

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE NO.:       RULE TITLE:

59A-1.003       Definitions

PURPOSE AND EFFECT: The Agency is amending the rule to strike the definition of “Agency” and “AHCA” to avoid conflict with the definition in 408.803(1) and 765.511(1), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Definitions will be amended to align with statutory language.

RULEMAKING AUTHORITY: 765.541(2), F.S.

LAW IMPLEMENTED: 382.009, 406.11(1), 765.511, 765.512, 765.541, 765.542 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 18, 2017, 2:00 p.m. to 4:00 p.m. ET.

PLACE: Agency for Health Care Administration, Ft. Knox Bldg 3, Conference Room C, 2727 Mahan Drive, Tallahassee, FL 32308

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: Zachary Masters, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, (850)412-4374. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Zachary Masters, (850)412-4374, email: zach.masters@ahca.myflorida.com.

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

**DEPARTMENT OF HEALTH**

**Council of Licensed Midwifery**

RULE NO.:       RULE TITLE:

64B24-7.014    Records and Reports

PURPOSE AND EFFECT: To update the Annual Report of Midwifery Practice form DH-MQA 5011.

SUBJECT AREA TO BE ADDRESSED: Annual report of midwifery practice form.

RULEMAKING AUTHORITY: 467.005, FS.

LAW IMPLEMENTED: 467.004, 467.019, FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kama Monroe, Executive Director, 4052 Bald Cypress Way, Bin #C-06, Tallahassee, Florida 32399 or Kama.Monroe@FHHealth.gov.

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

**Section II**  
**Proposed Rules**

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.:       RULE TITLE:

59G-9.070       Administrative Sanctions on Providers, Entities, and Persons

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-9.070, Florida Administrative Code (F.A.C.) is to update rule text and clarify language relating to sanctions.

SUMMARY: This rule describes the Florida Medicaid administrative sanctions process imposed upon providers, entities, or persons for violations of Florida Medicaid-related law.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.907, 409.913, 409.920 FS.

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

DATE AND TIME: May 16, 2017 from 2:30 p.m. to 3:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308-5407.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ramona Stewart. 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: Ramona Stewart, Medicaid Program Integrity, 2727 Mahan Drive, Mail Stop 6, Tallahassee, Florida 32308-5407, telephone: (850)412-4630, e-mail: Ramona.Stewart@ahca.myflorida.com.

Official comments to be entered into the rule record will be received from the date of this notice until 5:00 p.m. May 17, 2017. Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, please contact the person specified above.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-9.070 Administrative Sanctions on Providers, Entities, and Persons.

(1) Purpose: This rule provides notice of administrative sanctions imposed upon a provider, entity, or person for each violation of any Medicaid-related law.

(2) Applying and reporting sanctions: Notice of the application of sanctions will be by way of written correspondence, and the final notice shall be the point of entry for administrative proceedings pursuant to Chapter 120, F.S. Satisfaction of an overpayment following a preliminary audit report, will not avoid the application of sanctions at a final audit report, unless the Agency for Health Care Administration (Agency) offers amnesty pursuant to Section 409.913(25)(e), F.S. The Agency shall report all sanctions imposed upon any provider, entity, or person, or any principal, officer, director, agent, managing employee, or affiliated person of a provider, who is regulated by another state entity, regardless of whether enrolled in the Medicaid program, to that other state entity. Sanctions are imposed upon the Final Order being filed with the Agency Clerk.

(3) Definitions:

(a) "Audit report" is the written notice of determination that a violation of Medicaid laws has occurred, and where the

violation results in an overpayment, it also shows the calculation of overpayments.

(b) "Claim" is as defined in Section 409.901(6), F.S., and includes the total monthly payment to a provider for per diem payments, and the payment of a capitation rate for a Medicaid recipient.

(c) "Contemporaneous records" means records created at the time the goods or services were provided, unless otherwise specified in Medicaid laws, or the laws that govern the provider's profession.

(d) A "Corrective action plan" is an activity to address the specific areas of non-compliance, determined by the Agency, to reduce the risk of future non-compliance.

(e) An "Erroneous claim" is an application for payment from the Medicaid program, or its fiscal agent, that contains an inaccuracy.

(f) "Fine" is a monetary sanction. The amount of a fine shall be as set forth within this rule.

(g) A "False claim" is as provided for in the Florida False Claims Act, set forth in Chapter 68, F.S.

(h) "Offense" means the occurrence of one or more violations as set forth in a final audit report. For purposes of the progressive nature of sanctions under this rule, offenses are characterized as "first", "second", "third", or "subsequent" offenses; subsequent offenses are any occurrences after a third offense.

