Section I
Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION
State Board of Education
RULE NO.: 6A-4.0021
RULE TITLE: Florida Teacher Certification Examinations
PURPOSE AND EFFECT: This rule amendment serves to: 1. Adopt new Florida Teacher Certification Examinations (FTCE) competencies and skills, effective October 1, 2022, for the following FTCE subject areas: Elementary Education K–6; English 6–12; Exceptional Student Education K–12; English for Speakers of Other Languages K–12; General Knowledge Test; Mathematics 6–12; Middle Grades English 5–9; Middle Grades Mathematics 5–9; Prekindergarten/Primary PK–3; Reading K–12; and 2. Update the name of a subject area examination from Guidance and Counseling to School Counseling PK–12 to align with current certification terminology.
SUBJECT AREA TO BE ADDRESSED: Florida Teacher Certification Examinations.
RULEMAKING AUTHORITY: 1012.55(1), 1012.56, 1012.59, FS.
LAW IMPLEMENTED: 1012.55, 1012.56, 1012.59, FS.
A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
DATE AND TIME: February 22, 2021, 10:00 am ET, lasting until the conclusion of business.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Phil Canto, Bureau Chief, Bureau of Postsecondary Assessment, Office of Assessment, Division of Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 414, Tallahassee, FL, 32399, (850)245-0513. To comment on this rule development, please go to https://web02.fldoe.org/rules or contact: Chris Emerson, Director, Office of Executive Management, Department of Education, (850)245-9601 or email Christian.Emerson@fldoe.org.

DEPARTMENT OF HEALTH
Board of Clinical Laboratory Personnel
RULE NO.: 64B3-5.0011
RULE TITLE: Definitions
PURPOSE AND EFFECT: The proposed rule amendments are intended to update the language for definitions.
SUBJECT AREA TO BE ADDRESSED: To update the language.
RULEMAKING AUTHORITY: 483.805, 483.823 FS.
LAW IMPLEMENTED: 483.823 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: Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257.
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH
Board of Clinical Laboratory Personnel
RULE NO.: 64B3-6.002
RULE TITLE: Documentation for Licensure
PURPOSE AND EFFECT: The proposed rule amendments are intended to update the rule language for documentation for licensure.
SUBJECT AREA TO BE ADDRESSED: To update the rule language.
RULEMAKING AUTHORITY: 483.805(4) FS.
LAW IMPLEMENTED: 381.0034, 483.823 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: Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257.
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.
DEPARTMENT OF FINANCIAL SERVICES
OIR – Insurance Regulation

RULE NO.:  69O-136.080
RULE TITLE:  Acquisition of Controlling Stock

RULE NO.:  69O-136.090
RULE TITLE:  Merger, Consolidation, or Acquisition of Controlling Stock, Ownership Interests, Assets, or Control of a Specialty Insurer

PURPOSE AND EFFECT:  Rules 69O-136.080 and 69O-136.090, F.A.C. concern the acquisition of insurers and specialty insurers and incorporates the required forms in Rule 69O-136.100 F.A.C.

SUBJECT AREA TO BE ADDRESSED:  Acquisition of insurers and specialty insurers.

RULEMAKING AUTHORITY:  624.308(1), 624.413(1), 624.413(13), 628.461(15), 628.535 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:  Michael Lawrence, Jr., Chief Legal Counsel, Michael.LawrenceJr@flor.com, (850)413-4112.

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 Clinical Laboratory Personnel

RULE NO.:  64B3-4.001
RULE TITLE:  Trainee Registration

PURPOSE AND EFFECT:  The proposed rule amendments are intended to substantially change the application.

SUMMARY:  To update the application.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY:  456.013, 483.805(4), 483.815 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:  Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-4.001  Trainee Registration.

(1) No change.

(2) An applicant for trainee registration shall apply to the Department Form #DH-MQA 3005 (10/20 0647) “Clinical Laboratory Personnel Trainee Application,” which is incorporated by reference herein copies of which can be obtained from http://www.flrules.org/Gateway/reference.asp?No=Ref-006409 or the Board office at 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257 or from the web http://floridasclinicallabs.gov/applications/app-trainee-clp.pdf.

(3) through (7) No Change.

Rulemaking Authority 456.013, 483.805(4), 483.815 FS. Law Implemented 456.013, 456.0635, 483.809(3), 483.811(2), (3), (4), 483.815-483.825 FS. History—New 7-20-93, Formerly 21KK-4.001, 61F3-4.001, Amended 4-10-96, 7-3-97, Formerly 59O-4.001, Amended 3-19-98, 2-15-01, 3-24-02, 3-30-04, 6-17-09, 5-11-10, 7-20-10, 1-30-12, 12-24-12, 11-25-14, 9-17-17._
NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 20, 2020
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 16, 2020

DEPARTMENT OF HEALTH
Board of Clinical Laboratory Personnel
RULE NO.: RULE TITLE: 64B3-5.008 Public Health Laboratory Personnel
PURPOSE AND EFFECT: The proposed rule amendments are intended to substantially change the application.
SUMMARY: To update the application.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:
The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of $200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency. The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.
RULEMAKING AUTHORITY: 456.013, 483.805(4), 483.815 FS.
LAW IMPLEMENTED: 456.013, 456.0635, 483.812, 483.815 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: Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-5.008 Public Health Laboratory Personnel.
(1) through (3) No change.
(4) All applicants for licensure as a Public Health Laboratory Scientist shall apply to the Department on Form DH-MQA 3001 (10/2020 0647) “Application for Public Health Laboratory Scientist Application,” which is incorporated by reference herein, copies of which can be obtained from http://www.flrules.org/Gateway/reference.asp?No=Ref-08643, or the Board office at 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or from its website at http://floridasclinicallabs.gov/applications/app-public-health-lab-clp.pdf.
Rulemaking Authority 456.013, 483.805(4), 483.815 FS. Law Implemented 456.013, 456.0635, 483.812, 483.815 FS. History–New 5-26-98, Amended 4-20-04, 6-17-09, 5-6-10, 7-20-10, 3-24-13, 9-17-17.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 20, 2020
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 5, 2020

DEPARTMENT OF HEALTH
Board of Clinical Laboratory Personnel
RULE NO.: RULE TITLE: 64B3-6.001 Manner of Application
PURPOSE AND EFFECT: The proposed rule amendments are intended to update the language and substantially change the applications.
SUMMARY: To update the language and applications.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:
The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of $200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency. The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of
Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding the economic impact at that time.

RULEMAKING AUTHORITY: 456.013, 456.0635, 483.805(4) FS.

LAW IMPLEMENTED: 381.0034(3), 456.013, 456.022, 456.033, 456.0635, 483.815, 483.823 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: Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-6.001 Manner of Application
(1) Application forms:
   (a) All applicants for licensure as a Clinical Laboratory Personnel Director shall apply to the Department on Form DH-MQA 3008 (10/2020 03/18) “Application for Clinical Laboratory Personnel Initial & Upgrade Licensure - Director,” http://www.flrules.org/Gateway/reference.asp?No=Ref-09665, which is incorporated by reference herein.
   (b) All applicants for licensure as a Clinical Laboratory Personnel Supervisor shall apply to the Department on Form DH-MQA 3009 (10/2020 03/18) “Application for Clinical Laboratory Personnel Initial & Upgrade Licensure - Supervisor,” http://www.flrules.org/Gateway/reference.asp?No=Ref-09666, which is incorporated by reference herein.
   (c) All applicants for licensure as a Clinical Laboratory Personnel Technologist shall apply to the Department on Form DH-MQA 3011 (10/2020 03/18) “Application for Clinical Laboratory Initial & Upgrade Licensure - Personnel Technologist,” http://www.flrules.org/Gateway/reference.asp?No=Ref-09667, which is incorporated by reference herein.
   (d) All applicants for licensure as a Clinical Laboratory Personnel Technician shall apply to the Department on Form DH-MQA 3010 (10/2020 03/18) “Application for Clinical Laboratory Initial Licensure - Personnel - Technician,” http://www.flrules.org/Gateway/reference.asp?No=Ref-09668, which is incorporated by reference herein.

(e) Any licensee requesting to add a specialty to his or her current license shall apply to the Department on Form DH-MQA 3012 (10/2020 03/18), “Application for Clinical Laboratory Licensure - Personnel Adding Specialty,” http://www.flrules.org/Gateway/reference.asp?No=Ref-09669, which is incorporated by reference herein.

(2) Copies of all application forms can be obtained from the Board office at 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or from the web at http://www.floridasclinicallabs.gov/licensing. The application must be accompanied by the appropriate application fee required by rules 64B3-9.001 and 64B3-9.002, F.A.C.

(3) After one year from the date of the original submission of an application, a new application and fee shall be required from any applicant who desires to be considered for licensure.

(4) With regard to persons who have been issued a social security number by the Federal Government, disclosure of a social security number is mandatory pursuant to section 456.013(1)(a), F.S., and social security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations.

Rulemaking Authority 456.013, 456.0635, 483.805(4) FS. Law Implemented 381.0034(3), 456.013, 456.022, 456.033, 456.0635, 483.815, 483.823 FS. History—New 12-29-93, Formerly 61F3-6.001, Amended 5-29-95, 8-1-95, Formerly 59O-6.001, Amended 8-27-97, 9-20-98, 1-5-00, 3-24-02, 4-13-04, 6-17-09, 7-14-10, 6-14-12, 12-24-12, 8-2-15, 9-17-17, 9-4-18.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 20, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 16, 2020

DEPARTMENT OF HEALTH
Board of Dentistry

RULE NO.: 64B5-10.007

RULE TITLE: Requirements for Reactivation of an Inactive License

PURPOSE AND EFFECT: The Board proposes the rule amendment to remove unnecessary language from the rule.

SUMMARY: Unnecessary language will be removed from the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:
The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of $200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.036, 466.004(4), 466.015 FS.

LAW IMPLEMENTED: 456.036, 466.015 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: Jessica Sapp, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 or Jessica.Sapp@flhealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-10.007 Requirements for Reactivation of an Inactive License.

An inactive license shall be reactivated upon demonstration that the licensee has paid the applicable fees set forth in rule chapter 64B5-15, F.A.C., and has complied with the following requirements:

1. The Department shall not reactivate the license of any dentist or dental hygienist who:
   a. Committed any act or offense in this or any other jurisdiction which would constitute the basis for disciplining a licensee pursuant to section 466.028, F.S.
   b. Failed to comply with the financial responsibility requirements of section 456.048, F.S., and rule 64B5-17.011, F.A.C. (dentists only).
   c. Failed to comply with the provisions of section 456.033, F.S., and rule 64B5-12.019, F.A.C.

Rulemaking Authority 456.036, 466.004(4), 466.015 FS. Law Implemented 456.036, 466.015 FS. History—New 7-12-95, Formerly 59Q-10.007, Amended 5-20-01.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 21, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 20, 2021

DEPARTMENT OF HEALTH
Board of Medicine

RULE NO.: RULE TITLE:
64B8-8.001 Disciplinary Guidelines
PURPOSE AND EFFECT: The Board proposed the rule amendment to clarify existing disciplinary guidelines.

SUMMARY: To clarify existing disciplinary guidelines.

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, 456.47(7), 458.309, 458.331(5) FS.

LAW IMPLEMENTED: 381.986(3)(a), 456.47, 456.50(2), 456.0575, 456.072, 456.079, 458.331(5) 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: Paul Vazquez, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253 or Paul.Vazquez@flhealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-8.001 Disciplinary Guidelines.

(1) No change.

(2) 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 violations set forth below. 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. In addition to the guideline penalties provided herein, if the violation is for fraud or making a false or fraudulent representation, the Board shall impose a fine of $10,000 per count. In no event for the penalties set forth below shall the fine exceed $10,000.00 per count.

<table>
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<th>VIOLATION</th>
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<td>(a) Attempting to obtain, obtaining or renewing a license or certificate by bribery, fraud or</td>
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<td>FIRST OFFENSE</td>
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thorough an error of the Department or the Board. (Section 458.33 1(1)(a), F.S.) (Section 456.07 2(1)(h), F.S.)

1. No change.

2. Attempting to renew a license by bribery or fraud.

<p>| 2. Revo cation of the license and payment of a $5,000.00 fine to revocation and a $10,000.00 fine. If the offense includes an element of fraud or maki | 2. Revo cation | 2. Revocation | |
|---|---|---|</p>
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<tr>
<td>3. Obtaini\ng or renewi\ng a license by bribery or fraud.</td>
<td>3. Revocati\n on of the licens\e and paym\ent of a $5,000.00 fine.</td>
<td>3. Revocation</td>
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<td>ng a false or fraudul\nt represen\tation</td>
<td>$10,000.00 fine.</td>
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Reversion of the license and a $10,000.00 fine. If the offense includes an element of fraud or making a false or fraudulent representation, the fine shall be $10,000.00.

3. No change.

(b) No change.

(c) Guilty of a crime directly relating to practice or ability to practice. (Section 458.33(1)(c), F.S.) (Section 456.07(1)(c), F.S.)

4. No change.

(b) No change.

(c) From probation to revocation or denial of the license. An administrative fine ranging from $7,500.00 to $10,000.00.

1. through 2. No change.

(d) through (e) No change.

