

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-26.010 Sexual Activity Prohibited

PURPOSE AND EFFECT: The Board proposes the rule promulgation to massage therapy rules consistent with HB 245.

SUBJECT AREA TO BE ADDRESSED: To reorganize and clarify massage therapy rules consistent with HB 245.

RULEMAKING AUTHORITY: 480.035(7), 480.043(2), (3), FS.

LAW IMPLEMENTED: 480.043(2), 480.046(1)(h), 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: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3257, Kama.Monroe@flhealth.gov.

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:

64B19-12.0085 Delinquency Fee

PURPOSE AND EFFECT: The Board proposes a rule amendment to reduce the delinquency fee for active and inactive licenses from \$400.00 to \$200.00 through 2028 and then to \$295.00 moving forward.

SUBJECT AREA TO BE ADDRESSED: The rule amendment addresses the delinquency fee amount.

RULEMAKING AUTHORITY: 456.036(7) FS.

LAW IMPLEMENTED: 456.036(7) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen

Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253.

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

Section II
Proposed Rules

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-23.001 Definitions

PURPOSE AND EFFECT: The Board proposes the rule promulgation to massage therapy rules consistent with HB 245.

SUMMARY: To reorganize and clarify massage therapy rules consistent with HB 245

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: 480.035(7), FS.

LAW IMPLEMENTED: 456.035(1), 480.033(10), 480.033(12), 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: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-23.001 Definitions.

(1) "Patient" means any person presenting as a client to receive massage therapy treatment.

(2) "Health goal" means the desired overall progressive improvement in the patient's condition as stated by the patient.

(3) "Treatment goal" means the desired improvement in the patient's condition arising from specific massage therapy treatment, as stated by the patient.

(4) "Treatment plan" means a written document describing:

(a) the patient's subjective reason for treatment, health goals and treatment goals;

(b) objective assessment method or methods used to determine appropriate massage therapy treatment;

(c) assessment outcomes, including indications and contraindications for massage therapy treatment;

(d) massage therapy treatment to be administered, including the number of treatments to be administered under the treatment plan, the duration of each treatment, the expected outcomes of each treatment; and,

(e) the outcomes of each administered treatment.

(5) "Massage therapy assessment" or "assessment" means the determination of the course of massage therapy treatment as an ongoing, systematic process of gathering patient information which is made:

(a) prior to providing any treatment; and,

(b) in accordance with Rule 64B7-23.007, F.A.C.

(6) "Massage therapy treatment" or "treatment" means massage therapy performed on a patient which employs techniques, modalities or skills determined by assessment to be appropriate for the patient.

(7) "Indication" means evidence that a proposed massage therapy treatment is likely to have a positive impact on the condition of the patient.

(8) "Contraindication" means evidence that a proposed massage therapy treatment may pose a health risk to the patient or may have a negative impact on their condition.

(9) "Drape" means an inviolable barrier applied to the body of a patient for massage therapy treatment that is of a sufficient size to provide the patient with personal privacy, security and warmth, such as a hospital gown, sheet, blanket, towel or clothing.

(10) "Draping" means the act of applying a drape or drapes to the patient's body for massage therapy treatment.

Appropriate draping includes coverage of the genitalia, groin, femoral triangle, anus, buttocks, gluteal cleft, and breasts at all times unless the patient gives specific informed consent to be undraped and written specific informed consent is noted in the patient's treatment plan.

(11) "Place of practice" means any place in which a massage therapist provides massage therapy treatment to a patient. For the purposes of reporting place of practice pursuant to Section 456.035, Florida Statutes, a therapist may use:

(a) the address of a massage establishment where they are currently employed; or,

(b) the address of the office of a physician licensed under Chapters 457, 458, 459, or 460 Florida Statutes, so long as they are providing massage therapy treatment to patients of the physician, pursuant to Section 480.043(14), Florida Statutes; or,

(c) If the massage therapist practices exclusively at the residences of patients, the offices of patients, or at sporting events, conventions, or trade shows, pursuant to Section 480.046(1)(o), Florida Statutes, the massage therapist may use the massage therapist's residential address. Rulemaking Authority 480.035(7), FS. Law implemented 456.035(1), 480.033(10), 480.033(12), FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Massage Therapy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 22, 2021

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-23.003 Display of Massage Therapist License

PURPOSE AND EFFECT: The Board proposes the rule promulgation to massage therapy rules consistent with HB 245.

SUMMARY: To reorganize and clarify massage therapy rules consistent with HB 245

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: 480.035(7), FS.

LAW IMPLEMENTED: 480.043(3), 456.077(2), FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-23.003 Display of Massage Therapist License

A licensed massage therapist must display their current license, or a photocopy thereof, at any location where the massage therapist is practicing. The license must be displayed conspicuously inside the establishment in open public view. A passport-sized picture taken within the last two years must be attached to each displayed license or photocopy.

Rulemaking Authority 480.035(7), FS. Law implemented 480.043(3), 456.077(2), FS. History–New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Massage Therapy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 22, 2021

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-23.005 Sexual Misconduct; Sexual Activity Prohibited

PURPOSE AND EFFECT: The Board proposes the rule promulgation to massage therapy rules consistent with HB 245.

SUMMARY: To reorganize and clarify massage therapy rules consistent with HB 245

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: 480.035(7), FS.

LAW IMPLEMENTED: 480.0485, 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: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-23.005 Sexual Misconduct; Sexual Activity Prohibited

(1) “Sexual Activity” means any direct or indirect contact by any person, or between persons, with the intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person, or which is likely to cause such humiliation, harassment, degradation, arousal or sexual gratification:

(a) with or without the consent of either person or persons;

(b) with or without verbal or non-verbal communication that the sexual activity is undesired;

(c) with or without the use of any device or object;

(d) with or without the occurrence of penetration, orgasm or ejaculation;

(e) including, but not limited to intentional contact with the genitalia, groin, femoral triangle, anus, buttocks, gluteal cleft, breast or nipples, mouth, or tongue; and,

(f) including, but not limited to the intentional removal of any drape without written specific informed consent of the patient.