(i) "Patient Record" means the patient's medical record, including all documentation maintained by the provider, entity, or person to document furnishing, ordering, or authorizing goods or services, and includes the documentation in multiple files if the practitioner maintains separate files for different types of documentation.

(j) "Patient Record Request" means a request by the Agency for Medicaid-related documentation or information. Such requests are not limited to Agency audits to determine overpayments or violations, and are not limited to enrolled Medicaid providers. Each requesting document constitutes a single Patient Record Request.

(k) "Pattern of erroneous claims" is defined as when more than 5% of the claims reviewed are found to contain an error, or the reimbursements for the claims found to contain an error, are more than 5% of the total reimbursement for the claims reviewed.

(l) "Provider" is as defined in Section 409.901(17), F.S., and includes all of the provider's locations that have the same base provider number (with separate locator codes).

(m) "Provider Group" is more than one individual provider practicing under the same tax identification number, enrolled in the Medicaid program as a group for billing purposes, and having one or more locations.

(n) "Sanction" shall be any monetary or non-monetary disincentive imposed pursuant to this rule; a monetary sanction may be referred to as a "fine."

(o) "Suspension" is a one-year preclusion from furnishing, supervising a person who is furnishing, or causing a person to furnish goods or services that result in a claim for payment to the Medicaid program. Suspension applies to any person, corporation, partnership, association, clinic, group, or other entity, whether or not enrolled in the Medicaid program.

(p) "Termination" is a twenty-year preclusion from furnishing, supervising a person who is furnishing, or causing a person to furnish goods or services that result in a claim for payment to the Medicaid program. Termination applies to any person, corporation, partnership, association, clinic, group, or other entity, whether or not enrolled in the Medicaid program; ~~h~~ However, if termination is imposed against a provider enrolled in the Medicaid program, the provider agreement shall also be terminated. A termination pursuant to this rule is also called a "for cause" or "with cause" termination.

(q) "Violation" means any omission or act performed by a provider, entity, or person that is contrary to Medicaid laws, the laws that govern the provider's profession, or the Medicaid provider agreement.

1. For purposes of this rule, each day that an ongoing violation continues, and each instance of an act or omission contrary to a Medicaid law, a law that governs the provider's profession, or the Medicaid provider agreement shall be considered a "separate violation".

2. For purposes of determining first, second, third, or subsequent offenses under this rule, prior Agency actions during the preceding five years will be counted where the provider, entity, or person was deemed to have committed the same violation.

3. The failure to comply with a corrective action plan constitutes a violation, and is an ongoing violation, for each day following the deadline for submission of the corrective action plan that the failure continues.

4. For purposes of determining a violation regarding including an unallowed cost in a cost report (paragraph (7)(k) and ~~s~~Section 409.913(15)(k), F.S.), if the unallowed cost or costs are the subject of an administrative hearing pursuant to Chapter 120, F.S., inclusion of the unallowed cost, or costs, in a cost report is not a violation until the conclusion of the administrative proceedings.

5. For purposes of violations under paragraph (7)(n) of this rule regarding purchase shortages (as opposed to shortages of time), each good found to be short, by units of each type of goods, such as each tablet of a particular drug, is a violation.

6. For purposes of violations under paragraph (7)(q) of this rule (generally, non-payment on a payment plan), a second,

third, or subsequent offense occurs when there has been a prior violation on any repayment agreement.

(4) Limits on sanctions.

(a) Where a sanction is applied for violations of Medicaid laws (under paragraph (7)(e) of this rule), for a pattern of erroneous claims (under paragraph (7)(h) of this rule), or shortages of goods (under paragraph (7)(n) of this rule), and the violations are a "first offense" as set forth in this rule, if the cumulative amount of the fine to be imposed as a result of the violations giving rise to that overpayment exceeds ~~20% twenty-percent~~ of the amount of the overpayment, the fine shall be adjusted to 20% ~~twenty-percent~~ of the amount of the overpayment.

(b) Where a sanction is applied for violations of Medicaid laws (under paragraph (7)(e) of this rule), for a pattern of erroneous claims (under paragraph (7)(h) of this rule), or shortages of goods (under paragraph (7)(n) of this rule), and the violations are a "second offense" as set forth in this rule, if the cumulative amount of the fine to be imposed as a result of the violations giving rise to that overpayment exceeds ~~40% forty-percent~~ of the amount of the overpayment, the fine shall be adjusted to 40% ~~forty-percent~~ of the amount of the overpayment.

(c) Where a sanction is applied for violations of Medicaid laws (under paragraph (7)(e) of this rule), for a pattern of erroneous claims (under paragraph (7)(h) of this rule), or shortages of goods (under paragraph (7)(n) of this rule), and the violations are a "third" or "subsequent" offense, if the cumulative amount of the fine for violations giving rise to the overpayment exceeds ~~50% fifty-percent~~ of the amount of the overpayment, the fine shall be adjusted to 50% ~~fifty-percent~~ of the amount of the overpayment.