(e) From suspension to revocation or denial.
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<td><strong>(f)</strong> Aiding unlicensed practice. (Section 458.331(1)(f), F.S.)</td>
<td><strong>(f)</strong> From suspension to revocation or denial and an administrative fine from $7,500.00 to $10,000.00, unless otherwise provided by law.</td>
<td><strong>(f)</strong> For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm, and a reprimand to revocation or denial.</td>
<td><strong>(f)</strong> For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm, and a reprimand to revocation or denial.</td>
<td><strong>(f)</strong> For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm, and a reprimand to revocation or denial.</td>
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<td><strong>(f)</strong> From suspension to revocation or denial and an administrative fine from $5,000.00 to $10,000.00.</td>
<td>from a letter of concern to revocation or denial, and an administrative fine from $7,500.00 to $10,000.00, unless otherwise provided by law.</td>
<td>from a letter of concern to revocation or denial, and an administrative fine from $7,500.00 to $10,000.00, unless otherwise provided by law.</td>
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<td><strong>(f)</strong> From suspension to revocation or denial and an administrative fine from $5,000.00 to $10,000.00.</td>
<td>from a letter of concern to revocation or denial, and an administrative fine from $7,500.00 to $10,000.00, unless otherwise provided by law.</td>
<td>from a letter of concern to revocation or denial, and an administrative fine from $7,500.00 to $10,000.00, unless otherwise provided by law.</td>
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<td>from a letter of concern to revocation or denial, and an administrative fine from $7,500.00 to $10,000.00, unless otherwise provided by law.</td>
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<td><strong>(g)</strong> Failure to perform legal obligation. (Section 458.331(1)(g), F.S.) (Section 456.072(1)(k), F.S.)</td>
<td>from a reprimand to revocation or denial, and an administrative fine from $7,500.00 to $10,000.00, unless otherwise provided by law.</td>
<td>from a reprimand to revocation or denial, and an administrative fine from $7,500.00 to $10,000.00, unless otherwise provided by law.</td>
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<td>from a reprimand to revocation or denial, and an administrative fine from $7,500.00 to $10,000.00, unless otherwise provided by law.</td>
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<td><strong>(g)</strong> For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm.</td>
<td>from a reprimand to revocation or denial, and an administrative fine from $7,500.00 to $10,000.00, unless otherwise provided by law.</td>
<td>from a reprimand to revocation or denial, and an administrative fine from $7,500.00 to $10,000.00, unless otherwise provided by law.</td>
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<td><strong>(g)</strong> A refund of fees paid by or on behalf of the patient, and a reprimand to revocation or denial, and an administrative fine from $7,500.00 to $10,000.00, unless otherwise provided by law.</td>
<td>from a reprimand to revocation or denial, and an administrative fine from $7,500.00 to $10,000.00, unless otherwise provided by law.</td>
<td>from a reprimand to revocation or denial, and an administrative fine from $7,500.00 to $10,000.00, unless otherwise provided by law.</td>
<td>from a reprimand to revocation or denial, and an administrative fine from $7,500.00 to $10,000.00, unless otherwise provided by law.</td>
<td>from a reprimand to revocation or denial, and an administrative fine from $7,500.00 to $10,000.00, unless otherwise provided by law.</td>
</tr>
</tbody>
</table>

1. through 9. No change.

(h) No change.

(i) A refund of fees paid by or on behalf of the patient, and a reprimand to revocation or denial, and an administrative fine from $7,500.00 to $10,000.00, unless otherwise provided by law.

(i) A refund of fees paid by or on behalf of the patient, and a reprimand to revocation or denial, and an administrative fine from $7,500.00 to $10,000.00, unless otherwise provided by law.

(i) A refund of fees paid by or on behalf of the patient, and a reprimand to revocation or denial, and an administrative fine from $7,500.00 to $10,000.00, unless otherwise provided by law.
| 458.33 | 1(1)(i); F.S.; (Section 456.054, F.S.) from six (6) months suspension, to be followed by a period of probation, to revocation or denial and an administrative fine from $5,000.00 $1,000.00 to $10,000.00. |
| 458.33 | 1(1)(k); F.S.; (Sections 456.054, F.S.) from a two (2) year suspension, to be followed by a period of probation, to revocation or denial and an administrative fine from $7,500.00 $5,000.00 to $10,000.00. |

(j) No change.

(k) Deceptive, untrue, or fraudulent representation of

(k) From probation to revocation or denial, and an administrative fine from

(k) From suspension, to be followed by a period of probation,

(k) From a remediation to revocation or denial.

(k) From suspension with a corrective action plan, to revocation.

(l) Improper solicitation of

(l) From one (1) year

(l) From one (1) year

(l) From suspension with a

| medici ne. |
| Section 458.33 1(1)(k), F.S.; (Sections 456.054, F.S.) |
| $5,000.00 |
| to revocation or denial, and an administrative fine from |
| $7,500.00 |
| $5,000.00 |
| to $10,000.00. |
| If the offense includes an element of fraud or making a false or fraudulent representation, the fine shall be $10,000.00. |
| From one (1) year |

al.
<table>
<thead>
<tr>
<th>Section 458.33</th>
<th>Patient s.</th>
<th>Suspension, to be followed by a period of probation, to revocation or denial and an administrative fine from $5,000.00 to $10,000.00.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 458.33</td>
<td>Year suspension with a corrective action plan, to revocation.</td>
<td>Year suspension with a corrective action plan, to revocation.</td>
</tr>
<tr>
<td>Section 456.47</td>
<td>Failure to keep appropriate written medical records.</td>
<td>Failure to keep appropriate written medical records.</td>
</tr>
<tr>
<td>Section 458.33</td>
<td>From a reprimand to two (2) years suspension, to be followed by probation or denial and an administrative fine of $7,500.00 to $10,000.00.</td>
<td></td>
</tr>
<tr>
<td>Section 458.33</td>
<td>From a reprimand or denial to two (2) years suspension with a corrective action plan or denial.</td>
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<tr>
<td>Section 458.33</td>
<td>From a reprimand or denial to two (2) years suspension with a corrective action plan or denial.</td>
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<tr>
<td>Section 458.33</td>
<td>From a reprimand or denial to two (2) years suspension with a corrective action plan or denial.</td>
<td>From a reprimand or denial to two (2) years suspension with a corrective action plan or denial.</td>
</tr>
</tbody>
</table>

(m) From a reprimand to denial or two (2) years suspension followed by probation or denial, and an administrative fine.

(m) From a reprimand to suspension followed by probation or denial, and an administrative fine.

(m) From a six (6) month suspension with a corrective action plan to two (2) years suspension with a corrective action plan.

(m) From a six (6) month suspension with a corrective action plan to two (2) years suspension with a corrective action plan.
<table>
<thead>
<tr>
<th>(q) Inappropriate or excessive prescribing. (Section 458.331(1)(q), F.S.)</th>
<th>(q) From one year probation to revocation or denial and an administrative fine from $5,000.00 to $10,000.00.</th>
</tr>
</thead>
<tbody>
<tr>
<td>(r) Through (s) No change.</td>
<td></td>
</tr>
<tr>
<td>(t) Failure to practice medicine in accordance with appropriate level of care, skill and treatment recognized in general law related to the practice of medicine. (Sections 456.50(1)(g), F.S., 458.331(1)(t), F.S.; 456.472(a), F.S.)</td>
<td></td>
</tr>
<tr>
<td>1. From one year suspension followed by three years probation to revocation or denial and an administrative fine from $2,500.00 to $10,000.00.</td>
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<tr>
<td>1. From one year suspension, to be followed by a period of probation or denial to revocation and an administrative fine</td>
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<tr>
<td>1. From two years suspension with a corrective action plan to revocation.</td>
<td></td>
</tr>
<tr>
<td>(u) No change.</td>
<td>(v) Practicing beyond scope permitted. (Section 458.331(1)(v), F.S.)</td>
</tr>
<tr>
<td>(v) Violation of a lawful order of the (x)1.</td>
<td>(w) Delegation of professional responsibilities to unqualified person. (Section 456.072(1)(p), F.S.)</td>
</tr>
</tbody>
</table>

2. Repeat ed Malpractice as defined in Section 456.50, F.S.

| (x)1. | (w) Repealed | (w) | (w) | (w) |
| 2. Revocation or denial. | Repeat ed Malpractice as defined in Section 456.50, F.S. | Delegation of professional responsibilities to unqualified person. (Section 458.331(1)(w), F.S.); (Section 456.072(1)(p), F.S.) | From one (1) year probation, to denial or five (5) years suspension followed by probation, and an administrative fine from $7,500 00 00 to $10,000 00 00. | From six (6) months suspension with a corrective action plan to revocation. | From suspension to revocation or denial. |
| Board or department previously entered in a disciplinary hearing or failure to comply with a lawfully issued subpoena of the department. |
|---|---|---|---|---|
| | Action or denial | Not specified | Action or denial. |
| | | | |
| | Aiding an unlawful abortion. (Sections 458.331(1)(x), F.S.) | From one year suspension, to be followed by a period of probation, to revocation or denial and an administrative fine from $5,000.00 to $10,000.00. | From eighteen months suspension, to be followed by a period of probation, to revocation or denial. |
| | | | From eighteen (18) months suspension with a corrective action plan, to revocation or denial. |

2. No change.

(y) No change.

(z) No change.
<table>
<thead>
<tr>
<th>Section 458.33 1(1)(cc), F.S.</th>
<th>Section 458.33 1(1)(ff), F.S.</th>
<th>Section 458.33 1(1)(gg), F.S.</th>
</tr>
</thead>
<tbody>
<tr>
<td>years suspension followed by probation or denial of the license and an administrative fine ranging from $5,000.00 to $10,000.00.</td>
<td>Use of amygdalin (laetrile).</td>
<td>Misrepresenting or concealing a material fact.</td>
</tr>
<tr>
<td>d of probation, to revocation or denial of the license and an administrative fine ranging from $5,000.00 to $10,000.00.</td>
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<tr>
<td>tive action plan, to revocation or denial.</td>
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<tr>
<td>(dd) through (ee) No change.</td>
<td>(ff) From one (1) year suspension, to be followed by a period of probation, to revocation or denial.</td>
<td>(gg) From a minimum of thirty (30) day suspension with a corrective action plan or revocation or denial.</td>
</tr>
<tr>
<td>(ff) From eighten (18) month suspension, to be followed by a period of probation, to revocation or denial.</td>
<td>(ff) From one (1) year suspension, to be followed by a period of probation, to revocation or denial.</td>
<td>(gg) From a minimum of thirty (30) day suspension with a corrective action plan or revocation or denial.</td>
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<td>(ff) From one (1) year suspension, to be followed by a period of probation, to revocation or denial.</td>
<td>(ff) From one (1) year suspension, to be followed by a period of probation, to revocation or denial.</td>
<td>(gg) From a minimum of thirty (30) day suspension with a corrective action plan or revocation or denial.</td>
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<td>(ff) From one (1) year suspension, to be followed by a period of probation, to revocation or denial.</td>
<td>(ff) From one (1) year suspension, to be followed by a period of probation, to revocation or denial.</td>
<td>(gg) From a minimum of thirty (30) day suspension with a corrective action plan or revocation or denial.</td>
</tr>
<tr>
<td>(hh) through (ll)</td>
<td>(mm) Failing to provide information about patient</td>
<td>(mm) Correlative action for nonwillful violations. Letter</td>
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<td>------------------</td>
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<td>----------------------------------------------------------</td>
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<tr>
<td>$1,000 $0.00</td>
<td>fine from $7,500 $0.00 to $10,000 $0.00. If the offense includes an element of fraud or making a false or fraudulent representation the fine shall be $10,000 $0.00.</td>
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<td>rights and how to file a patient complaint. (Section 458.33(1)(mm), F.S.); (Section 456.07(2)(u), F.S.)</td>
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<td>r of concern to reprimand and correlative action for willful violations and an administrative fine from $100.00 to $200.00.</td>
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<td>illful violations; and an administrative fine from $250.00 to $500.00.</td>
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<td>(nn) From a reprimand, to revocation or denial and an administrative fine from $5,000.00 to $10,000.00.</td>
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<td>(ll) No change.</td>
<td>n (7) day suspension with corrective action plan.</td>
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<td>From suspension with a corrective action plan to revocation or denial.</td>
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<td>From a reprimand to revocation or denial.</td>
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<td></td>
<td>From suspension to revocation or denial.</td>
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No change.

From a reprimand, to revocation or denial.