(2) Sexual activity by any massage therapist in the context of massage therapy practice or in a massage therapy establishment is prohibited.

(3) A licensed massage therapist must not use the therapist-client relationship to induce or attempt to induce or engage or attempt to engage in sexual activity with any client. Such attempts or engagements constitute sexual misconduct in the practice of massage therapy.

(4) Nothing herein shall be interpreted to prohibit the practice of colonic irrigation by a licensed massage therapist certified pursuant to Rule 64B7-25.001(2), F.A.C. Rulemaking Authority 480.035(7), FS. Law implemented 480.0485, FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Massage Therapy
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 2021
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 22, 2021

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-23.007 Massage Therapy Assessment.

PURPOSE AND EFFECT: The Board proposes the rule promulgation to massage therapy rules consistent with HB 245.
SUMMARY: To reorganize and clarify massage therapy rules consistent with HB 245

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: 480.035(7), FS.

LAW IMPLEMENTED: 480.033(10), 480.033(12), 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: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-23.007 Massage Therapy Assessment

A massage therapist must complete a massage therapy assessment to determine whether any proposed massage therapy treatment poses a significant health risk to the patient. An assessment, as defined in 64B7-23.001(5), F.A.C., must include:

(1) a review of patient health goals and treatment outcome goals,

(2) a review of indications and contraindications for any proposed massage therapy treatment using appropriate assessment methods, which may include:

(a) patient health intake forms;

(b) the patient’s stated level of health;

(c) patient interview, including patient stated goals;

- (d) patient observation;
- (e) palpation;
- (f) orthopedic testing;
- (g) muscle testing;
- (h) joint mobilization, stretching and range of motion measurement;
- (i) postural analysis;
- (j) gait assessment;
- (k) functional limitations assessment;
- (l) pain scale valuation;
- (m) reviewing the report of a referring practitioner; and
- (n) use of a quality of life assessment tool.

Rulemaking Authority 480.035(7), FS. Law implemented 480.033(10), 480.033(12), FS. History–New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Massage Therapy
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 2021
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 22, 2021

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: 64B7-23.009
RULE TITLE: Massage Therapy as a Complementary or Alternative Healthcare Treatment; Recordkeeping.

PURPOSE AND EFFECT: The Board proposes the rule promulgation to massage therapy rules consistent with HB 245.
SUMMARY: To reorganize and clarify massage therapy rules consistent with HB 245

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: 480.035(7), FS.

LAW IMPLEMENTED: 456.41, 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: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-23.009 Massage Therapy as a Complementary or Alternative Healthcare Treatment; Recordkeeping

A massage therapist providing complementary or alternative healthcare treatment pursuant to section 456.41(2)(a), Florida Statutes must:

- (1) inform the patient of the nature of the proposed massage therapy treatment, the benefits and risks of the treatment, and any contraindications associated with the treatment to the extent necessary for the patient to make an informed and prudent decision regarding the treatment; and
- (2) inform the patient of the practitioner’s education, experience and credentials in relation to the massage therapy treatment to be provided as a complementary or alternative healthcare treatment; and
- (3) create and maintain a patient care record pursuant to section 456.41(4), Florida Statutes, which must include:
 - (a) demographic information sufficient to differentiate the record from other patient care records;
 - (b) the method or methods of assessment used;
 - (c) description of the patient’s condition;
 - (d) the proposed treatment plan to be administered and any contraindications;
 - (e) the expected outcomes of the treatment or treatments in the treatment plan;
 - (f) the expected duration of treatment or treatments in the treatment plan; and
 - (g) the informed consent and signature of the patient to receive the complementary or alternative healthcare treatment.

Rulemaking Authority 480.035(7), FS. Law implemented 456.41, FS. History–New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Massage Therapy
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 2021
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 22, 2021

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:
64B7-23.011 Misconduct and Negligence in the Practice of Massage Therapy.

PURPOSE AND EFFECT: The Board proposes the rule promulgation to massage therapy rules consistent with HB 245.
SUMMARY: To reorganize and clarify massage therapy rules consistent with HB 245.

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: 480.035(7), FS.
LAW IMPLEMENTED: 480.046(1)(i), 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: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-23.011 Misconduct and Negligence in the Practice of Massage Therapy

Failure to practice massage therapy with the level of care, skill and treatment which is recognized by a reasonably prudent similar massage therapist as acceptable under similar conditions and circumstances constitute misconduct and negligence in the practice of massage therapy. Acts of misconduct or negligence include:

- (1) Failure to properly assess the patient;
- (2) Failure to explain draping techniques to the patient;
- (3) Failure to appropriately drape the patient;
- (4) Failure to attain informed consent from the patient, the patient’s parent, or the patient’s guardian for massage therapy treatment;
- (5) Failure to attain specific informed consent from the patient, the patient’s parent, or the patient’s guardian before undraping a patient;
- (6) Undraping a patient in a manner inconsistent with the specific informed consent given;
- (7) Administering treatment which poses a significant health risk to the patient;
- (8) Administering treatment in a negligent manner;
- (9) Administering treatment which the massage therapist is not competent by training or experience to perform;
- (10) Administering treatment which the massage therapist is not qualified by training or experience to perform;
- (11) Violating the confidentiality of information or knowledge concerning a patient;
- (12) Offering massage therapy at a sporting event, convention, or trade show without obtaining the written approval of the owner or property manager of the site of the sporting event, convention or trade show or the organizer of the sporting event, convention, or trade show.

Rulemaking Authority 480.035(7), FS. Law implemented 480.046(1)(i), FS. History–New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Massage Therapy
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 2021
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 22, 2021

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:
 64B7-24.021 Place of Practice Defined

PURPOSE AND EFFECT: The Board proposes the rule promulgation to massage therapy rules consistent with HB 245.
 SUMMARY: To reorganize and clarify massage therapy rules consistent with HB 245.