(d) Where the audit report does not include an overpayment determination, it only applies a sanction, and where a fine is assessed for violations that are a "first offense" as set forth in this rule, the cumulative amount of the fine shall not exceed \$20,000; where the violations are a "second offense" as set forth in this rule, the cumulative amount of the fine shall not exceed \$50,000; where the violations are a "third or subsequent offense" as set forth in this rule, there are no limits on the cumulative amount of the fine to be applied.

(e) Where a sanction would apply pursuant to this rule, no sanction will be imposed if the Agency has instituted an amnesty pursuant to ~~s~~Section 409.913(25)(e), F.S.

(5) Mandatory termination or suspension. Whenever the Agency is required to terminate or suspend participation in the Medicaid program and the required period of time for the exclusion exceeds one year, the sanction of termination shall apply.

(6) Additional requirements regarding suspension and termination.

(a) For purposes of this rule a “suspension” precludes participation for one year, or such shorter period of time as is set forth in this rule. The suspension period begins from the date of the Final Order that imposes the Agency action.

1. To resume participation following the suspension period, a written request must be submitted to the Agency’s, Bureau of Medicaid Program Integrity, seeking to be reinstated in the Medicaid program. The request must include a copy of the notice of suspension, and a statement regarding whether the violation(s) that brought rise to the suspension have been remedied. If the provider, entity, or person was not enrolled in the Medicaid program at the time of the suspension, the request must also include a complete and accurate provider enrollment application, even if the person or entity seeks only to prescribe, or otherwise order or authorize goods or services, and does not seek to directly furnish goods or services to Medicaid recipients; the application will be processed, and accepted or denied in the standard course of business by the Agency.

2. Participation in the Medicaid program may not resume until written confirmation is issued from the Agency indicating that participation has been authorized. Where a Medicaid provider application is required, authorization is at the point where the person or entity is enrolled as a provider; if the application is not granted, the person or entity may not resume participation.

(b) For purposes of this rule, a “termination” shall preclude participation in the Medicaid program for twenty years from the date of the Agency action. The termination period begins from the date of the Final Order that imposes the Agency action, unless the termination is an “immediate termination”. An immediate termination period begins from the date of notice of the termination.

To resume participation, the provider, entity, or person must submit a complete and accurate provider enrollment application, which will be processed, and accepted or denied in the standard course of business by the Agency. In addition to the application, the provider, entity, or person must include a copy of the notice of termination issued by the Agency, and a written acknowledgement regarding whether the violation(s) that brought rise to the termination has been remedied.

(7) Sanctions: In addition to the recoupment of the overpayment, if any, the Agency will impose sanctions as outlined in this subsection. Except when the Secretary of the Agency determines not to impose a sanction, pursuant to §Section 409.913(16)(j), F.S., sanctions shall be imposed as follows:

(a) A required license is not renewed, or is revoked, suspended, or terminated: For a first offense of suspension, suspension for the duration of the licensure suspension; for all other violations, including suspension after a first offense, termination (§Section 409.913(15)(a), F.S.);

(b) For failure to make available, or refused access to Medicaid-related records necessary to review, investigate, analyze, audit, or any combination thereof, to determine if care, services, or goods were provided in compliance with applicable Medicaid laws, regulations, and policy. Making available only partial records or access is a violation: For a first offense, \$2,500 fine, per record request or instance of refused access, and suspension until the records are made available or access is granted; if after 10 days the violation continues, an additional \$1,000 fine, per day; and, if after 30 days the violation remains ongoing, termination. For a second offense, \$5,000 fine, per record request or instance of refused access, and suspension until the records are made available or access is granted; if after 10 days the violation continues, an additional \$2,000 fine, per day; and, if after 30 days the violation remains ongoing, termination. For a third, or subsequent offense, termination (§Section 409.913(15)(b), F.S.);

(c) For failure to make available or furnish all Medicaid-related records necessary, to be used in determining whether, and what amount should have, or should be, reimbursed. Submission of partial or incomplete records does not comply with the records request and is a violation: For a first offense, \$2,500 fine, per record request, and suspension until the records are made available; if after 10 days the violation continues, an additional \$1,000 fine, per day; and, if after 30 days the violation remains ongoing, termination. For a second offense, \$5,000 fine, per record request, and suspension until the records are made available; if after 10 days the violation continues, an additional \$2,000 fine, per day; and, if after 30 days the violation remains ongoing, termination. For a third, or subsequent offense, termination (§Section 409.913(15)(c), F.S.);