From suspension with a corrective action plan to revocation or denial.
<p>| | | | |</p>
<table>
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<tbody>
<tr>
<td>2. through h 3. No change.</td>
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<tr>
<td>(oo) through h (rr) No change.</td>
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<tr>
<td>(ss) Performing or attempting to perform health care services on the wrong patient, a wrong site procedure, a wrong procedure, or an unauthorized procedure or a procedure that is medically unnecessary or otherwise unrelated to the patient’s diagnosis or medical condition. (Section 456.072(1)(bb), F.S.)</td>
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<td></td>
<td>(ss) From a $5,000.00 fine, a letter of concern, a minimum of five (5) hours of risk management education, and a one (1) hour lecture on wrong-site surgery, to a $10,000.00 fine and revocation.</td>
<td></td>
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<tr>
<td></td>
<td>(ss) From a $10,000.00 fine, a reprimand, a term of probation, or denial to a $10,000.00 fine and revocation.</td>
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<td>(ss) From a letter of concern to suspension with a corrective action plan or denial.</td>
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<tr>
<td></td>
<td>(ss) From a reprimand and to revocation or denial.</td>
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</table>

$10,000.00 fine, a letter of concern, a minimum of five (5) hours of risk management education, under go an assessment, and probation or denial to a $10,000.00 fine and revocation.
<table>
<thead>
<tr>
<th>(tt) Leaving a foreign body in a patient, such as a sponge, clamp, forceps, surgical needle, or other paraphernalia commonly used in surgical, examination, or other diagnostic procedures. (Section 456.072(1)(cc), F.S.)</th>
<th>(tt) From a fine of $5.00 to $2,000.00, a letter of concern, a minimum of five (5) hours of risk management education, and a one hour lecture to the staff of a Florida licensed health care facility on retained foreign body objects to be followed by a term of probation.</th>
<th>(tt) From a suspension with a corrective action plan to revocation or denial.</th>
<th>(tt) From a suspension to be followed by a term of probation.</th>
</tr>
</thead>
<tbody>
<tr>
<td>(uu) No change.</td>
<td>(vv) Engaging in a pattern of practice when prescribing medicinal drugs or controlled substances which demonstrates a lack of reasonable skill or safety to patients. (Section 456.072(1)(gg), F.S.)</td>
<td>(vv) From one year of probation to revocation or denial and an administrative fine from $5.00 to $10,000.00.</td>
<td>(vv) From one (1) month suspension to revocation or denial and an administrative fine from $7.50 to $10,000.00.</td>
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<tr>
<td>(vv) From ninety (90) day suspension with a corrective action plan, to revocation or denial.</td>
<td>(vv) From one (1) year probation to revocation or denial and an administrative fine from $5.00 to $10,000.00.</td>
<td>(vv) From one (1) month suspension to revocation or denial and an administrative fine from $7.50 to $10,000.00.</td>
<td>(vv) From one (1) month suspension to revocation or denial and an administrative fine from $7.50 to $10,000.00.</td>
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<tr>
<td>(ww) throug h (ccc)</td>
<td>(eee) throug h (fff)</td>
<td>(ggg) Being convict ed of or found guilty of, regardl ess of adjudic ation to, a felony or any other crime involvi ng moral turpitu de, fraud, dishon esty, or deceit in any jurisdic tion of the courts of this state, or any other state, or of the United States. (Sectio n 458.33 1(1)(pp )4., F.S.)</td>
<td>(ggg) From proba tion to revoc ation, and an admi nistrative fine rangi ng from $1,00 0.00 to $10,0 00.00. If the offen se inclu des an elem ent of fraud or mak ing a false repre sentation on the fine, the fine shall be</td>
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<tr>
<td>(ddd) Registr ation of pain clinic by a designa ted physici an throug h misrepr esentati on or fraud. (Sectio n 458.33 1(1)(pp ), F.S.)</td>
<td>1. For register ing a pain clinic throug h misrepr esentati on. (Sectio n 458.33 1(1)(pp )1., F.S.)</td>
<td>Not appl icab le to tele he alth registr ants.</td>
<td>Not appl icab le to tele he alth registr ants.</td>
</tr>
<tr>
<td>1. From a letter of conce rn to proba tion, and a fine of $10.00 00.00 to $100.00 00.00 to $5,00 00.00 to $10,0 00.00.</td>
<td>1. From a perio d of proba tion, to revoc ation, and a fine of $10.00 00.00 to $5,00 00.00 to $10,0 00.00.</td>
<td>(ggg) From proba tion to revoc ation, and an admi nistrative fine rangi ng from $1,00 0.00 to $10,0 00.00.</td>
<td>If the offen se inclu des an elem ent of fraud or mak ing a false repre sentation on the fine, the fine shall be</td>
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<tr>
<td>2. No change.</td>
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<tr>
<td></td>
<td>$10,000.00</td>
<td>$10,000.00</td>
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<tr>
<td>(hhh) No change.</td>
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<tr>
<td>(iii) Being convicted of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime which relates to the practice of, or the ability to practice, a licensed health care profession. (Section 458.331(1)(pp)6., F.S.)</td>
<td>(iii) From probation to revocation, and an administrative fine ranging from $5,000.00 to $10,000.00.</td>
<td>(iii) From suspension to revocation, and an administrative fine ranging from $5,000.00 to $10,000.00.</td>
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<tr>
<td>(jjj) No change.</td>
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<tr>
<td>(kkk) Dispensing from a prescription that purports to be a prescription as defined in Section 465.003(14) or 893.02, F.S., if the dispensing practitioner knows or has reason to believe that the purport ed prescription is not based upon a valid practitioner-patient relationship. (Section 458.331(1)(pp)8., F.S.)</td>
<td>Not applicable to telehealth registrants.</td>
<td>Not applicable to telehealth registrants.</td>
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</tbody>
</table>

Any medicinal drug based upon a communication that purports to be a prescription as defined in Section 465.003(14) or 893.02, F.S., if the dispensing practitioner knows or has reason to believe that the purported prescription is not based upon a valid practitioner-patient relationship. The revocation, and an administrative fine ranging from $5,000.00 to $10,000.00, $1,000.00 to $5,000.00, or $7,500.00 to $10,000.00, and an administrative fine ranging from $5,000.00 to $10,000.00, or $1,000.00 to $5,000.00, or $7,500.00 to $10,000.00.
<table>
<thead>
<tr>
<th>F.S.)</th>
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<tbody>
<tr>
<td>(lll) through (bb) No change.</td>
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<tr>
<td>(cccc) Providing information indicating that a person has a disability or supporting a person’s need for an emotional support animal under s. 760.27, F.S. without personal knowledge of the person’s disability or disability-related need for the specific emotional support animal.</td>
<td>(cccc) From a reprimand and a fine of $2,500.00 to probation and a fine of $5,000.00.</td>
<td>(cccc) From a reprimand and a fine of $1,000.00.</td>
<td>(cccc) From a reprimand and a fine of $100.00.</td>
</tr>
</tbody>
</table>

(3) through (8) No change.

Rulemaking Authority 456.079, 456.47(7), 458.309, 458.331(5) FS. Law Implemented 381.986(3)(a), 456.47, 456.50(2), 456.0575, 456.072, 456.079, 458.331(5) FS. History –New 12-5-79, Formerly 21M-20.01, Amended 1-11-87, 6-20-90, Formerly 21M-20.001, Amended 11-4-93, Formerly 61F6-20.001, Amended 6-24-96, 12-22-96, Formerly 59R-8.001, Amended 5-14-98, 12-28-99, 1-31-01, 7-10-01, 6-4-02, 9-10-02, 12-11-02, 8-20-03, 6-7-04, 8-17-04, 1-4-06, 8-13-06, 8-29-06, 11-22-06, 1-30-07, 2-18-09, 12-22-09, 7-27-10, 6-21-11, 12-27-11, 4-22-12, 5-28-12, 1-1-15, 11-9-16, 4-30-18, 8-15-18, 8-28-18, 12-12-19, 3-2-20, 11-16-20—

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules/Legislative Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 3, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: : January 14, 2021

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE: 64B8-9.018 Mandatory Standardized Informed Consent for Medical Marijuana; Required Documentation for Comparable Medical Conditions; Required Documentation for Smokable Medical Marijuana

PURPOSE AND EFFECT: The proposed amendment will clarify the incorporated revised application form in the rule.

SUMMARY: To clarify the Documentation for Smokable Marijuana Form.

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: 381.986 FS.
LAW IMPLEMENTED: 381.986 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: Paul Vazquez, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253 or Paul.Vazquez@flhealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-9.018 Mandatory Standardized Informed Consent for Medical Marijuana; Required Documentation for Comparable Medical Conditions; Required Documentation for Smokable Medical Marijuana.

(1) – (2) No change.

(3) Pursuant to section 381.986(4)(c), F.S., qualified physicians who determine that smoking marijuana is an appropriate route of administration for a qualified patient, other than a patient diagnosed with a terminal condition, are required to submit form DH-MQA-5035 (rev. 11/20 4449), entitled “Documentation Required Under section 381.986(4)(c), F.S., Supporting the Determination that the Smoking of Medical Marijuana is an Appropriate Route of Administration,” which is hereby incorporated by reference and available from http://www.flrules.org/Gateway/reference.asp?No=Ref-100820, or the Board’s website at https://flboardofmedicine.gov/forms/statutorily-required-documentation-mm.pdf.

Rulemaking Authority 381.986 FS. Law Implemented 381.986 FS. History–New 4-30-18, Amended 8-4-19._______.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 3, 2020
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 20, 2021

DEPARTMENT OF HEALTH
Board of Osteopathic Medicine
RULE NO.: RULE TITLE:
64B15-14.013 Mandatory Standardized Informed Consent for Medical Marijuana; Required Documentation for Comparable Medical Conditions; Required Documentation for Smokable Medical Marijuana

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate the revised application form into the rule.

SUMMARY: The proposed rule amendment incorporates the revised application form into the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:
The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of $200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board 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: 381.986 FS.
LAW IMPLEMENTED: 381.986 FS.
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.


LAW IMPLEMENTED: 381.986(3)(a), 456.072, 456.079, 456.47, 456.50, 459.015, 459.0138 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 Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3256, or by email at Kama.Monroe@flhealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-14.013 Mandatory Standardized Informed Consent for Medical Marijuana; Required Documentation for Comparable Medical Conditions; Required Documentation for Smokable Medical Marijuana.

(1) through (2) No change.

(3) Pursuant to section 381.986(4)(c), F.S., qualified physicians who determine that smoking marijuana is an appropriate route of administration for a qualified patient, other than a patient diagnosed with a terminal condition, are required to submit form DH-MQA-5035 (rev. 11/20 4449), entitled “Documentation Required Under section 381.986(4)(c), Florida Statutes, Supporting the Determination that the Smoking of Medical Marijuana is an Appropriate Route of Administration,” which is hereby incorporated by reference and available from http://www.flrules.org/Gateway/reference.asp?No=Ref-10822, or the Board’s website at https://floridasosteopathicmedicine.gov/forms/statutorily-required-documentation-smm.pdf. Rulemaking Authority 381.986 FS. Law Implemented 381.986 FS. History—New 4-30-18, Amended 8-12-19, ____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Osteopathic Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 20, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 20, 2021

DEPARTMENT OF HEALTH
Board of Osteopathic Medicine
RULE NO.: 64B15-19.002 RULE TITLE: Violations and Penalties

PURPOSE AND EFFECT: The proposed rule amendment will address clarifications to existing disciplinary violations and penalties.

SUMMARY: Clarification of existing disciplinary violations and penalties.
under each violation description. In addition to any guideline penalties provided herein, if the violation is for fraud or making a false or fraudulent representation, the Board shall impose a fine of $10,000.00 per count or offense. In no event shall a fine for any of the penalties set forth below exceed $10,000.00 per count.

<table>
<thead>
<tr>
<th>Violation</th>
<th>Minimum</th>
<th>Maximum</th>
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</thead>
<tbody>
<tr>
<td>(1) Attempting to obtain, obtaining or renewing a license or certificate by bribery, fraud or through an error of the Department or board. (Sections 456.072(1)(h) and 459.015(1)(a), F.S.)</td>
<td></td>
<td>$5,000.00 fine if fraud involved, revocation of license and a fine of $10,000.00.</td>
</tr>
<tr>
<td>(a) No change.</td>
<td></td>
<td>No change.</td>
</tr>
<tr>
<td>FOR TELEHEALTH REGISTRANTS:</td>
<td></td>
<td>No change.</td>
</tr>
<tr>
<td>(b) Attempting to renew a license by bribery or fraud.</td>
<td></td>
<td>No change.</td>
</tr>
<tr>
<td>FIRST OFFENSE:</td>
<td>Revocation of the license and a $5,000.00 fine;</td>
<td>Denial of licensure or revocation and $10,000.00 fine.</td>
</tr>
<tr>
<td></td>
<td>if fraud involved, revocation of license and a fine of $10,000.00.</td>
<td>Probation and a $1,000.00 fine; revocation of license and a fine of $10,000.</td>
</tr>
<tr>
<td>SECOND OFFENSE:</td>
<td></td>
<td>No change.</td>
</tr>
<tr>
<td>FOR TELEHEALTH REGISTRANTS</td>
<td></td>
<td>No change.</td>
</tr>
<tr>
<td>FIRST OFFENSE:</td>
<td></td>
<td>No change.</td>
</tr>
<tr>
<td>FOR TELEHEALTH REGISTRANTS</td>
<td></td>
<td>No change.</td>
</tr>
<tr>
<td>SECOND OFFENSE:</td>
<td></td>
<td>No change.</td>
</tr>
<tr>
<td>(c) Obtaining or renewing a license by bribery or fraud.</td>
<td></td>
<td>No change.</td>
</tr>
<tr>
<td>FIRST OFFENSE:</td>
<td>Revocation of the license and a fine of $10,000.00.</td>
<td>No change.</td>
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<td></td>
<td></td>
<td>No change.</td>
</tr>
<tr>
<td>(15) Deceptive, untrue, or fraudulent misrepresentations in the practice of medicine. (Sections 456.072(1)(a), (m) and 459.015(1)(m), F.S.)</td>
<td></td>
<td>No change.</td>
</tr>
<tr>
<td>FIRST OFFENSE:</td>
<td>Probation and a $1,000.00 fine; revocation of license and a fine of $10,000.</td>
<td>No change.</td>
</tr>
<tr>
<td>SECOND OFFENSE:</td>
<td></td>
<td>No change.</td>
</tr>
<tr>
<td>FOR TELEHEALTH REGISTRANTS FIRST OFFENSE:</td>
<td></td>
<td>No change.</td>
</tr>
<tr>
<td>FOR TELEHEALTH REGISTRANTS SECOND OFFENSE:</td>
<td></td>
<td>No change.</td>
</tr>
<tr>
<td>(16) through (17)</td>
<td></td>
<td>No change.</td>
</tr>
</tbody>
</table>
(18) Fraudulent, alteration or destruction of patient records.  
(Section 459.015(1)(p), F.S.)