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: 456.035, FS.

LAW IMPLEMENTED: 456.035, 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: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-24.021 Place of Practice Defined.

Rulemaking Authority 456.035 FS. Law Implemented 456.035 FS. History—New 2-18-16, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Massage Therapy
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 2021

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:
 64B7-26.003 Massage Establishment Operations

PURPOSE AND EFFECT: The Board proposes the rule promulgation to massage therapy rules consistent with HB 245.
 SUMMARY: To reorganize and clarify massage therapy rules consistent with HB 245

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: 480.035(7), 480.043(3), FS.

LAW IMPLEMENTED: 480.043(3), FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-26.003 Massage Establishment Operations.

(1) General Requirements. Each establishment must ~~meet the following facility requirements:~~

(a) Carry current property damage and bodily injury liability insurance. A copy of the current insurance policy must be kept at the establishment.

~~(b)(a) Comply with all municipal building and zoning code requirements.~~

(c) Conspicuously display the current massage establishment license in the establishment in open public view.

(d) Conspicuously display, in open public view, the license or a photocopy thereof, of each massage therapist practicing in the establishment.

(e) Conspicuously display the required human trafficking signage in compliance with Sections 456.0341(3) and 480.043(13), F.S.

(f) Ensure all advertisement meets the requirements of Rule 64B7-33.001, F.A.C. and Section 480.0465, F.S.

(2) Facility Requirements. Each establishment must:

~~(a)(b) Provide restroom facilities. This requirement may be met by centralized restroom facilities within three hundred feet of the massage establishment for establishments which resides in buildings that are so equipped. Restroom facilities must which include at a minimum:~~

1. through 4. No Change.

5. One wWaste receptacle.

~~(c) Centralized restroom facilities within three hundred feet of the massage establishment may be substituted for establishments which reside in buildings that are so equipped.~~

~~(b)(d) If the establishment is When equipped with a whirlpool bath, sauna (including wet, dry and infrared), steam cabinet or steam room, (including wet, dry and infrared), provide shower facilities must be provided, which including: includes at a minimum:~~

1. through 2. No Change.

~~(c)(e) Provide lavatory facilities in each treatment room, or within twenty feet of each treatment room which include either at a minimum:~~

1. through 2. No Change.

~~(d)(f) Keep Maintain all facilities in good repair, well-lighted and properly ventilated.~~

~~(3)(2) Safety Requirement. Each establishment must meet the following safety requirements:~~

(a) through (b) No Change.

~~(4)(3) Sanitary Requirements. Each establishment must meet the following sanitary requirements:~~

(a) through (b) No Change.

~~(5)(4) Requirements for Equipment and Supplies. Each establishment must meet the following requirements for equipment and supplies used in the practice of massage therapy:~~

~~(a) Maintain a All equipment intended for used to in the performance of administer massage therapy treatment services must be maintained in a safe and sanitary condition.~~

~~(b) Maintain massage table surfaces. Massage table surfaces must be made of, or covered by, a non-porous, non-absorbent material that is free from rips or tears.~~

~~(c) Disinfect massage table surfaces after each patient. Non porous, non absorbent massage table surface or covering must be disinfected after each client.~~

~~(d) Change table coverings after each patient, if the massage table surface is additionally covered by sheets, towels, or any other absorbant coverings in addition to a non porous, non absorbent material, such covering must be changed after each client.~~

~~(e) Maintain a sufficient supply of clean drapes for each patient client while receiving massage therapy treatment. services are performed.~~

~~"Drapes," as used herein, may include, but shall not be limited to: towels, gowns, sheets, linens, and clothing.~~

~~(f) Launder all dDrapes and other materials furnished for used by the client must be laundered before reuse.~~

~~(6)(5) Colonic Irrigation Requirements. Establishments which provide colonic irrigation must:~~

(a) through (b) No Change.

~~(6) Each establishment shall maintain property damage and bodily injury liability insurance. The original or a copy of such policy shall be current and available on the premises of the establishment.~~

Rulemaking Authority 480.035(7), 480.043(3) FS. Law Implemented 480.043(3) FS. History—New 11-27-79, Amended 10-13-81, 9-10-84, 9-25-85, Formerly 21L-26.03, Amended 4-30-87, 6-12-89, 8-15-89, 5-31-92, 11-2-92, Formerly 21L-26.003, 61G11-26.003, Amended 2-16-99, 11-4-99, 6-8-00, 2-25-20, 7-18-21, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Massage Therapy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 22, 2021

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-26.004 Inspection Upon Application for License

PURPOSE AND EFFECT: The Board proposes the rule promulgation to massage therapy rules consistent with HB 245.

SUMMARY: To reorganize and clarify massage therapy rules consistent with HB 245

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: 480.043(1), (2), (3), FS.

LAW IMPLEMENTED: 480.043(2), (4), FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-26.004 Inspections Upon Application for License.

(1) Upon receipt of an application, fee payment, and all required documentation for a massage establishment license,

~~employees of the Department shall cause an inspection to be made of the site, premises, or portion thereof listed on the application. Such inspection shall be to confirm that the site, premises, or portion thereof is to be used utilized for “massage therapy” as defined by Section 480.033(4)-(11), F.S., and that the site, premises, or portion thereof meets the requirements of criteria enunciated in Rule 64B7-26.003, F.A.C., are satisfied.~~

(2) The Department shall make periodic inspections of all massage therapy establishments licensed in this state on an annual or more frequent basis. Such inspection shall include, but not be limited to, whether the establishment is in compliance with Rule 64B7-26.003, F.A.C., governing the establishment’s operation facilities, personnel, safety, sanitary requirements, and a review of existing insurance coverage.

