

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

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 Classic Florida Dream Homes, LLC. The petition seeks the agency's opinion as to the applicability of Section 107.6.1, Florida Building Code, Building, 7th Edition (202), as it applies to the petitioner.

Petitioner seeks clarification about the interplay of issuing building permits on the basis of affidavit and the use of private providers to inspect buildings in flood prone areas. Specifically, Petitioner presents the following question: "Per the 2020 Florida Building Code, does Section 107.6.1 Building Permits issued on the basis of an affidavit apply to Private Providers per 553.791?"

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.

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

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

NONE

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

NONE

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

NONE

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

NONE

**Section XI**  
**Notices Regarding Bids, Proposals and**  
**Purchasing**

NONE

**Section XII**  
**Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Thursday, September 2, 2021 and 3:00 p.m., Wednesday, September 8, 2021.

Rule No.	File Date	Effective Date
5K-4.034	9/7/2021	9/27/2021
40D-8.021	9/7/2021	9/27/2021
40D-8.031	9/7/2021	9/27/2021
40D-8.624	9/7/2021	9/27/2021
60FF1-5.003	9/3/2021	9/23/2021
60FF1-5.0035	9/7/2021	9/27/2021
60FF1-5.006	9/7/2021	9/27/2021
61G6-9.001	9/2/2021	9/22/2021
61G6-9.004	9/2/2021	9/22/2021

61G1-23.010	9/2/2021	9/22/2021
61G1-23.015	9/2/2021	9/22/2021
61G1-23.020	9/2/2021	9/22/2021
61G1-23.025	9/2/2021	9/22/2021
61G1-23.030	9/2/2021	9/22/2021
62-600.200	9/7/2021	9/27/2021
62-600.420	9/7/2021	9/27/2021
62-600.440	9/7/2021	9/27/2021
62-600.500	9/7/2021	9/27/2021
62-600.510	9/7/2021	9/27/2021
62-600.520	9/7/2021	9/27/2021
62-600.550	9/7/2021	9/27/2021
62-600.650	9/7/2021	9/27/2021
62-600.660	9/7/2021	9/27/2021
62-600.670	9/7/2021	9/27/2021
62-600.740	9/7/2021	9/27/2021
64B1-3.009	9/2/2021	9/22/2021
64B1-3.010	9/2/2021	9/22/2021
64B1-9.001	9/2/2021	9/22/2021
65A-1.701	9/2/2021	9/22/2021
65A-1.716	9/2/2021	9/22/2021
65C-16.002	9/2/2021	9/22/2021
65C-16.009	9/2/2021	9/22/2021
65C-28.008	9/2/2021	9/22/2021
68D-24.008	9/7/2021	9/27/2021
68D-24.146	9/7/2021	9/27/2021
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
60FF1-5.009	7/21/2016	**/**/****
60P-1.003	11/5/2019	**/**/****

60P-2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
64B8-10.003	12/9/2015	**/**/****

**AGENCY FOR HEALTH CARE ADMINISTRATION**

Certificate of Need

**DECISION ON EXPEDITED APPLICATION**

The Agency for Health Care Administration made the following decision on Certificate of Need application for expedited review:

County: Miami-Dade District: 11-1

CON #10665 Decision Date: 09/08/2021 Decision: A

Facility/Project: The Nursing Center at Mercy

Applicant: Mercy Center OPCO, LLC

Project Description: Replacement of a 120-bed community nursing home within a 30-mile radius of the existing facility

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Register pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Division of Recreation and Parks

**NOTICE OF GRANT APPLICATION SUBMISSION PERIOD FOR THE FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM**

The Department of Environmental Protection (Department) will accept Fiscal Year 2022-2023 grant applications, in accordance with Rules 62D-5.053 through 62D-5.059, Florida Administrative Code (F.A.C.), from local governments requesting funding awards from the Florida Recreation Development Assistance Program (FRDAP) established pursuant to Section 375.075, Florida Statutes (F.S.), to acquire or develop land for public outdoor recreation purposes.

**APPLICATION SUBMISSION PERIOD:** October 1 - October 15, 2021. Applications can now be submitted through the Department's Grantee Portal (Portal) at <https://fdep.force.com/grants/s/>. The Portal will not accept any applications submitted after 11:59 p.m. on October 15, 2021. Incomplete applications will not be considered.

**ELIGIBLE APPLICANTS:** All local governments with the legal responsibility for providing outdoor recreation sites and facilities for the use and benefit of the public may submit FRDAP applications during the application submission period. A local government entity is a county government, municipality (incorporated city, town, or village), or an independent special

district of the State of Florida with legal responsibility for providing outdoor recreation sites and facilities for use and benefit of the general public.

**MAXIMUM GRANT REQUEST:** The maximum grant request may not exceed \$200,000.00. An applicant's request for grant funds may be revised by the Department based on the availability of program funds. Grant awards are contingent upon appropriation by the Florida Legislature.

**APPLICATION INFORMATION:** Applications for funding must be made on Application Form DRP-106 through the Department's Grantee Portal following procedures outlined in Rule 62D-5.056, F.A.C. The Application Instructions Guide and Application Form for Fiscal Year 2022-2023 submissions, as well as copies of the Rule Chapter may be obtained at <https://floridadep.gov/Grants> or you may contact FRDAP staff via email Tamika.Bass@FloridaDEP.gov, Angie.Bright@FloridaDEP.gov or LaShae.Grice@FloridaDEP.gov, by phone (850)245-2501, or U.S. Mail at Department of Environmental Protection, Land and Recreation Grants Section, 3900 Commonwealth Boulevard, Mail Station 585, Tallahassee, Florida 32399.

**PROGRAM DESCRIPTION:** FRDAP is a competitive grant program that provides financial assistance to local governments for the development or acquisition of land for public outdoor recreation purposes.

**APPLICATION WEBINAR:** In conjunction with the beginning of the application cycle, FRDAP staff will host a webinar to provide technical assistance to potential grant applicants in understanding the application processes for

both development and acquisition projects.

**DATE AND TIME:** September 23, 2021, 10:00 a.m. ET

**PLACE:** Interested parties may participate via GoToMeeting:

Please register IN ADVANCE at <https://attendee.gotowebinar.com/register/1684516002838390798>

After registering, you will receive a confirmation email from [customercare@gotowebinar.com](mailto:customercare@gotowebinar.com) containing information about joining the webinar.

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: Linda Reeves, (850)245-2501. 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).

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## 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.

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