<table>
<thead>
<tr>
<th></th>
<th>FIRST OFFENSE:</th>
<th>SECOND OFFENSE:</th>
<th>FOR TELEHEALTH REGISTRANTS FIRST OFFENSE:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Probation and $5,000.00 fine; if fraud involved, probation and a $10,000.00 fine.</td>
<td>Suspension to be followed by probation and $7,500.00 fine; if fraud involved, suspension to be followed by probation and a $10,000.00 fine.</td>
<td>No change.</td>
<td>No change.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Revocation and $10,000.00 fine.</td>
<td>Denial or revocation and $10,000.00 fine.</td>
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(19) through (26) No change.

(27) Repeated Malpractice as defined in Section 456.50, F.S.  
(Section 459.015(1)(x), F.S.)

<table>
<thead>
<tr>
<th></th>
<th>FIRST OFFENSE:</th>
<th>SECOND OFFENSE:</th>
</tr>
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<tbody>
<tr>
<td>Revocation or denial of license and fine of $5,000.00; if fraud involved, denial of license and fine of $10,000.00.</td>
<td>Revocation or denial of license and fine of $7,500.00.</td>
<td></td>
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<td></td>
<td>Denial or probation and $5,000.00 fine; if fraud involved, denial or probation and $10,000.00.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Denial and a $7,500 fine or revocation; if fraud involved, denial or probation and $10,000.00.</td>
</tr>
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</table>

(28) Failure to practice medicine in accordance with appropriate level of care, skill and treatment recognized in general law related to the practice of medicine.  
(Sections 456.47(2)(a), 456.50(1)(g) and 459.015(1)(x), F.S.)

<table>
<thead>
<tr>
<th></th>
<th>FIRST OFFENSE:</th>
<th>SECOND OFFENSE:</th>
<th>FOR TELEHEALTH REGISTRANTS FIRST OFFENSE:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Letter of concern, up to one (1) year probation and $5,000.00 fine; if fraud involved, denial or probation and $10,000.00 fine.</td>
<td>Denial or revocation and $10,000.00 fine.</td>
<td>No change.</td>
<td>No change.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Revocation and $10,000.00 fine.</td>
<td>Denial or revocation and $10,000.00 fine.</td>
</tr>
</tbody>
</table>

(29) through (39) No change.

(40) Misrepresenting, concealing a material fact during licensing, or disciplinary procedure.  
(Section 459.015(1)(jj), F.S.)

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<tr>
<th></th>
<th>FIRST OFFENSE:</th>
<th>SECOND OFFENSE:</th>
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<tr>
<td>Denial or probation and $5,000.00 fine; if fraud involved, denial or probation and $10,000.00.</td>
<td>Denial or probation and $7,500.00 fine or revocation; if fraud involved, denial or probation and $10,000.00.</td>
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<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>First Offense</th>
<th>Second Offense</th>
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<tbody>
<tr>
<td>(41) through (58)</td>
<td>No change.</td>
<td>FIRST OFFENSE:</td>
<td>SECOND OFFENSE:</td>
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<tr>
<td>(59)</td>
<td>Engaging in a pattern of practice when prescribing medicinal drugs or controlled substances which demonstrates a lack of reasonable skill or safety to patients, a violation of any provision of chapter 456, or sections 893.055 and 893.0551, F.S., a violation of the applicable practice act, or a violation of any rules adopted under this chapter or the applicable practice act of the prescribing practitioner. (Section 456.072(1)(gg), F.S.)</td>
<td>One year probation and $5,000.00 $1,000.00 fine. Revocation and a $10,000.00 fine or denial of licensure.</td>
<td>No change.</td>
</tr>
<tr>
<td>(60) through (65)</td>
<td>No change.</td>
<td>FIRST OFFENSE:</td>
<td>SECOND OFFENSE:</td>
</tr>
<tr>
<td>(66)</td>
<td>Registration of pain clinic by a designated physician through misrepresentation or fraud. (Section 459.015(1)(rr)1., F.S.)</td>
<td>(a) For registering a pain clinic through misrepresentation. Letter of concern and a $10,000.00 $1,000.00 fine. Probation and a $10,000.00 $5,000.00 fine.</td>
<td>SECOND OFFENSE: Probation and a $10,000.00 $5,000.00 fine. Revocation and a $10,000.00 fine.</td>
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<tr>
<td>(67)</td>
<td>No change.</td>
<td>FIRST OFFENSE:</td>
<td>SECOND OFFENSE:</td>
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<tr>
<td>Chapter 893, F.S., the Florida Comprehensive Drug Abuse Prevention and Control Act. (Section 459.015(1)(rr)3., F.S.)</td>
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<tr>
<td>FIRST OFFENSE:</td>
<td>No change.</td>
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<td>SECOND OFFENSE:</td>
<td>No change.</td>
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<td>THIRD OFFENSE:</td>
<td>No change.</td>
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<tr>
<td>FOR TELEHEALTH REGISTRANTS</td>
<td>Not applicable to telehealth registrants.</td>
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<tr>
<th>69) Being convicted of or found guilty of, regardless of adjudication to, a felony or any other crime involving moral turpitude, fraud, dishonesty, or deceit in any jurisdiction of the courts of this state, or any other state, or of the United States. (Section 459.015(1)(rr)4., F.S.)</th>
<th></th>
</tr>
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<tbody>
<tr>
<td>FIRST OFFENSE:</td>
<td>Probation and a $1,000.00 fine; if fraud involved, probation and a $10,000.00 fine, or denial of licensure.</td>
</tr>
<tr>
<td>SECOND OFFENSE:</td>
<td>Suspension and a $5,000.00 fine; if fraud involved, suspension followed by a period of probation and a $10,000.00 fine, or denial of licensure.</td>
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<tr>
<td>FOR TELEHEALTH REGISTRANTS</td>
<td>No change.</td>
</tr>
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| 70) No change |

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<tr>
<th>71) Being convicted of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime which relates to the practice of, or the ability to practice, a licensed health care profession. (Section 459.015(1)(rr)6., F.S.)</th>
<th></th>
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<tr>
<td>FIRST OFFENSE:</td>
<td>Probation and a $5,000.00 fine; if fraud involved, probation and a $10,000.00 fine, or denial of licensure.</td>
</tr>
<tr>
<td>SECOND OFFENSE:</td>
<td>No change.</td>
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<tr>
<td>FOR TELEHEALTH REGISTRANTS</td>
<td>No change.</td>
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| 72) No change |

<p>| (a) No change |
| (b) Being convicted of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime relating to healthcare fraud in |  |</p>
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<tr>
<th>Dollar amounts of $5,000.00 or less.</th>
<th>FIRST OFFENSE: Suspension, followed by a period of probation, and a $10,000.00 fine.</th>
<th>Revocation or denial of licensure, and a fine of $10,000.00.</th>
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<tbody>
<tr>
<td>SECOND OFFENSE:</td>
<td>No change.</td>
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<tr>
<td>FOR TELEHEALTH REGISTRANTS</td>
<td>No change.</td>
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<td>(73) Dispensing any medicinal drug based upon a communication that purports to be a prescription as defined in section 465.003(14) or 893.02, F.S., if the dispensing practitioner knows or has reason to believe that the purported prescription is not based upon a valid practitioner-patient relationship. (Section 459.015(1)(rr)8., F.S.)</td>
<td>FIRST OFFENSE: Reprimand and an administrative fine of $5,000.00; if false representation, a reprimand and a $10,000.00 fine.</td>
<td>Revocation and an administrative fine of $10,000.00 or denial of licensure.</td>
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<td>No change.</td>
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<td>No change.</td>
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<td>(74) through (77) No change.</td>
<td>No change.</td>
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<tr>
<td>(78) Providing false or deceptive expert witness testimony related to the practice of medicine. (Section 459.015(1)(qq), F.S.)</td>
<td>FIRST OFFENSE: Suspensation and an administrative fine of $7,500.00; if false representation, suspension and a $10,000.00 fine.</td>
<td>Revocation and an administrative fine of $10,000.00 or denial of licensure.</td>
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<td>No change.</td>
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<td>(79) No change.</td>
<td>No change.</td>
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</tr>
<tr>
<td>(80) Dispensing a controlled substance listed in Schedule II or Schedule III in violation of section 465.0276, F.S. (Section 459.015(1)(uu), F.S.)</td>
<td>FIRST OFFENSE: Probation and an administrative fine of $5,000.00 $1,000.00.</td>
<td>Revocation and an administrative fine of $10,000.00 or denial of licensure.</td>
</tr>
<tr>
<td></td>
<td>No change.</td>
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<td>No change.</td>
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</table>
### OFFENSE:

**FOR TELEHEALTH REGISTRANTS**

**FIRST OFFENSE:**

No change.

**SECOND OFFENSE:**

(81) Willfully failing to comply with section 627.64194 or 641.513, F.S. with such frequency as to indicate a general business practice. (Section 459.015(1)(vv), F.S.)

**FIRST OFFENSE:**

Letter of concern and an administrative fine of $1,000.00.

Reprimand and an administrative fine in the amount of $1,000.00 to $5,000.00.

**SECOND OFFENSE:**

Reprimand and an administrative fine of $5,000.00.

Revocation and an administrative fine in the amount of $5,000.00 to $10,000.00.

**FOR TELEHEALTH REGISTRANTS**

**FIRST OFFENSE:**

No change.

**SECOND OFFENSE:**

(82) through (93) No change.

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**NAME OF PERSON ORIGINATING PROPOSED RULE:**

Board of Osteopathic Medicine

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:**

Board of Osteopathic Medicine

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:**

November 20, 2020

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:**

January 20, 2021

**DEPARTMENT OF FINANCIAL SERVICES**

Division of Workers’ Compensation

**RULE NO.:** 69L-7.020

**RULE TITLE:** Florida Workers’ Compensation Health Care Provider Reimbursement Manual

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule is to update the Health Care Provider Reimbursement Manual (HCP RM) and other incorporated materials. The HCP RM contains the updated lists of Maximum Reimbursement Allowances for various medical services, as approved by the Three-Member Panel on December 17, 2020, pursuant to section 440.13(12)(a), Florida Statutes.

**SUMMARY:** The proposed rule will update the HCP RM and other incorporated materials.

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

The Agency has determined that this will have an adverse impact on small businesses 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.

A summary of the SERC follows:

- The rule is not likely to directly or indirectly have an adverse impact on economic growth, private-sector job creation or employment, or private-sector investment in excess of $1 million in the aggregate within 5 years after the implementation of the rule.
- The rule is not likely to directly or indirectly have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of $1 million in the aggregate within 5 years after the implementation of the rule.
- The rule is likely to directly or indirectly increase regulatory costs, including any transaction costs, in excess of $1 million in the aggregate within 5 years after the implementation of the rules.
• The number of individuals and entities likely to be required to comply with the rule is approximately 83,868.
• The agency will incur no costs for implementing or enforcing the proposed rule.
• The cost to any other state and local government entities of implementing the proposed rule and the anticipated effect on state and local revenues is anticipated to be none.
• The total estimated transactional costs to the individuals and entities that are required to comply with the rule is minimal.
• Impacts on small businesses, small counties, and small cities are likely minimal and may vary by the size of the entity.

The Agency has determined that the proposed rule is 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: Not applicable (see SERC).

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: 440.13(13)(b), 440.591, FS.
LAW IMPLEMENTED: 440.13(7), (12), (13)(b), FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):
DATE AND TIME: March 4, 2021, 9:30 a.m. ET
PLACE: Please join the meeting from your computer, tablet or smartphone, https://global.gotomeeting.com/join/822492709.
Join from a video-conferencing room or system. Dial in or type: 67.217.95.2 or inroomlink.goto.com, Meeting ID: 822 492 709, Or dial directly: 822492709@67.217.95.2 or 67.217.95.2###822492709.
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: Theresa Pugh, telephone: (850)413-1721, email: Theresa.Pugh@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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Charlene Miller, Bureau Chief, Division of Workers’ Compensation, 200 East Gaines Street, Tallahassee, FL 32399, (850)413-1738, Charlene.Miller@myfloridacfo.com.

THE FULL TEXT OF THE PROPOSED RULE IS:


(1) The Florida Workers’ Compensation Health Care Provider Reimbursement Manual (HCP RM), 2020 2016 Edition, to become effective July 1, 2021, http://www.flrules.org/Gateway/reference.asp?No=Ref-07685, is incorporated adopted by reference as part of this rule. The HCP RM manual contains the Maximum Reimbursement Allowances (MRAs) determined by the Three-Member Panel, pursuant to section subsection 440.13(12), F.S., and establishes reimbursement policies, guidelines, codes, and MRAs maximum reimbursement allowances for services and supplies provided by health care providers. Also, the HCP RM manual includes reimbursement policies and payment methodologies for pharmacists and medical suppliers. The policies and procedures in the HCP RM are in addition to the requirements and responsibilities established throughout Rule Chapter 69L-7, F.A.C., Workers’ Compensation Medical Reimbursement and Utilization Review.


(3) The Posting of the preceding copyrighted materials in subsection (2) above and the HCP RM on the Internet would
constitute a violation of the federal copyright law. The preceding copyrighted These materials are available for public inspection and examination, but may not be copied, during normal business hours at: (a) the Florida Department of Financial Services, Division of Workers’ Compensation, Bureau of Monitoring and Audit, 1579 Summit Lake Drive, Tallahassee, Florida 32317, or (b) the Florida Department of State, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399. In addition, the HCP RM may be obtained via the Department’s Division of Workers’ Compensation website at http://www.myfloridacfo.com/Division/wc/. The preceding non-copyrighted materials may be accessed online via the Department’s Division of Workers’ Compensation website at http://www.myfloridacfo.com/Division/wc/.