Rulemaking Authority 480.043(1), (2) FS. Law Implemented 480.043(2), (4) FS. History—New 11-27-79, Formerly 21L-26.04, 21L-26.004, Amended 1-9-95, 3-9-95, Formerly 61G11-26.004, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Massage Therapy

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Board of Massage Therapy

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: October 29, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: November 23, 2021

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-26.005 Periodic Inspections

PURPOSE AND EFFECT: The Board proposes the rule promulgation to massage therapy rules consistent with HB 245.

SUMMARY: To reorganize and clarify massage therapy rules consistent with HB 245

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: 480.043(2), (9), FS.

LAW IMPLEMENTED: 480.043, 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: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-26.005 Periodic Inspections.

Rulemaking Authority 480.043(2), (9) FS. Law Implemented 480.043 FS. History—New 11-27-79, Formerly 21L-26.05, Amended 4-30-87, Formerly 21L-26.005, 61G11-26.005, Amended 1-26-00, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Massage Therapy

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Board of Massage Therapy

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: October 29, 2021

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-28.008 Display of Licenses

PURPOSE AND EFFECT: The Board proposes the rule promulgation to massage therapy rules consistent with HB 245.

SUMMARY: To reorganize and clarify massage therapy rules consistent with HB 245.

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: 480.035(7), FS.

LAW IMPLEMENTED: 456.072(1)(t), 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: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-28.008 Display of Licenses.

Rulemaking Authority 480.035(7) FS. Law Implemented 456.072(1)(t) FS. History—New 4-21-86, Formerly 21L-28.008, 61G11-28.008, Amended 1-26-00, 5-8-12, Repeal.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Massage Therapy

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Board of Massage Therapy

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: October 29, 2021

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-30.001 Misconduct and Negligence in the Practice of Massage Therapy

PURPOSE AND EFFECT: The Board proposes the rule promulgation to massage therapy rules consistent with HB 245.

SUMMARY: To reorganize and clarify massage therapy rules consistent with HB 245.

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: 480.035(7), 480.046(1)(i), FS.

LAW IMPLEMENTED: 480.032, 480.046(1), (2), FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-30.001 Misconduct and Negligence in the Practice of Massage Therapy.

Rulemaking Authority 480.035(7), 480.046(1)(i) FS. Law Implemented 480.032, 480.046(1), (2) FS. History—New 9-5-84, Amended 9-25-85, 1-1-86, Formerly 21L-30.01, Amended 3-26-87, 1-29-89, 11-15-92, Formerly 21L-30.001, Amended 2-13-95, Formerly 61G11-30.001, Amended 9-14-98, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Massage Therapy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 2021

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-32.003 Minimum Requirements for Board Approved Massage Therapy Schools

PURPOSE AND EFFECT: The Board proposes the rule promulgation to massage therapy rules consistent with HB 245.

SUMMARY: To reorganize and clarify massage therapy rules consistent with HB 245

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: 480.033(9), 480.035(7), FS.

LAW IMPLEMENTED: 480.033(9), 480.041(1)(b), 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: Kama Monroe, Executive Director,

Board of Massage Therapy, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-32.003 Minimum Requirements for Board Approved Massage Therapy Schools.

(1) In order to receive and maintain Board approval, in-state schools, and any satellite location of a previously approved in-state school, must:

(a) through (b) No Change.

(c) Offer a course of study that includes, all required hours in each subject area listed below in chart A, except that from March 1, 2020 to ~~March 31, 2022~~ December 31, 2023 some hours may be delivered as instruction hours as detailed in chart B. All hours must be completed at a rate of no more than 6 hours per day and no more than 30 hours per calendar week:

Chart A Minimum Course of Study Requirements

Subject Area	Required Classroom Hours
Anatomy and Physiology	150
Basic Massage Therapy Theory and History	100
Clinical Practicum Massage Therapy	125
Allied Modalities Massage Therapy	76
Business	15
Theory and Practice of Hydrotherapy	15
Florida Laws and Rules Governing Massage Therapy Practice (Chapters 456 and 480, F.S., and Rule Title 64B7, F.A.C.)	10
Professional Ethics	4
HIV/AIDS Education	3
Prevention of Medical Errors	2

Chart B Minimum Course of Study Requirements (March 1, 2020 – December 31, 2023)

Subject Area	Required Classroom Hours	Total Required Hours (classroom and instruction)
Anatomy and Physiology	0	150 hours
Basic Massage Theory and History	75	100 hours
Clinical Practicum	125	125 hours
Allied Modalities	76	76 hours
Business	0	15 hours
Theory and Practice of	12	15 hours

Hydrotherapy		
Florida Laws and Rules Governing Massage Therapy Practice (Chapters 456 and 480, F.S., and Rule Title 64B7, F.A.C.)	0	10 hours
Professional Ethics	0	4 hours
HIV/AIDS Education	0	3 hours
Prevention of Medical Errors	0	2 hours

(d) No Change.

1. through 5. No Change.

Rulemaking Authority 480.033(9), 480.035(7) FS. Law Implemented 480.033(9), 480.041(1)(b) FS. History—New 3-25-86, Amended 8-15-89, 12-22-92, Formerly 21L-32.003, Amended 10-20-96, Formerly 61G11-32.003, Amended 8-16-98, 10-30-07, 4-25-10, 5-8-12, 3-21-18, 8-31-20, 11-4-21, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Massage Therapy
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 2021
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 23, 2021

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

- RULE NOS.: RULE TITLES:
5K-4.020 Food Permits; Requirements and Fees
5K-4.035 Guidelines for Imposing Administrative Penalties
5K-4.045 Sale or Distribution of Polystyrene

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 47 No. 216, November 5, 2021 issue of the Florida Administrative Register.

PURPOSE AND EFFECT: The Department has determined that polystyrene packaging exposes food and beverages to contaminants that are hazardous to human health. The purpose of this rulemaking is to establish regulations that phaseout the sale or distribution of food or beverages in polystyrene packaging at food establishments permitted under Chapter 500, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that revisions to rules 5K-4.020 and .035 and the creation of .045 will 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 been prepared by the Agency.

The SERC concludes that economic impacts are likely to be incurred by affected entities as a result of the proposed rules. The SERC concluded that the rules will likely directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in Florida within one year after implementation. The SERC concluded that the rules will likely have an adverse impact on economic growth, private-sector job creation or employment, private sector investment, business competitiveness, productivity, or innovation in excess of \$1 million in the aggregate within five years of implementation. The SERC concluded that the rules will have an adverse impact on small business but will have a negligible impact on small cities or small counties. No regulatory alternatives have been submitted pursuant to Section 120.541(1)(a), F.S.

The Agency has determined that the proposed rules are 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:

**Section IV
Emergency Rules**

NONE

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

DEPARTMENT OF MANAGEMENT SERVICES

Public Employees Relations Commission

RULE NO.: RULE TITLE:

60CC-4.002 Ratification by Members of Bargaining Unit

The Public Employees Relations Commission hereby gives notice: On December 3, 2021, the Public Employees Relations Commission issued a final order in Case No. MS-2021-049 granting an unopposed emergency petition for variance from Florida Administrative Code Rule 60CC-4.002 filed by Jennifer Robinson and the United Faculty of Florida. The variance allows the Petitioners to conduct all aspects of a ratification election electronically. The Public Employees Relations

Commission determined that the Petitioners had demonstrated an emergency existed and that they would suffer a substantial hardship if the variance was not granted. The petition was filed on November 22, 2021, and the notice of receipt of the petition was published on November 23, 2021, on the Commission’s website and in Volume 47, Number 227 F.A.R. No comments were received on the petition.

A copy of the Order or additional information may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256.

**Section VI
Notice of Meetings, Workshops and Public
Hearings**

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: December 8, 2021, 9:00 a.m. – 4:00 p.m.

PLACE: Online GoTo Meeting

GoToMeeting: (669)224-3412, Access Code: 519-574-061, <https://global.gotomeeting.com/join/519574061>

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Transportation Plan general committee discussion: draft of the SIS Plan, partnerships, 2022 Committee schedule.

A copy of the agenda may be obtained by contacting: Paula San Gregorio, (850)414-4811.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact Paula San Gregorio at (850)414-4811 at least one day before meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

The Florida Prepaid College Board announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 7, 2021, 8:30 a.m. ET

PLACE: This public meeting will be conducted via Microsoft Teams: <https://bit.ly/3r405Xy>

GENERAL SUBJECT MATTER TO BE CONSIDERED:
NOTE: THIS MEETING HAS BEEN CANCELLED. Please see Notice ID 25315271 for original posting.

The Negotiation Team will recommend contract award for Invitation to Negotiate, ITN 21-03, Contact Center Services for the Stanley G. Tate Florida Prepaid College Program and the Florida 529 Savings Program.

A copy of the agenda may be obtained by contacting: The Florida Prepaid College Board, ITN Administrator by email at ITNinfo.Prepaid@MyFloridaPrepaid.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 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).

**PUBLIC SERVICE COMMISSION
FAR NOTICE OF COMMISSION WORKSHOP**

The Florida Public Service Commission announces a virtual public workshop in the following matter to which all persons are invited.

DATE AND TIME: Tuesday, December 21, 2021, 11:00 a.m.

PLACE: Registered customers and other interested persons will participate by telephone using the GoToMeeting Platform. The public may view a live stream of the customer meeting online using the link available at <http://www.floridapsc.com/Conferences/AudioVideoEventCoverage>

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Docket No. 20210190-TP - Petition on behalf of the Florida telecommunications industry for expeditious approval of the industry's consensus recommendation to implement Alternative No. 1, the all-services distributed overlay of the 305/786 NPA overlay, by North American Numbering Plan Administrator.

The purpose of the workshop is to give customers and other interested persons an opportunity to offer comments and concerns to Commission staff regarding the petition for approval of industry's consensus decision to recommend an all-services overlay as a form of relief for the 305/786 area codes. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting. For questions, contact Commission staff, Sakina Deas, at (850)413-6504, sdeas@psc.state.fl.us.

Persons wishing to comment at the customer meeting must register by contacting the Commission via email at speakersignup@psc.state.fl.us or calling (850)413-7080, preferably two business days prior to the meeting. After registering to comment, either by email or phone, registrants will be provided further instructions on how to participate,

including the call-in number. Those who would like to participate by audio only may call (850)413-7999 to listen to the meeting.

The workshop will be governed by the provisions of Chapter 120, Florida Statutes, Chapter 364.16, Florida Statutes, and Chapters 25-22 and 28-102, Florida Administrative Code.

ADA: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the workshop at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770, (Florida Relay Service, 1(800)955-8770 Voice or 1(800)955-8771 TDD).

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

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

The Department of Financial Services, Division of State Fire Marshal announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 15, 2021, 10:00 a.m.

PLACE: Division of State Fire Marshal, GoToMeeting, Tallahassee, FL 32303, Florida Fire Safety Board (Special 5th Meeting), Wednesday, December 15, 2021, 9:30 a.m. – 11:30 a.m. ET

Please join my meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/443765549>
You can also dial in using your phone. United States (Toll Free): 1(877)309-2073, United States: (571)317-3129, Access Code: 443-765-549

Join from a video-conferencing room or system. Dial in or type: 67.217.95.2 or inroomlink.goto.com, Meeting ID: 443 765 549 or dial directly: 443765549@67.217.95.2 or 67.217.95.2##443765549

New to GoToMeeting? Get the app now and be ready when your first meeting starts: <https://global.gotomeeting.com/install/443765549>

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Quarterly meeting of the Florida Fire Safety Board

A copy of the agenda may be obtained by contacting: Jenita Hicks-Zellars, Division of State Fire Marshal, Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines

Street, Tallahassee, FL 32399-0342, or by calling her at (850)413-3643.