PROPOSED EFFECTIVE DATE: Upon ratification ratification by the Legislature

Rulemaking Authority 440.13(13)(b), 440.591 FS. Law Implemented 440.13(7), (12), (13)(b) FS. History--New 10-1-82, Amended 3-16-83, 11-6-83, 5-21-85, Formerly 38F-7.20, Amended 4-1-88, 7-20-88, 6-1-91, 4-29-92, 2-18-96, 9-1-97, 12-15-97, 9-17-98, 9-30-01, 7-7-02, Formerly 38F-7.020, 4L-7.020, Amended 12-4-03, 1-1-04, 7-4-04, 5-9-05, 9-4-05, 11-16-06, 10-18-07, 2-4-09, 7-1-16, 7-1-17. Editorial Note: Ratified by Ch. 2016-203, LOF.

NAME OF PERSON ORIGINATING PROPOSED RULE: Charlene Miller, Bureau Chief

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jimmy Patronis, Chief Financial Officer

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 4, 2021

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NOS.: RULE TITLES:
69O-196.001 Standard Cancellation Notice
69O-196.005 Filing Surety Bond in Lieu of Net Worth
69O-196.007 Annual Reports
69O-196.009 Other Reports and Corrective Action Plans
69O-196.015 Forms Incorporated by Reference
69O-196.021 Disclosure Requirements for Insurance Coverages Financed With Personal Injury Protection
69O-196.023 Insurance Agent Penalties
69O-196.025 Statement of Account; Receipts
69O-196.035 Required Books and Records

PURPOSE AND EFFECT: The Office of Insurance Regulation is updating Chapter 69O-196.

SUMMARY: Rule 69O-196.001, F.A.C. is amended to change grammar and add rulemaking authority. Rule 69O-196.005, F.A.C. is amended to update the Office’s website information. Rule 69O-196.007 is amended to update the annual reports requirements. Rule 69O-196.009, F.A.C. is amended to change “certificate of authority” to “license” and add rulemaking authority. Rule 69O-196.015 is amended to include all applications for premium finance companies in one rule. Rule 69O-196.020, F.A.C. is amended to make references to the Florida Insurance Code consistent. Rule 69O-196.021, F.A.C. is amended to incorporate the financing disclosure form. Rule 69O-196.035, F.A.C. is amended to create a new subsection. Rule 69O-196.023, F.A.C. and Rule 69O-196.025, F.A.C. are repealed.

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: Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes. 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: 624.308(1), 627.828(2), 627.836(2), 627.8405, 627.848(3) FS.

LAW IMPLEMENTED: 624.124, 624.21(1)(a), 624.424, 624.80, 624.81, 626.753, 626.794, 626.838, 626.9541, 627.828, 627.829, 627.832, 627.836, 627.838, 627.840, 627.845, 627.848, 627.849, 627.815 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: Michael Lawrence, Jr., Chief Legal Counsel, Office of Insurance Regulation, E-mail Michael.LawrenceJr@floridacfo.com, (850)413-4112.

THE FULL TEXT OF THE PROPOSED RULE IS:
69O-196.001 Standard Cancellation Notice. When a premium finance agreement contains a power of attorney or other authority enabling the premium finance company to cancel any insurance contract or contracts listed in the agreement, all premium finance companies licensed to do business in this state shall effect cancellation of such policies by the use of a form containing the wording and information set forth below and shall be printed on a color paper of a shade of pink, to include all parts of any multi-part form:

STANDARD CANCELLATION NOTICE
PREMIUM FINANCE COMPANY IMPRINT

__________________________________________________
PREMIUM FINANCE COMPANY IMPRINT

_____________________________
Agent

NOTICE OF CANCELLATION

Insured

Insurance Company

Policy Number ____________

Cancellation Date ____________

Account Number ____________

Unpaid Premium Balance Due ____________

You are hereby notified that the policy described above is cancelled for non-payment of an installment in accordance with the conditions and terms of the premium finance agreement Premium Finance Agreement which incorporates a power of attorney. This cancellation is effective one day after the above captioned date, at the hour indicated in the policy as the effective time.

The Florida Insurance Code, part XV of chapter 627, F.S., recognizes this as a valid notice of cancellation and provides that the gross unearned premium be returned to the premium finance company.

If the policy or any statute requires the insurer to give notice to a mortgagor, governmental agency, or other third party before the policy can be cancelled, the insurer shall give the prescribed notice in behalf of itself or the insured to any governmental agency, mortgagee, or other third party on or before the second business day after the day it receives the notice of cancellation from the premium finance company and shall determine the effective date of cancellation taking into consideration the number of days notice required to complete the cancellation.

IF THE ABOVE-CAPTIONED INSURANCE CONTRACT PROVIDES MOTOR VEHICLE LIABILITY INSURANCE REQUIRED BY THE FINANCIAL RESPONSIBILITY LAW, PROOF OF FINANCIAL RESPONSIBILITY IS REQUIRED TO BE MAINTAINED CONTINUALLY FOR A PERIOD OF THREE (3) YEARS, PURSUANT TO CHAPTER 324, F.S., AND THE OPERATION OF A VEHICLE WITHOUT SUCH FINANCIAL RESPONSIBILITY IS UNLAWFUL.

69O-196.005 Filing Surety Bond in Lieu of Net Worth.

1) A surety bond in the amount of $55,000.00 may be filed with the Office by premium finance companies in conjunction with a $10,000 minimum net worth; and all filings shall be submitted electronically to [website URL].

2) No change.

3) Such surety bond is subject to approval shall be approved by the Office and shall not be cancelled without a thirty-day written notice to the Office.

69O-196.007 Annual Reports.

1) The annual report shall be filed on or before March 1 of each year. The due date is the date by which the report is to be RECEIVED in the Office, NOT THE POSTMARK DATE.

2) An Annual Report The annual report shall be filed with the Office, on or before March 1 of each year, on Form OIR-A3-107, “Annual Report,” effective 6/20, hereby incorporated by reference and available at www.flrules.org/XXXX, form OIR-A3-107 (11.97). Annual Report, which is incorporated by reference in rule 69O-196.015, F.A.C. Each page of the form shall be completed and prepared according to the instructions. An incomplete form shall be returned and considered not filed by the Office. Failure to file a complete annual report by the due date shall subject a licensee to fines as set forth in rule 69O-207.001, F.A.C., and discipline as provided in sections 627.832 and 627.833, F.S. The filings shall be submitted electronically via the Office’s system at [website URL]. All filings shall be submitted electronically to [website URL].

Rulemaking Authority 624.308(1), 627.828(2) FS. Law Implemented 624.424, 627.828 FS. History—New 10-20-73, Repromulgated 12-24-74, Formerly 4-18.05, 4-18.005, Amended 7-29-89, Formerly 4-196.005, Amended 7-30-17.

69O-196.009 Other Reports and Corrective Action Plans.

To aid the Office in determining a licensee’s continued eligibility to hold a premium finance license:

1) No change.

2) Changes in senior corporate officers, chief executive officer, chief financial officer, or directors (or members of a properly authorized and appointed executive committee thereof) or if the licensee is not incorporated, changes in

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management personnel who have decision or policy-making authority over the premium finance company, shall be reported in writing to the Office within 60 days after the effective date of the change. Such changes will require completion of biographical information in the form required by the Office adopted in rule 69O-196.015, F.A.C., and an independent investigative background report of the person or entity, plus an investigation fee. All filings shall be submitted electronically to https://www.floir.com/iportal http://www.floir.com/iportal.

(3) through (4) No change.

(5) If the premium finance company fails to submit a corrective action plan within 30 days of the Office’s order or submits a plan which is insufficient to correct the premium finance company’s financial condition, the Office shall order the premium finance company to implement one or more of the corrective actions listed in this subsection (4).

(6) If the Office determines that a company is insolvent, the Office shall notify the company of such insolvency. If the company disagrees with the Office’s determination, it shall within 15 calendar days file with the Office all information that proves that the company is not insolvent.

(7) If the company fails within the 15-day period provided in subsection (6) to supply information showing to the satisfaction of the Office that the company is not insolvent, the Office shall:

(a) No change.

(b) Suspend or revoke the company’s license certificate of authority if administrative supervision is not viable due to the severity of the company’s condition or the company’s unwillingness to cooperate with the Office in the development and implementation of a corrective plan; or

(c) No change.

Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 624.424, 624.80, 624.81, 627.828, 627.829, 627.832, 627.834, 627.836, 627.849, 628.4615 FS. History—New 7-27-95, Formerly 4-196.009, Amended 7-30-17.

69O-196.015 Application for and Issuance of License and License Continuance Forms Incorporated by Reference. Substantial rewording of Rule 69O-196.015, F.A.C. follows. See Florida Administrative Code for present text.

1. Application for License as a Premium Finance Company

(a) A person applying for a license as a premium finance company shall submit the following:


5. Form OIR-C1-905, “Instructions for Furnishing Background Investigative Reports,” effective 6/20, hereby incorporated by reference and available at www.flrules.org/XXXXX;


8. Form OIR-C1-1423, “Biographical Affidavit,” effective 6/20, hereby incorporated by reference and available at www.flrules.org/XXXXX; and

9. Form OIR-C1-2221, “Management Information Form,” effective 6/20, hereby incorporated by reference and available at www.flrules.org/XXXXX; and

(b) The applicant shall submit the forms listed in paragraph (1)(a) electronically at https://www.floir.com/iportal.

2. Annual License Renewal

(a) All premium finance company licenses shall expire on October 1.

2. Failure to submit the application for renewal before October 1 shall result in expiration of the license and will require the filing of a new application for licensure.

(b) A licensee seeking to continue operating as a premium finance company shall submit Form OIR-A3-1563, “Application for Renewal of License Premium Finance Company,” effective 7/03, hereby incorporated by reference and available at www.flrules.org/XXXXX, filed electronically at https://www.floir.com/iportal.

Rulemaking Authority 624.308(1), 627.828(2) FS. Law Implemented 624.321(1)(a), 624.424, 627.828, 627.829, 627.836, 627.845, 628.4615 FS. History—New 5-28-90, Formerly 4-18.015, Amended 7-27-95, 8-29-99, Formerly 4-196.015, Amended 7-30-17.


(1) through (5) No change.

(6) Section 627.8405(3), F.S., prohibits premium financing of any product not regulated under the Florida Insurance Code including mixed products which contain a part that is not regulated under the Florida Insurance Code.

Rulemaking Authority 624.308(1), 627.8405(3) FS. Law Implemented 624.124, 624.753, 626.794, 626.838, 626.9541, 627.832, 627.8405

(1) No change.


(3) through (4) No change.


69O-196.023 Insurance Agent Penalties.

Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 626.621(12), Ch. 627 Part XV FS. History–New 12-27-94, Amended 4-196.023, Repealed ______.

69O-196.025 Statement of Account; Receipts.

Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 624.424, 627.845, 626.9541(1)(a) FS. History–New 7-27-95, Formerly 4-196.025, Amended 7-30-17, Repealed ______.

69O-196.035 Required Books and Records.

At a minimum for permanent books and records, each licensed premium finance company shall maintain:

(1) A complete set of accounting records including but not limited to:
   (a) through (c) No change.
   (d) Accounts payable registers, together with supporting documentation evidencing each entry.

(2) A detailed register of premium finance contracts in force. The register shall include:
   (a) through (k) No change.
   (l) Number of payments; and,
   (m) No change.

(3) through (8) No change.

(9) Copies of all contracts with independent contractors or third parties performing services directly or indirectly related to the premium finance business. Each such contract shall be submitted to the Office and shall contain at a minimum the following provisions: All filings shall be submitted electronically to http://www.flor.com/iportal.

(a) through (d) No change.

(10) All filings submitted pursuant to subsection (9) shall be submitted electronically to https://www.flor.com/iportal.

(11) Records maintained in accordance with this rule shall be kept as originals, photocopies, or electronically stored reproductions.


NAME OF PERSON ORIGINATING PROPOSED RULE:
Michael Lawrence, Jr., Chief Legal Counsel, Office of Insurance Regulation, E-mail Michael.LawrenceJr@florio.com, (850) 413-4112.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 2, 2021
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 5, 2020

DEPARTMENT OF FINANCIAL SERVICES
OIR – Insurance Regulation

RULE NOS.: RULE TITLES:
69O-198.001 Purpose
69O-198.002 Scope
69O-198.010 License Continuance
69O-198.015 Forms Incorporated by Reference

PURPOSE AND EFFECT: The Office of Insurance Regulation is updating Chapter 69O-198.


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: Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes.

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: 634.402 FS.
LAW IMPLEMENTED: 624.424, 634.407, 634.408, 634.409, 634.413, 634.4085 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: Michael Lawrence, Jr., Chief Legal Counsel, Office of Insurance Regulation, Michael.LawrenceJr@floir.com, (850) 413-4112.

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-198.001 Purpose.
Rulemaking Authority 634.402 FS. Law Implemented 634, Part III FS. History--New 6-3-84, Formerly 4-67.01, Amended 12-26-88, Formerly 4-67.001, 4-198.001, Repealed.

69O-198.002 Scope.
Rulemaking Authority 634.402 FS. Law Implemented 634.409, 634.413 FS. History--New 6-3-84, Formerly 4-67.02, Amended 12-26-88, Formerly 4-67.002, 4-198.002, Repealed.

69O-198.010 License Continuance.
Rulemaking Authority 634.402 FS. Law Implemented 624.424, 634.408 FS. History--New 12-26-88, Formerly 4-67.010, Amended 3-28-93, Formerly 4-198.010, Amended 7-30-17, Repealed.

69O-198.015 Forms Incorporated by Reference.
Rulemaking Authority 634.402 FS. Law Implemented 634.405, 634.407, 634.408, 634.4085, 634.415 FS. History--New 12-26-88, Amended 5-28-90, Formerly 4-67.015, Amended 3-28-93, Formerly 4-198.015, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Lawrence, Jr., Chief Legal Counsel
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 2, 2021
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 5, 2020

DEPARTMENT OF FINANCIAL SERVICES
OIR – Insurance Regulation
RULE NOS.: RULE TITLES:
69O-198.005 Financial Requirements
69O-198.011 Application for and Issuance of License
69O-198.012 Annual Statement
PURPOSE AND EFFECT: The Office of Insurance Regulation is updating Chapter 69O-198, F.A.C.