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: Jenita Hicks-Zellars, Division of State Fire Marshal, Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, FL 32399-0342, or by calling her at (850)413-3643. 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: Jenita Hicks-Zellars, Division of State Fire Marshal, Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, FL 32399-0342, or by calling her at (850)413-3643.

DEPARTMENT OF FINANCIAL SERVICES
Division of Funeral, Cemetery, and Consumer Services

RULE NO.: RULE TITLE:

69K-13.001 General Provisions

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

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

PLACE: Please join my meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/918678597>

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

United States (Toll Free): 1(877)309-2073, One-touch: tel:+18773092073,,918678597#

United States: (646)749-3129, One-touch: tel:+16467493129,,918678597#, Access Code: 918-678-597

Join from a video-conferencing room or system. Dial in or type: 67.217.95.2 or inroomlink.goto.com, Meeting ID: 918 678 597 or dial directly: 918678597@67.217.95.2 or 67.217.95.2##918678597

GENERAL SUBJECT MATTER TO BE CONSIDERED: The proposed rulemaking will update building requirements for structures used for interment, entombment and inurnment. The rulemaking conforms these building requirements to the Florida Building Code. The rulemaking will also remove unnecessary language.

A copy of the agenda may be obtained by contacting: Ellen Simon, Assistant Director, Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services, (850)413-4985.

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: Ellen Simon, Assistant Director, Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services, (850)413-4985. 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: Ellen Simon, Assistant Director, Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services, (850)413-4985.

DEPARTMENT OF FINANCIAL SERVICES
Division of Funeral, Cemetery, and Consumer Services

RULE NO.: RULE TITLE:

69K-5.0024 Remittances to the Regulatory Trust Fund

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

DATE AND TIME: December 21, 2021, 10:30, a.m.

PLACE: Please join my meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/918678597>

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

United States (Toll Free): 1(877)309-2073, One-touch: tel:+18773092073,,918678597#

United States: (646)749-3129, One-touch: tel:+16467493129,,918678597#, Access Code: 918-678-597

Join from a video-conferencing room or system. Dial in or type: 67.217.95.2 or inroomlink.goto.com, Meeting ID: 918 678 597 or dial directly: 918678597@67.217.95.2 or 67.217.95.2##918678597

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department will discuss clarifications to how stakeholders make remittances to the Regulatory Trust Fund. The Department will discuss forms for stakeholders to make remittances through the Online Quarterly Preneed Remittance System.

A copy of the agenda may be obtained by contacting: Ellen Simon, Assistant Director, Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services, (850)413-4985.

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: Ellen Simon, Assistant Director, Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services, (850)413-4985. 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: Ellen Simon, Assistant Director, Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services, (850)413-4985.

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NOS.:RULE TITLES:

69K-21.008 Notification of Change in Funeral Director in Charge.

69K-21.009 Disinterment Reporting.

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

DATE AND TIME: December 21, 2021, 11:00 a.m.

PLACE: Please join my meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/918678597>

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

United States (Toll Free): 1(877)309-2073, One-touch: tel:+18773092073,,918678597#

United States: (646)749-3129, One-touch: tel:+16467493129,,918678597#, Access Code: 918-678-597

Join from a video-conferencing room or system. Dial in or type: 67.217.95.2 or inroomlink.goto.com, Meeting ID: 918 678 597 or dial directly: 918678597@67.217.95.2 or 67.217.95.2##918678597

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department will discuss requirements for certain reporting and documentation after disinterment of decedents and requirements for changes to directors in charge at funeral homes. The Department will discuss the requirements and delete unnecessary language.

A copy of the agenda may be obtained by contacting: Ellen Simon, Assistant Director, Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services, (850)413-4985.

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: Ellen Simon, Assistant Director, Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services, (850)413-4985. 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: Ellen Simon, Assistant Director, Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services, (850)413-4985.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

DATE AND TIME: December 15, 2021, 9:30 a.m.

PLACE: Reemployment Assistance Appeals Commission, 1211 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301. Attendance by telephone is also available by calling (850)988-5144 and entering phone conference ID: 858 258 410 #.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Disposition of cases pending before the Reemployment Assistance Appeals Commission, and the Chairman's report. No public testimony will be taken.

A copy of the agenda may be obtained by contacting: the office of the Reemployment Assistance Appeals Commission at RAAC.Inquiries@deo.myflorida.com or by visiting <https://www.floridajobs.org/Reemployment-Assistance-Service-Center/reemployment-assistance-appeals-commission/about-the-reemployment-assistance-appeals-commission/raac-notice>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: The Commission Clerk at (850)692-0180. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: The Commission Clerk at (850)692-0180.

CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.

The Center for Independent Living in Central Florida, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: December 15, 2021, 8:00 a.m.

PLACE: 720 North Denning Drive, Winter Park FL 32789

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governance Committee Meeting

A copy of the agenda may be obtained by contacting: Maria Diaz, (407)961-5541.

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: Maria Diaz, (407)961-5541. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA LIFE & HEALTH INSURANCE GUARANTY ASSOCIATION

The Florida Life & Health Insurance Guaranty Association announces a public meeting to which all persons are invited.

DATE AND TIME: December 10, 2021, 2:00 p.m. ET

PLACE: Video/Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED:

General matters of the Association

A copy of the agenda may be obtained by contacting: Brad Taman, (919)833-6838.

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: Brad Taman, (919)833-6838. 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).

QUEST CORPORATION OF AMERICA, INC.

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

DATE AND TIME: Thursday, December 16, 2021, 5:30 p.m.

PLACE: Virtually on GoTo Webinar; By phone at 1(877)309-2074 with passcode 331-745-088; In-Person at Calvary Baptist Church

GENERAL SUBJECT MATTER TO BE CONSIDERED: A community workshop will be held regarding project plans on U.S. 1 from Post Road to Pineda Causeway. (FPID nos. 445215-1 and 444992-1)

The purpose of the workshop is to hear community input about potential ways to encourage slower driving speeds and enhance safety along the corridor.

The Department is offering multiple ways for the community to participate in the workshop. All participants, regardless of platform they choose, will receive the same information on the proposed project.