SUMMARY: Rule 69O-198.005, F.A.C., is amended to update the financial requirements. Rule 69O-198.011 is amended to combine all application requirements in a single rule. Rule 69O-198.012, F.A.C. is amended to update the annual statement requirements.

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: Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes.

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: 634.402 FS.
LAW IMPLEMENTED: 624.424, 634.404, 634.406, 634.407, 634.408, 634.409, 634.413, 634.415, 634.4165 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: Michael Lawrence, Jr., Chief Legal Counsel, Office of Insurance Regulation, Michael.LawrenceJr@floir.com, (850)413-4112.

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-198.005 Financial Requirements.
Requirements regarding the funded, unearned premium reserve account.

(1) through (4) No change.
(5) The unearned premium reserve account is calculated as follows:
(a) For all one year contracts, the minimum reserve for all service warranty associations shall be 25 percent of the gross written premium received on all warranty contracts in force in this state, for which the association is obligated on all contracts wherever issued.
For contracts in excess of two years which are offered by associations having net assets of less than $500,000 and for which premiums are collected in advance for coverage in a subsequent year, 100 percent of the premiums for such subsequent years must be placed in the funded unearned premium reserve account. For all multiyear contracts issued in any state:

1. For companies having less than $500,000 net assets, the reserve shall initially be calculated at 25 percent for the first year premium and 100 percent for each subsequent year’s premium for all gross written premiums for which the association is obligated. As each subsequent year becomes current, 75 percent of that current year’s premium is earned and shall be subtracted from the reserve. The reserve is maintained until the expiration of the multiyear policy.

Example:
The reserve shall be calculated as follows on a three year contract with a selling price of $300.00.

<table>
<thead>
<tr>
<th>Year</th>
<th>Reserve</th>
</tr>
</thead>
<tbody>
<tr>
<td>First</td>
<td>$225.00</td>
</tr>
<tr>
<td>Second</td>
<td>$150.00</td>
</tr>
<tr>
<td>Third</td>
<td>$75.00</td>
</tr>
</tbody>
</table>

2. For companies that have more than $500,000 net assets, the reserve shall be calculated at 25 percent of the gross written premiums for which the association is obligated.

Example:
The reserve shall be calculated as follows on a three year contract with a selling price of $300:

<table>
<thead>
<tr>
<th>Year</th>
<th>Reserve</th>
</tr>
</thead>
<tbody>
<tr>
<td>First</td>
<td>$75.00</td>
</tr>
<tr>
<td>Second</td>
<td>$75.00</td>
</tr>
<tr>
<td>Third</td>
<td>$75.00</td>
</tr>
</tbody>
</table>

The unearned premium reserve account shall be totally funded at all times by unencumbered assets. Those prescribed assets funding the unearned premium reserve shall be clearly designated for this purpose and such reserve account must be a separate auditable account for contracts in force in this state.

7. No warranty seller may allow its gross written premiums in force for contracts written in this state to exceed a 7-to-1 ratio to net assets. Requirements regarding the ratios required by sections 634.106(3) and (4), F.S.

The ratio requirement is a calculation of the ratio of gross written premiums (for which the association is obligated wherever written in any state) to net assets.

(a) All service warranty associations utilizing a funded unearned premium reserve account for contracts in force in this state shall deposit with the Department Office a reserve deposit equal to 10% of the gross written premiums received in force on all Florida warranty contracts in this state.

(b) No change.

Requirements Regarding the Contractual Liability Policy. Contractual liability insurance may be purchased only from an admitted property and casualty insurer whose certificate of authority indicates that it may issue this type of policy and which has been approved by the Office. All insurers issuing contractual liability policies to service warranty associations must, at a minimum, use policy provisions providing policyholder protection substantially equivalent to and not materially in conflict with that provided in the sample contractual liability policy. Form OIR-C1-969 incorporated by reference in Rule 69O-198.011, F.A.C. A policy is in violation of this subsection only if it is in violation of a statute or rule.

Rulemaking Authority 634.402 FS. Law Implemented 634.406(1), (3), (4), 634.4165 FS. History—New 12-26-88, Formerly 4-67.005, Amended 4-26-90, 3-28-93, 4-3-94, Formerly 4-198.005, Amended 4-198.011 Application for and Issuance of License and License Continuance.

Substantial rewording of Rule 69O-198.011, F.A.C. follows. See Florida Administrative Code for present text.

1. Application for License as a Service Warranty Association

(a) An application for a person applying for a license as a service warranty association consists of the following:

1. Form OIR-C1-997, “Application for License Service Warranty Association,” effective 12/18, hereby incorporated by reference and available at www.flrules.org/XXXXX:


4. Form OIR-C1-905, “Instructions for Furnishing Background Investigative Reports,” effective 6/20, hereby incorporated by reference and available at www.flrules.org/XXXXX;


8. Form OIR-C1-1423, “Biographical Affidavit,” effective 6/20, hereby incorporated by reference and available at www.flrules.org/XXXXX; and

(b) A person applying for a license as a service warranty association shall submit forms listed in paragraph (1)(a) as directed by the Office electronically at https://www.floir.com/iportal.

(2) License Continuance for Service Warranty Association
(a) A service warranty association’s license shall continue in force as long as the licensee is in compliance with the provisions of chapter 634, part III, F.S.
(b) Failure to submit the application for continuance by March 1 shall result in expiration of the license and will require the filing of a new application for licensure.
(c) Any licensee who fails to renew a service warranty association license shall immediately cease and desist from engaging in the service warranty business in the state of Florida. The service warranty association shall honor those service warranty contracts in force until the date of expiration or the date of cancellation and a refund is made to the consumer.

(3) Application for License as a Service Warranty Association Manufacturer or Affiliate
(a) An application for a person applying for a license as a service warranty association manufacturer or affiliate consists of the following:
1. Form OIR-A3-110, “License Continuance Form Service Warranty Association,” effective 5/20, hereby incorporated by reference and available at www.flrules.org/XXXXX, filed electronically at https://www.floir.com/iportal; and
2. A fee of $200.00 filed annually in conjunction with the March 1 filing of the annual statement.

(b) A licensee seeking to continue operating as a service warranty association shall submit the following:
1. Form OIR-A3-955, “License Continuance Form Service Warranty Association Manufacturer or Affiliate,” effective 5/20, hereby incorporated by reference and available at www.flrules.org/XXXXX, filed electronically at https://www.floir.com/iportal; and
2. A fee of $500.00 filed annually in conjunction with the March 1 filing of the annual statement.

(c) Any licensee who fails to renew a service warranty association license shall immediately cease and desist from engaging in the service warranty business in the state of Florida. The service warranty association shall honor those service warranty contracts in force until the date of expiration or the date of cancellation and a refund is made to the consumer.

Rulemaking Authority 634.402 FS. Law Implemented 624.424, 634.407, 634.408 FS. History–New 3-28-93, Formerly 4-198.011, Amended ________________

690-198.012 Annual Statement.

(4) An Annual Statements are Statement is required to be filed with the Office of Insurance Regulation, on or before March 1 of each year on Form OIR-A3-456, “Annual Statement for Service Warranty Association,” effective 5/20, hereby incorporated by reference and available at www.flrules.org/XXXXX, and Form OIR-A3-458, “Annual Statement for Publicly Held Corporation,” effective 5/20, hereby incorporated by reference and available at www.flrules.org/XXXXX. The filings shall be submitted electronically via the Office’s system at https://www.floir.com/iportal as incorporated by reference in subsection 69O-198.015(1), F.A.C. If the Annual Statements are statement is not complete to include all information requested in the format provided, they will not be deemed filed until all deficiencies are corrected.

(2) Forms are available at https://www.floir.com/iportal. All filings shall be submitted electronically to https://www.floir.com/iportal.

Rulemaking Authority 634.402 FS. Law Implemented 624.424, 634.415 FS. History–New 12-26-88, Amended 4-26-90, Formerly 4-67.012, 4-198.012, Amended 7-30-17, ________________

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Lawrence, Jr., Chief Legal Counsel
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 2, 2021
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: November 5, 2020

DEPARTMENT OF FINANCIAL SERVICES
OIR – Insurance Regulation
RULE NO.: RULE TITLE:
69O-198.013 Change in Corporate or Business Name
PURPOSE AND EFFECT: The Office of Insurance Regulation is updating Chapter 69O-198, F.A.C.
SUMMARY: Rule 69O-198.013, F.A.C. is created since this notification requirement will be removed from Rule 69O-198.011, F.A.C.
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: Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes.
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: 634.402 FS.
LAW IMPLEMENTED: 634.404 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: Michael Lawrence, Jr., Chief Legal Counsel, Office of Insurance Regulation, Michael.LawrenceJr@floir.com, (850) 413-4112.

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-198.013 Change in Corporate or Business Name
Service warranty associations are required to notify the Office in writing in accordance with section 634.404, F.S., of any change in the corporate name or business name.
Rulemaking Authority 634.402 FS. Law Implemented 634.404 FS.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Michael Lawrence, Jr., Chief Legal Counsel, Office of Insurance Regulation, Michael.LawrenceJr@floir.com, (850) 413-4112.
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 2, 2021
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 5, 2020

DEPARTMENT OF FINANCIAL SERVICES
OIR – Insurance Regulation
RULE NOS.: RULE TITLES:
69O-199.001 Purpose and Scope
69O-199.010 License Renewal
69O-199.015 Forms Incorporated by Reference
PURPOSE AND EFFECT: The Office of Insurance Regulation is updating Chapter 69O-199.
SUMMARY: Rules 69O-199.001, 69O-199.010, and 69O-199.015, F.A.C. are repealed.
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: Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes.
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: 634.002 FS.
LAW IMPLEMENTED: 624.424, 634.306, 624.307, 634.3073, 634.3077, 634.313, 634.315 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: Michael Lawrence, Jr., Chief Legal
Counsel, Office of Insurance Regulation, Michael.LawrenceJr@floir.com, (850) 413-4112.

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-199.001 Purpose and Scope.
Rulemaking Authority 634.302 FS. Law Implemented 634, Part II FS. History—New 7-15-90, Formerly 4-118.001, 4-199.001, Repealed ________.

69O-199.010 License Renewal.
Rulemaking Authority 634.302 FS. Law Implemented 624.424, 634.307 FS. History—New 7-16-92, Amended 4-3-94, Formerly 4-199.010, Amended 7-30-17, Repealed ________.

69O-199.015 Forms Incorporated by Reference.
Rulemaking Authority 634.302 FS. Law Implemented 624.424, 634.306, 634.3073, 634.3077, 634.313, 634.315 FS. History—New 7-15-90, Formerly 4-118.015, Amended 7-16-92, Formerly 4-199.015, Amended 7-30-17, Repealed ________.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Lawrence, Jr., Chief Legal Counsel
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 2, 2021
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 29, 2020

DEPARTMENT OF FINANCIAL SERVICES
OIR – Insurance Regulation
RULE NOS.: RULE TITLES:
69O-199.005 Financial Requirements Regarding the Funded, Unearned Premium Reserve Account
69O-199.008 General Eligibility Requirements
69O-199.012 Annual Statement

PURPOSE AND EFFECT: The Office of Insurance Regulation is updating Chapter 69O-199, F.A.C.
SUMMARY: Rule 69O-199.005, F.A.C. is amended to update the financial requirements. Rule 69O-199.008, F.A.C. is amended to combine all application requirements in a single rule. Rule 69O-199.012, F.A.C. is amended to update the annual statement requirements.

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: Agency personnel familiar with the subject matter of the rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes.

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: 634.002 FS.
LAW IMPLEMENTED: 624.307, 624.424, 634.304, 634.306, 634.307, 634.3073, 634.313, 634.315 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: Michael Lawrence, Jr., Chief Legal Counsel, Office of Insurance Regulation, Michael.LawrenceJr@floir.com, (850) 413-4112.

THE FULL TEXT OF THE PROPOSED RULE IS:


(1)(a) “Gross premium” means the total amount of premium paid by the consumer, inclusive of commissions.

(b) “Gross Written Premiums” means the total amount of premiums paid by the consumer, inclusive of commissions for which the association is obligated.

(c)(b) “Obligated” means outstanding warranties in force which have not expired or been canceled and a refund made to the consumer.

(2)(a) No change.
(b) The serially numbered contract shall include:
1. through 4. No change.
5. Warranty period; and,
6. No change.
(c) No change.

(3) Each home warranty association shall maintain a warranty register, which shall include at least the following items:

(a) through (f) No change.
(g) Commission to sales representative; and,
(h) No change.

(4) “Gross premium” means the total amount of premium paid by the consumer, inclusive of commissions.
(4) The unearned premium reserve account is calculated as follows: the minimum reserve for all home warranty associations shall be 25 percent of the gross written premium for which the association is obligated on all contracts, issued in this state.

(5) The unearned premium reserve account shall be totally funded and identified at all times by unencumbered assets. Those prescribed assets funding the unearned premium reserve account shall be clearly designated for this purpose and such reserve account must be a separate auditable account for contracts in force in this state.

(6) The ratios required by section 634.3077(2), F.S., are net assets to gross written premiums for which the association is obligated, wherever written, in any state, except that the ratio of net assets to gross written premiums may be less if the association has net assets of not less than $500,000 and maintains a funded, unearned premium reserve account equal to a minimum of 40 percent of the gross written premiums received by it from all warranty contracts in force in this state. Rulemaking Authority 634.302 FS. Law Implemented 634.3077 FS. History–New 7-16-92, Formerly 4-199.005, Amended__.