Virtual Option: Interested persons may join the Virtual Public Meeting (VPM) from a computer, tablet, or mobile device. A VPM is a free live presentation or webinar over the internet. For this option, advance registration is required by visiting https://bit.ly/3n1ZbbF. Once registered, participants will receive a confirmation email containing information about joining the workshop online. Please note, Internet Explorer cannot be used to register or attend this webinar. If joining online, please allow adequate log-in time to view the presentation in its entirety.

Phone Option (Listen Only): Participants may join the workshop in listen-only mode by dialing 1(877)309-2074 and entering the passcode 331-745-088 when prompted.

In-Person Open House Option: Participants may attend in person by going to Calvary Baptist Church – Fellowship Hall, 2980 Wickham Road, Melbourne, FL 32935 anytime between 5:30 p.m. – 7:00 p.m. If attending in person, please remember to follow all safety and sanitation guidelines. If you are feeling unwell, please consider attending the workshop virtually or by phone.

All workshop materials, including the presentation, will be available on the project websites at www.cflroads.com/project/445215-1 and www.cflroads.com/project/444992-1 prior to the workshop.

FDOT is sending notices to all property owners, business owners, interested persons and organizations to provide the opportunity to offer comments and express their views regarding this project and the proposed improvements.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting Jennifer Smith, FDOT District Five Title VI Coordinator, at Jennifer.Smith2@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: Not applicable

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: FDOT Manager Gene Varano at (386)943-5145, or by email at Gene.Varano@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: FDOT Manager Gene Varano by phone at (386)943-5145, by email at Gene.Varano@dot.state.fl.us, or U.S. mail at Florida Department of Transportation, 719 South Woodland Boulevard, M.S. 542, DeLand, FL 32720. Information about this project is also available online at www.cflroads.com. Simply type 445215-1 or 444992-1 in the search box, click “go” and then select the project.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

NONE

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

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL
 FDDC Opens Five New Funding Opportunities (Notice of Funds Available/Invitations for Proposals)
 FDDC Opens Five New Funding Opportunities (Notice of Funds Available/Invitations for Proposals)
 The Florida Developmental Disabilities Council, Inc. (FDDC) has opened five new competitive funding opportunities for qualified applicants.
 The FDDC was established in Florida Statutes to implement the federal Developmental Disabilities and Bill of Rights Act. Funds for the FDDC’s work are provided through the federal Administration for Community Living, United States Department of Health and Human Services.
 The five opportunities listed below are designed to help the Council meet important priorities outlined in its 2022-2026

five-year state plan <https://www.fddc.org/wp-content/uploads/2021/09/FDDC-Five-Year-Plan-2022.pdf>

The following is a list of the funding opportunities available:
 IFP 2021-AS-2000

Research and Development for a Statewide Access to Services Information System
 \$750,000

- This project seeks to conduct the research and planning necessary to advance the goal of creating an Access to Services through Knowledge (ASK) information and resource delivery system for individuals with intellectual and developmental disabilities (I/DD) and their families across the lifespan. The project will require significant collaboration with the Florida DD Network and the Family Care Councils. Additionally, research into existing web-based platforms will be conducted and culminate in a report on options for using an existing platform or creating a new, user-friendly platform to house the repository of resources.

Contingent upon federal funding allocations and performance, this project is slated for annual continuation through September 30, 2026. (See IFP for specific continuation funding projections.)

IFP 2021-HCS-3000

Addressing the Behavior Therapist Shortage
 \$200,000

- This project seeks to identify and address the underlying factors that contribute to the shortage of behavioral therapists at all credentialing levels and offer recommendations for systems change.

Contingent upon federal funding allocations and performance, this project is slated for annual continuation through September 30, 2024. (See IFP for specific continuation funding projections.)

IFP 2021-HCS-4000

Establishing a Provider Pool
 \$500,000

- This project seeks to increase access to personal support services for persons with intellectual and developmental disabilities and their families that could be paid for with private or public dollars. This will be achieved by developing a qualified provider pool for personal care, companion, and/or respite services in the State’s billable categories.

Contingent upon federal funding allocations and performance, this project is slated for annual continuation through September 30, 2026. (See IFP for specific continuation funding projections.)

IFP 2021-HCS-5000

Best Practices in Case Management
 \$325,000

- This project seeks to develop indicators of quality case management and create a checklist to standardize the delivery

of case management activities. The goal is to establish and fully implement a best practice, quality case management system for all individuals with intellectual and developmental disabilities that will enable them to remain in their homes and communities through an improved system of care and delivery of services. Contingent upon federal funding allocations and performance, this project is slated for annual continuation through September 30, 2026. (See IFP for specific continuation funding projections.)

IFP 2021-HCS-6000
 Measuring Service Quality
 \$325,000

This project seeks to develop metrics that will measure quality of service delivery to assist families and providers in choosing the best living environment and services for persons with an intellectual and/or developmental disability. Contingent upon federal funding allocations and performance, this project is slated for annual continuation through September 30, 2026. (See IFP for specific continuation funding projections.)

Eligibility & Requirements

Proposals must be received electronically by January 19, 2022, 4:00 p.m. ET and shall be electronically submitted via FDDC’s Dropbox found on our Invitations for Proposals webpage <https://www.fddc.org/invitation-for-proposals/> No hard copies will be accepted. Late submissions will not be accepted for any reason.

Results will be posted on the FDDC website on March 7, 2022 and the winning proposer will be notified by email after 5:00 p.m. ET on March 11, 2022.

Federal regulations limit and restrict the ability of individuals or entities debarred or suspended by a Federal Agency from doing business with, or contracting for the use of federal funds with, the Council. See 29 CFR, Part 98; 45 CFR, Part 76.

Restrictions on Communication

For purposes of this solicitation, the FDDC has established a solicitation silence policy (i.e., Cone of Silence) that prohibits oral and written communication regarding all formal solicitations for goods or services (e.g., formal proposals, Request for Proposals, Invitation for Proposals, Request for Bids) issued by the FDDC with the exception of the formal written questions that may be submitted as described below.