69O-199.008 Application for License and License Renewal. General Eligibility Requirements.

Substantial wording of Rule 69O-199.008, F.A.C. follows. See Florida Administrative Code for present text.

(1) Application for License as a Home Warranty Association

(a) An application for a person applying for a license as a home warranty association consists of the following:


4. Form OIR-C1-905, “Instructions for Furnishing Background Investigative Reports,” effective 6/20, hereby incorporated by reference and available at www.flrules.org/XXXXX;


8. Form OIR-C1-1423, “Biographical Affidavit,” effective 6/20, hereby incorporated by reference and available at www.flrules.org/XXXXX; and


(b) A person applying for a license as a home warranty association shall submit the forms listed in paragraph (1)(a) as directed by the Office electronically at https://www.floir.com/iportal.

(2) Annual License Renewal

(a) All home warranty association licenses shall expire on June 1.

2. Failure to submit the application for continuance by June 1 shall result in expiration of the license and will require the filing of a new application for licensure.

(b) A licensee seeking to continue operating as a home warranty association shall submit the following:


2. A fee of $200.00 filed annually in conjunction with the June 1 filing of the Annual Statement.

(c) Any licensee who fails to renew a home warranty association license shall immediately cease and desist from engaging in the home warranty business in the state of Florida. The home warranty association shall honor those home warranty contracts in force until the date of expiration or the date of cancellation and a refund is made to the consumer. Rulemaking Authority 634.302 FS. Law Implemented 624.424, 634.304, 634.306, 624.307, 634.3073, 634.315 FS. History–New 7-16-92, Amended 4-3-94, Formerly 4-199.008, Amended 7-30-17, Amended__ .

69O-199.012 Annual Statement.

1(a) An Annual Statement Report shall be filed with the Office of Insurance Regulation, on or before March 1 of each year, on Form OIR-A3-491, “Annual Statement for Home Warranty Association,” effective 6/20, hereby incorporated by reference and available at www.flrules.org/XXXXX. The filings shall be submitted electronically via the Office’s system at https://www.floir.com/iportal, on the form prescribed by the Office in rule 69O-199.015, F.A.C.

(b) If the Annual Statement statement does not include all information requested in the format provided, it will not be deemed filed until all deficiencies are corrected.
(2) A late filing fee will be assessed in accordance with rule chapter 69O-207, F.A.C., for each company that has not filed a complete Annual Statement in accordance with this rule.

(3)(a) Any request for an extension of filing the Annual Statement shall be in writing and the reason(s) for the extension explained in detail.

(b) All requests for extension must be filed with the Office fifteen (15) days prior to the deadline date for filing the annual report.

(c) Any request for extension received less than fifteen (15) days prior to due date will be denied except for unavoidable circumstances, which include for example:
   1. through 2. No change.

(4) All filings shall be submitted electronically at http://www.floridainfo.com/portal.

DEPARTMENT OF LAW ENFORCEMENT
Criminal Justice Standards and Training Commission

RULE NO.: RULE TITLE: 69O-207, 2013 Edition, as adopted by Rule 61B-27.002(4), F.A.C. from Douglas W. Pope. Petitioner wishes to waive that portion of the rule that states: (4)(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: Dana Kelly, Agency Clerk, Florida Department of Law Enforcement, P.O. Box 1489 Tallahassee, FL, 32302 or by telephone at (850)410-7676.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Division of Hotels and Restaurants

RULE NO.: RULE TITLE: 61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On February 3, 2021 the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Alina Residences at 200 SE Mizner Blvd, Boca Raton, FL, filed January 4, 2021, and advertised on January 8, 2021, in Vol. 47, No. 5, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.8.1, ASME A17.1, 2013 edition, as adopted by Rule 61C-5.001 Florida Administrative Code that requires non-elevator equipment not be placed in the elevator shaft because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2021-002).
A copy of the Order or additional information may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013. dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Division of Hotels and Restaurants
RULE NO.: RULE TITLE:
61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On January 26, 2021 the Division of Hotels and Restaurants received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code from INVERSIONES ULA INC located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and 3-compartment sink.

The Petition for this variance was published in Vol. 47/17 on January 27, 2021. The Order for this Petition was signed and approved on January 4, 2021. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sinks and 3-compartment sink are emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sinks are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information may be obtained by contacting: Kasimira.Kelly@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF CHILDREN AND FAMILIES
Substance Abuse Program
RULE NO.: RULE TITLE:
65D-30.0037Department Licensing Procedures
NOTICE IS HEREBY GIVEN that on February 3, 2021, the Department of Children and Families, received a petition for petition for variance of subsection 65D-30.0037(3), Florida Administrative Code, from CDAC Behavioral Healthcare, Inc., assigned Case No. 21-001W. subsection 65D-30.0037(3), Florida Administrative Code, states in pertinent part: A provider that is licensed under chapter 397, F.S., to provide day or night treatment, intensive outpatient treatment, outpatient treatment, aftercare, or intervention is permitted to deliver those component services at locations which are leased or owned by an organization other than the provider, but not by another provider.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

Section VI
Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS
The Legislative and Special Initiatives Committee of the Statewide Council on Human Trafficking announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 15, 2021, 1:30 p.m. until conclusion
PLACE: DIAL-IN INFORMATION: 1(888)585-9008, PARTICIPANT PASSCODE: 340-556-387
GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee Business
A copy of the agenda may be obtained by contacting: Lynn Guyton at Lynn.Guyton@myfloridalegal.com or by accessing the board’s website at: http://myfloridalegal.com/__85256CC500
A copy of the Order or additional information may be obtained by contacting: the Office of the Attorney General Ashley Moody at (888)585-9008, (850)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: the Office of the Attorney General Ashley Moody at (850)414-3300. 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: Lynn Guyton at Lynn.Guyton@myfloridalegal.com by telephone at 1(813)287-7950.
DEPARTMENT OF LEGAL AFFAIRS
Division of Victim Services and Criminal Justice Programs
The Council on the Social Status of Black Men and Boys announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, February 10, 2021, 12:15 p.m. – 12:45 p.m.
PLACE: Toll Free Dial in Number: 1(888)585-9008, Conference Code: 428-345-081

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Chairman Special Called Council Teleconference
The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

A copy of the agenda may be obtained by contacting: http://www.cssbmb.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Bureau of Criminal Justice Programs at (850)414-3300. 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 Bureau of Criminal Justice Programs at (850)414-3300.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
The Florida Agriculture in the Classroom announces a public meeting to which all persons are invited.

DATE AND TIME: March 4, 2021, 10:00 a.m.
PLACE: Zoom

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FAITC Board of Directors will meet for a regularly scheduled board meeting.

A copy of the agenda may be obtained by contacting: sponholtz@agtag.org.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
Division of Administration
The CRAFT Foundation, Inc. Technical Advisory Committee (known as Technical Working Group) announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 12, 2021, 9:00 a.m.
PLACE: The meeting will be conducted via Zoom web conferencing. Attendees may join the web conference by visiting https://us02web.zoom.us/j/89464561535?pwd=UEdJZHJjWEZQMUNwaGkxRm53WFRXZz09 and entering Meeting ID: 894 6456 1535 and Passcode: 407769. To join by audio only, dial (312)626-6799 and enter Meeting ID: 894 6456 1535 and Passcode: 407769.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The CRAFT Foundation Technical Working Group will conduct a meeting to discuss and execute matters including, but not limited to, the review and recommendation of CRAFT Cycle Two participant applications and other issues.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Tamara Wood at 1(863)698-9276. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Tamara Wood at 1(863)698-9276.

DEPARTMENT OF LAW ENFORCEMENT
The Federal Funding Work Group (FFWG) announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, February 24, 2021, 10:00 a.m.
PLACE: Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Federal Funding Work Group (FFWG) is meeting to discuss and approve concept papers for inclusion in the state’s federal grant applications.

A copy of the agenda may be obtained by contacting: Rori Dunbar at RoriDunbar@fdle.state.fl.us.

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

For more information, you may contact: Rori Dunbar at RoriDunbar@fdle.state.fl.us.
STATE BOARD OF ADMINISTRATION
The STATE BOARD OF ADMINISTRATION announces a public meeting to which all persons are invited.
DATE AND TIME: Monday, February 22, 2021, 10:00 a.m. – conclusion of Business (ET)
PLACE: Due to changing concerns surrounding COVID-19, the meeting will be held virtually only. Please register on the State Board of Administration’s website, at www.sbafla.com prior to the meeting.
GENERAL SUBJECT MATTER TO BE CONSIDERED:
General business of the Audit Committee.
A copy of the agenda may be obtained by contacting: Kimberly Calhoun, (850)413-1243 or email; kimberly.calhoun@sbafla.com.
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Jim Moore, (850)413-1164 or email; Jim.Moore@sbafla.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).

EXECUTIVE OFFICE OF THE GOVERNOR
Division of Emergency Management
The Division of Emergency Management announces a public meeting to which all persons are invited.
DATE AND TIME: February 12, 2021, 11:00 a.m.
PLACE: Miami-Dade Fire Rescue Headquarters, Press Room, 9300 NW 41 Street, Miami, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED:
Turkey Point Nuclear Power Plant is having a FEMA evaluated exercise on February 10, 2020. After each evaluated exercise, the County holds a public meeting in which all persons are invited.
The Division reserves the right to issue amendments, agenda, and changes to the timeline and specifically to the meeting notice listed above.
A copy of the agenda may be obtained by contacting: Miami-Dade Fire Rescue Headquarters (MDFR) Public Information Bureau, (305)814-8051.
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: MDFR Public Information Bureau, (305)814-8051. 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: MDFR Public Information Bureau, (305)814-8051.

WATER MANAGEMENT DISTRICTS
Southwest Florida Water Management District
The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.
DATE AND TIME: Wednesday, February 24, 2021, 1:30 p.m.
PLACE: SWFWMD, 2379 Broad Street, Brooksville, FL 34604
GENERAL SUBJECT MATTER TO BE CONSIDERED:
Springs Coast Management Committee Meeting. Due to COVID-19, this meeting will be conducted by means of communications media technology to reduce public gatherings and practice social distancing. Anyone who wishes to provide public input will be able to do so by at this link http://bit.ly/2LHueJH or by calling (786)749-6127, 650037356# and entering a conference room number of 650 037 356#. This number will allow the public to listen to the meeting and/or provide comments. Additional instructions regarding viewing of and participation in the meeting are available on the District’s website at WaterMatters.org or by calling 1(800)423-1476 and requesting assistance.
A copy of the agenda may be obtained by contacting: WaterMatters.org, Boards, Meetings & Event Calendar, 1(800)423-1476 (FL only) or (352)796-7211.
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: SWFWMD Human Resources Office, (352)796-7211 or 1(800)423-1476 (FL only), ext. 4747 or email to ADACoordinator@WaterMatters.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: Lauren.Vossler@watermatters.org, 1(800)423-1476 (FL only) or (352)796-7211, x4400 (Ad Order0774).

DEPARTMENT OF ELDER AFFAIRS
The Department of Elder Affairs announces a public meeting to which all persons are invited.
DATE AND TIME: February 26, 2021, 10:00 a.m. – Noon ET
PLACE: Join Teams Meeting: Click here to join the meeting
GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Section 430.501, Florida Statutes, the
Alzheimer's Disease Advisory Committee will be holding a quarterly meeting in order to fulfill its duties in advising the Department of Elder Affairs in the performance of its duties under this act regarding legislative, programmatic, and administrative matters that relate to those living with Alzheimer's disease and their caretakers.

A copy of the agenda may be obtained by contacting: Carolina Mérida, meridac@elderaffairs.org, (850)414-2045.

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: Carolina Mérida, meridac@elderaffairs.org, (850)414-2045. 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: Carolina Mérida, meridac@elderaffairs.org, (850)414-2045.

DEPARTMENT OF ELDER AFFAIRS

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

DATE AND TIME: Friday, June 25, 2021, 10:00 a.m. – 12:00 Noon ET
PLACE: Join Teams Meeting: Click here to join the meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Section 430.501, Florida Statutes, the Alzheimer's Disease Advisory Committee will be holding a quarterly meeting in order to fulfill its duties in advising the Department of Elder Affairs in the performance of its duties under this act regarding legislative, programmatic, and administrative matters that relate to those living with Alzheimer's disease and their caretakers.

A copy of the agenda may be obtained by contacting: Carolina Mérida, meridac@elderaffairs.org, (850)414-2045.

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: Carolina Mérida, meridac@elderaffairs.org, (850)414-2045. 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: Carolina Mérida, meridac@elderaffairs.org, (850)414-2045.

DEPARTMENT OF ELDER AFFAIRS

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

DATE AND TIME: Friday, September 24, 2021, 10:00 a.m. – 12:00 Noon ET
PLACE: Join Teams Meeting: Click here to join the meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Section 430.501, Florida Statutes, the Alzheimer's Disease Advisory Committee will be holding a quarterly meeting in order to fulfill its duties in advising the Department of Elder Affairs in the performance of its duties under this act regarding legislative, programmatic, and administrative matters that relate to those living with Alzheimer's disease and their caretakers.

A copy of the agenda may be obtained by contacting: Carolina Mérida, meridac@elderaffairs.org, (850)414-2045.

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: Carolina Mérida, meridac@elderaffairs.org, (850)414-2045. 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: Carolina Mérida, meridae@elderaffairs.org, (850)414-2045.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Board of Cosmetology
The Board of Cosmetology announces a telephone conference call to which all persons are invited.
DATES AND TIMES: April 19, 2021, 9:00 a.m.; April 20, 2021, 9:00 a.m.
PLACE: https://global.gotomeeting.com/join/270778813
You can also dial in using your phone. United States: (408)650-3123. Access Code: 270-778-813
GENERAL SUBJECT MATTER TO BE CONSIDERED:
General board business.
A copy of the agenda may be obtained by contacting: Florida Board of Cosmetology, 2601 Blair Stone, Tallahassee, Florida, 32399, (850)487-1395.
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: Division of Real Estate, (407)481-5662. 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: DREFREC@myfloridalicense.com.

DEPARTMENT OF MILITARY AFFAIRS
The Department of Military Affairs announces a public meeting to which all persons are invited.
DATE AND TIME: February 12, 2021, 8:00 a.m.
PLACE: Command Conference Room, Saint Francis Barracks 82 Marine Street St Augustine, FL 32084
GENERAL SUBJECT MATTER TO BE CONSIDERED:
Armory Board Meeting to review lease(s) and other business relative to real property and facility management.
A copy of the agenda may be obtained by contacting: Susan Spooner (904)823-0201
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: Susan Spooner (904)823-0201. 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: Susan Spooner (904)823-0201.

CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.
The Center for Independent Living announces a public meeting to which all persons are invited.
DATE AND TIME: Thursday, February 11, 2021, 8:15 a.m.
PLACE: CIL Office
GENERAL SUBJECT MATTER TO BE CONSIDERED: General Committee Meeting
A copy of the agenda may be obtained by contacting: Carla Campbell
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: Carla Campbell. 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).

CAREERSOURCE FLORIDA
The CareerSource Florida Board of Directors announces a public meeting to which all persons are invited.
DATE AND TIME: February 18, 2021, 1:00 p.m.
PLACE: Virtual meeting
GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues of CareerSource Florida
A copy of the agenda may be obtained by contacting: Lisa Cramer at lcramer@careersourceflorida.com.
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 days before the workshop/meeting by contacting: Lisa Cramer. 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: Lisa Cramer at lcramer@careersourceflorida.com.

ENTERPRISE FLORIDA, INC.
The Enterprise Florida, Inc. and the Florida Defense Support Task Force announces a public meeting to which all persons are invited.
DATE AND TIME: Thursday, February 18, 2021, 10:30 a.m. - 1:30 p.m. ET
PLACE: Zoom Meeting:
https://zoom.us/j/8502986640?pwd=R2E4VVMrLzdXeUVLQklPUjJXeTY0Zz09, Meeting ID: 850 298 6640, Passcode: 955522
One tap mobile:
(301)715-8592, 8502986640#, *955522# US (Washington DC)
(312)626-6799, 8502986640#, *955522# US (Chicago)
Dial by your location:
(301)715-8592, US (Washington DC)
(312)626-6799, US (Chicago)
(646)558-8656, US (New York)
(253)215-8782, US (Tacoma)
(346)248-7799, US (Houston)
(669)900-9128, US (San Jose)
Meeting ID: 850 298 6640, Passcode: 955522
Find your local number: https://zoom.us/u/abHwtNYo2
GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss proposed actions that will assist in preserving, protecting and enhancing Florida’s military installations and missions.
A copy of the agenda may be obtained by contacting: Michelle Griggs, (850)298-6640, mgriggs@enterpriseflorida.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 1 days before the workshop/meeting by contacting: Michelle Griggs, (850)298-6640, mgriggs@enterpriseflorida.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: Ray Collins, (850)878-4578, rcollins@enterpriseflorida.com.

FLORIDA IS FOR VETERANS INC.
The Florida is for Veterans, Inc., dba Veterans Florida announces a public meeting to which all persons are invited.
DATE AND TIME: February 18, 2021, 10:00 a.m.
PLACE: Google Meet at https://meet.google.com/npk-odiy-jtp
GENERAL SUBJECT MATTER TO BE CONSIDERED: Program updates, legislative goals, and budget items.
A copy of the agenda may be obtained by contacting: info@veteransflorida.org.
For more information, you may contact: info@veteransflorida.org.

Section VII
Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Division of Alcoholic Beverages and Tobacco
NOTICE IS HEREBY GIVEN that Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco has issued an order disposing of the petition for declaratory statement filed by Winn Dixie Stores, Inc. on January 13, 2020. The following is a summary of the agency's disposition of the petition:
Petitioner Winn Dixie Stores, Inc. petition for declaratory statement is granted.
A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Department of Business and Professional Regulation, Agency Clerk's Office,
Section VIII
Notice of Petitions and Dispositions
Regarding the Validity of Rules

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION
University of Florida
UF Harn Museum American Art Wing AE selection
NOTICE TO PROFESSIONAL CONSULTANTS:
The University of Florida Board of Trustees announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project: UF-671, Harn Museum American Art Wing
(Gainesville, FL)
As the Harn marks its 30th anniversary and launches a strategic plan for the next 5 years, the new American Art Wing will provide a multi-purpose addition to engage in activities that will further fulfill its mission to inspire, educate and enrich people’s lives through art as well as enhance the experience of all UF students. In addition to creating more display and storage space, a print-study center and conservation studio will be included in this new wing, creating new teaching tools and learning opportunities for UF students.
The main floor of the new wing will connect to the main floor of the existing building and will extend out towards the parking lot from the Rotunda providing a high level of visibility as visitors approach the entrance of the Harn. The new works on paper study and conservation center would allow scholars and students from around the world to come and study original works of art under the guidance of trained museum staff.
The estimated construction budget is approximately $12,700,000, including site improvements, utilities, security, AV and landscape. The project will be delivered using the Construction Manager At-Risk method and the project bid documents will include early site and structure packages. Gold LEED (Leadership in Energy and Environmental Design) certification by the U.S. Green Building Council is mandatory.
The selected firm will provide design, construction documents and construction administration services for the referenced project. Plans and specifications for University of Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.
Blanket design professional liability insurance will be required from the architect, mechanical, electrical, plumbing, fire protection, structural, and civil engineering consultants for this project and will be provided as a part of Basic Services. The selected applicant will also be required to provide insurance coverage for General Liability, Automotive Liability, and Workers’ Compensation.
Applicants will be evaluated on the basis of their past performance, experience, personnel, design ability, references, workload, and responses to questions posed both in the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.
At the time of application, the applicant and its landscape architectural and engineering consultants must possess current design licenses from the appropriate governing board and be properly registered to practice its profession in the State of Florida. If the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida.
Applicants desiring to provide professional services for the project shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet, and other background
TITLE: MARTIN COUNTY BS/MPZ MARKER CONSTRUCTION PROJECT
The intent of this Invitation to Bid (ITB) is to obtain competitive pricing for MARTIN COUNTY BS/MPZ MARKER CONSTRUCTION PROJECT, in accordance with the contract documents and Chapter 255 of the Florida Statutes. SEALED BIDS WILL BE PUBLICLY OPENED AND READ ALOUD
BID OPENING DATE & TIME: February 26, 2021, 3:30 p.m.
BID OPENING LOCATION: Florida Fish & Wildlife Conservation Commission, 1875 Orange Avenue East, Tallahassee, Florida 32311-6160
TAMPA INTERNATIONAL AIRPORT/HILLSBOROUGH COUNTY AVIATION AUTHORITY
HILLSBOROUGH COUNTY AVIATION AUTHORITY (AUTHORITY)
RFP No. 86008 for Air Services Development
Sealed proposals for Air Services Development will be received from firms by the Authority electronically at www.TampaAirport.com > Learn about TPA > Airport Business > Procurement > Current Solicitation Opportunities > Solicitations – Non-Capital. Solicitation documents and detailed requirements will be available on the Tampa International Airport website at www.tampaairport.com > Learn about TPA > Airport Business > Procurement > Current Solicitation Opportunities > Solicitations – Non-Capital on or about February 3, 2021.

Section XII
Miscellaneous

DEPARTMENT OF STATE
Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Friday, January 29, 2021 and 3:00 p.m., Thursday, February 4, 2021.

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

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AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need
NOTICE OF HOSPICE PROGRAM FIXED NEED POOL
NOTICE OF HOSPICE PROGRAM FIXED NEED POOL
The Agency for Health Care Administration has projected a fixed need pool for hospice programs, defined in accordance with Sections 400.601-400.602, Florida Statutes (F.S.) and 408.031-408.045, F.S. Fixed need pool projections are for hospice programs planned for July 2022, pursuant to the provisions of Rule 59C-1.035, Florida Administrative Code. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, 2727 Mahan Drive, Building 2, Room C-1, MS 28, Tallahassee, Florida 32308, on or before 5:00 p.m., February 22, 2021.

Any person who identifies an error in the fixed need pool numbers must advise the agency of the error within ten (10) days of the publication. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Register. Failure to notify the agency of the error during this ten day period waives a person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of an error in the action has a right to request an administrative hearing pursuant to Section 120.57, F.S. In order to request a proceeding under Section 120.57, F.S., a request for an administrative hearing must state with specificity which issues of material fact or law are in
dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the agency clerk at 2727 Mahan Drive, Building 3, Room 3431, MS 3, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

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AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need
NOTICE OF HOSPITAL FIXED NEED POOLS FOR PSYCHIATRIC AND SUBSTANCE ABUSE BEDS

The Agency for Health Care Administration has projected fixed bed need pools for adult and children and adolescent psychiatric and adult substance abuse beds for July 2026 pursuant to the provisions of Rules 59C-1.008, 59C-1.040, and 59C-1.041, F.A.C. Net bed need projections for adult and children and adolescent psychiatric and adult substance abuse hospital beds have been adjusted according to occupancy rate thresholds as prescribed by the above-mentioned rules. A fixed need pool projection for children and adolescent substance abuse beds is not made because the administrative rule governing this service does not include a mathematical formula for the calculation of need. An applicant seeking approval for these types of beds must establish need in its application. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 2, Room C-1, MS 28, 2727 Mahan Drive, Tallahassee, Florida, 32308, on or before 5:00 p.m., February 22, 2021.

Any person who identifies an error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Register. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person’s right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the agency clerk at 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida, 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

| Psychiatric and Substance Abuse Net Bed Need |
|--------------------------|----------|----------|----------|----------|
| Adult Psychiatric Beds Net Need | Children & Adolescent Psychiatric Beds Net Need | Adult Substance Abuse Beds Net Need |
| Adjusted Bed Need | Adjusted Bed Need | Adjusted Bed Need |
| District 1 | 0 | 0 | 0 |
| District 2 | 0 | 0 | 0 |
| District 3 | 0 | 0 | 0 |
| District 4 | 0 | 0 | 0 |
| District 5 | 0 | 0 | 0 |
| District 6 | 0 | 0 | 0 |
| District 7 | 0 | 0 | 0 |
| District 8 | 0 | 0 | 4 |
| District 9 | 0 | 0 | 2 |
AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need
NOTICE OF HOSPITAL FIXED NEED POOLS FOR
COMPREHENSIVE MEDICAL REHABILITATION BEDS
The Agency for Health Care Administration has projected a fixed bed need pool for comprehensive medical rehabilitation hospital beds for July 2026 pursuant to the provisions of Rules 59C-1.008 and 59C-1.039, F.A.C. Net bed need projections for comprehensive medical rehabilitation hospital beds have been adjusted according to occupancy rate thresholds as prescribed by the above-mentioned rules. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 2, Room C-1, MS 28, 2727 Mahan Drive, Tallahassee, Florida, 32308, on or before 5:00 p.m., February 22, 2021.

Any person who identifies an error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Register. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the agency clerk at 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

DEPARTMENT OF HEALTH
Division of Children's Medical Services
Public Hearing Related to Florida's FFY 2021 Renewal Application for Funds and Proposed Policies Under Part C of the Individuals with Disabilities Education Act (IDEA)
In order to meet the public participation requirements under §441 of the General Education Provisions Act (GEPA) at 20 USC 1232d(b)(7)(B) and Part C of the Individuals with Disabilities Education Act (IDEA) at 34 CFR §303.208, the Early Steps State Office (ESSO), as lead agency for implementation of IDEA, Part C in Florida, is publishing proposed policies and the annual renewal application for funds under IDEA, Part C. In accordance with IDEA, Part C, the application will be available for public review on http://www.cms-kids.com/home/resources/es_policy/es_policy.html, for at least 60 days beginning March 2, 2021 through April 30, 2021. The opportunity for public comment on the Part C application will be available for 30 days beginning March 15, 2021 through April 13, 2021. Comments will be accepted from the general public, including parents of infants and toddlers with disabilities, providers of services, advocacy groups and organizations and other stakeholders in the state.

Comments may be submitted to CMS.EarlyStepsPublicComment@flhealth.gov. The Early Steps State Office must receive your comments no later than April 13, 2021. Note that the Early Steps State Office will not accept comments by phone, fax or e-mail to ESSO staff. To ensure that your comments have the maximum effect, please identify the specific section or sections of the proposed policies or Part C application that each of your comments addresses. Responses to individual questions will not be provided; however, the ESSO will review and consider all comments and make any modifications deemed necessary.

Comments may be submitted to the Early Steps State Office via postal mail, or commercial/express delivery. Comments should

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**Comprehensive Medical Rehabilitation Bed Need**

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</table>
indicate that they are concerning the Part C application.

Address comments to:

Mailing Address: Florida Department of Health
Natasha Ruiz-Villar
Florida Department of Health
Children’s Medical Services
Early Steps State Office
4052 Bald Cypress Way, Bin #A06
Tallahassee, FL 32399-1707

Express Mail: Natasha Ruiz-Villar
Children’s Medical Services
Early Steps State Office
4025 Esplanade Way, Room 120-L
Tallahassee, FL 32311-1707

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.