Questions are to be submitted in written format only and must reference the specific IFP # and Name of the proposal for which you are applying. All questions are to be sent to proposal@fddc.org by December 14, 2021, 4:00 p.m. ET. This is a legal process, and we cannot answer questions verbally.

Answers to any questions received will be posted on the FDDC website (fddc.org) by December 20, 2021.

The FDDC

The Florida Developmental Disabilities Council, Inc. (FDDC) operates under the federal Developmental Disabilities and Bill of Rights Act of 2000. Funding is provided through the Administration for Community Living, whose fundamental principle is that older adults and people of all ages with disabilities should be able to live where they choose, with the people they choose, and with the opportunity to participate fully in their communities.

The FDDC is a member of a national network of state councils that have existed for more than 50 years. The main purpose of Florida’s Governor appointed Council is to leverage federally appropriated dollars to facilitate major systems change, affect policy, build capacity within existing and future delivery systems, and advocate with, and on behalf of, individuals with intellectual and developmental disabilities.

In Florida, we are the only funded, independent entity with the authority to facilitate collaborative partnerships among all state agencies, universities, and disability organizations, and have the designated authority to advocate with the Executive branch and the Legislature.

The Council’s priorities emerged from national and state-wide data and stakeholder input from persons with intellectual and developmental disabilities, their families, and the people who support them.

For more details & how to apply, please visit <https://www.fddc.org/invitation-for-proposals/>

**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., Tuesday, November 30, 2021 and 3:00 p.m., Monday, December 6, 2021.

Rule No.	File Date	Effective Date
2ER21-1	12/2/2021	12/2/2021
53ER21-61	12/1/2021	12/1/2021
53ER21-62	12/2/2021	12/2/2021
53ER21-63	12/2/2021	12/2/2021
53ER21-64	12/2/2021	12/2/2021
53ER21-65	12/2/2021	12/2/2021
59G-4.251	11/30/2021	12/20/2021

61-31.101	11/30/2021	12/20/2021
61-35.017	11/30/2021	12/20/2021
61-35.012	11/30/2021	12/20/2021
61G20-1.001	12/6/2021	12/26/2021
61H1-29.003	12/3/2021	12/23/2021
61H1-33.003	12/3/2021	12/23/2021
61H1-33.006	12/3/2021	12/23/2021
64-4.013	11/30/2021	12/20/2021
64-4.207	11/30/2021	12/20/2021
64-4.212	11/30/2021	12/20/2021
64-4.213	11/30/2021	12/20/2021
64B5-15.008	11/30/2021	12/20/2021
64B5-15.012	11/30/2021	12/20/2021
64B10-16.001	12/1/2021	12/21/2021
64B32-5.001	12/1/2021	12/21/2021
64ER21-19	12/1/2021	12/1/2021
69A-37.501	12/1/2021	12/21/2021
69A-37.502	12/1/2021	12/21/2021
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
60P-1.003	11/5/2019	**/**/****
60P-2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
62-600.405	11/16/2021	**/**/****
62-600.705	11/16/2021	**/**/****
62-600.720	11/16/2021	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.020	10/22/2021	**/**/****

Section XIII Index to Rules Filed During Preceding Week

INDEX TO RULES FILED BETWEEN
NOVEMBER 29, 2021 AND DECEMBER 3, 2021

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF LEGAL AFFAIRS

2ER21-1 12/2/21 12/2/21 47/233

DEPARTMENT OF THE LOTTERY

53ER21-61 12/1/21 12/1/21 47/233
 53ER21-62 12/2/21 12/2/21 47/233
 53ER21-63 12/2/21 12/2/21 47/233
 53ER21-64 12/2/21 12/2/21 47/233
 53ER21-65 12/2/21 12/2/21 47/233

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

59G-4.251 11/30/21 12/20/21 47/189

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

61-31.101 11/30/21 12/20/21 47/194
 61-35.012 11/30/21 12/20/21 47/176
 61-35.017 11/30/21 12/20/21 47/194

Board of Accountancy

61H1-29.003 12/3/2021 12/23/21 47/207
 61H1-33.003 12/3/2021 12/23/21 47/203
 61H1-33.006 12/3/2021 12/23/21 47/203

DEPARTMENT OF HEALTH

64ER21-19 12/1/21 12/1/21 47/233
 64-4.013 11/30/21 12/20/21 47/171
 64-4.207 11/30/21 12/20/21 47/171
 64-4.212 11/30/21 12/20/21 47/171
 64-4.213 11/30/21 12/20/21 47/171

Board of Dentistry

64B5-15.008 11/30/21 12/20/21 47/211
 64B5-15.012 11/30/21 12/20/21 47/211

Board of Nursing Home Administrators

64B10-16.001 12/1/21 12/21/21 47/201

Board of Pharmacy

64B16-28.100 11/29/21 12/19/21 47/210

Board of Respiratory Care

64B32-5.001 12/1/21 12/21/21 47/175 47/218

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

69A-37.501 12/1/21 12/21/21 47/172

69A-37.502 12/1/21 12/21/21 47/172

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

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

60FF1-5.009 7/21/2016 **/**/**** 42/105

Division of State Employees' Insurance

60P-1.003 11/5/2019 **/**/**** 45/191

60P-2.002 11/5/2019 **/**/**** 45/191

60P-2.003 11/5/2019 **/**/**** 45/191

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-600.405 11/16/2021 **/**/**** 45/180

62-600.705 11/16/2021 **/**/**** 45/180

62-600.720 11/16/2021 **/**/**** 45/180

DEPARTMENT OF HEALTH

Board of Medicine

64B8-10.003 12/9/2015 **/**/**** 39/95 41/49

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

69L-7.020 10/22/2021 **/**/**** 47/24 47/182

47/118 47/187

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.