(d) For failure to maintain contemporaneous documentation if the records not maintained are necessary to know that care, services, or goods were provided. Contemporaneous records that are partial or incomplete are a violation: For a first offense, \$250 fine, per claim; however, if there are more than two claims for the same patient without records, or more than two patients for which no records are maintained, \$2,500 fine, per patient for which there are any claims without records. For a second offense, \$500 fine, per claim; however, if there are more than two claims for the same patient without records, or more than two patients for which no records are maintained, \$5,000 fine, per patient for which there are any claims without records. For a third or subsequent offense, termination (§Section 409.913(15)(d), F.S.);

(e) For failure to comply with the provisions of the Medicaid laws: For a first offense, \$1,000 fine, per claim found to be in violation. For a second offense, \$2,500 fine, per claim found to be in violation. For a third, or subsequent offense, \$5,000 fine, per claim found to be in violation. For a violation

of law that would mandate exclusion, termination; for a violation of law that could result in patient harm, termination; for violations of prerequisites to enrollment, termination (sections 409.907(10), and Section 409.913(14) and (15)(e), F.S.);

(f) For furnishing, authorizing, or ordering goods or services that are inappropriate, unnecessary, excessive, of inferior quality, or harmful: For a first offense, \$1,000 fine; however, if there is more than one instance, \$5,000 fine per instance; For a second offense, \$5,000 fine; however, if there is more than one instance, \$5,000 fine per instance, and suspension; For a third and subsequent offense, \$5,000 fine per instance, and suspension, however; if there is more than one instance, termination (Section 409.913(15)(f), F.S.);

(g) For a pattern of failure to provide necessary care: For a first offense, \$5,000 fine for each instance, and suspension. For a second or subsequent offense, termination (Section 409.913(15)(g), F.S.);

(h) For false, or a pattern of erroneous, Medicaid claims:

1. For false claims, termination.

2. For a first offense of a pattern of erroneous claims, \$1,000 fine per claim found to be erroneous. For a second offense of a pattern of erroneous claims, \$2,500 fine per claim found to be erroneous. For a third, or subsequent offense of a pattern of erroneous claims, \$5,000 fine per claim found to be erroneous (Section 409.913(15)(h), F.S.);

(i) For an application, renewal, prior authorization, drug exception request, or cost report with materially false or materially incorrect information: For a first offense, \$10,000 fine for each instance of false or incorrect information, and suspension. For a second, and subsequent offense, termination (Section 409.913(15)(i), F.S.);

(j) For improperly collecting or billing a recipient: For a first offense, \$5,000 fine per instance, and suspension; for a second, and subsequent offense, termination (Section 409.913(15)(j), F.S.);

(k) For including costs in a cost report that are not authorized under the Medicaid state plan, or that were disallowed during the audit process, after having been advised that the costs were not allowable: For a first offense, \$5,000 fine; however, if after 30 days the violation continues, suspension, and \$1,000 fine per day that the violation continues. For a second offense, \$5,000 fine; however, if after 30 days the violation continues, suspension, and \$5,000 fine per day that the violation continues. For a third, and subsequent offense, termination (Section 409.913(15)(k), F.S.);

(l) For being charged by information or indictment under federal law or the law of any state relating to the practice of the provider's profession, or an offense as referenced in section 409.913(13), F.S., or a criminal offense referenced in sections 408.809(4), 409.907(10), or 435.04(2), F.S.: with fraudulent

billing practices: Immediate suspension for the duration of the indictment and, if convicted, termination (Section 409.913(15)(l), F.S.);

(m) For negligently ordering or prescribing, which resulted in the patient's injury or death: immediate termination (Section 409.913(15)(m), F.S.);

(n) For shortages of time: For a first offense, \$5,000 fine, per day found to have shortages, not to exceed the total Medicaid reimbursement for the day(s) with shortages; For a second offense, \$5,000 fine, per day found to have shortages, not to exceed two-times the total Medicaid reimbursement for the day(s) with shortages; For a third or subsequent offense, termination. For shortages of goods: For a first offense, \$1,000 fine, per type of good found to be short. For a second offense, \$2,500 fine, per type of good found to be short. For a third, or subsequent offense, \$5,000 fine, per type of good found to be short (Section 409.913(15)(n), F.S.);

(o) For failure to comply with the notice and reporting requirements of Section 409.907, F.S.: For a first offense, \$2,500 fine. For a second offense: \$5,000 fine. For a third, and subsequent offense: termination (Section 409.913(15)(o), F.S.);

(p) For a finding of patient abuse or neglect, or any act prohibited by Section 409.920, F.S.: Immediate suspension, and, if convicted: termination (Section 409.913(15)(p), F.S.);

(q) For failure to comply with any of the terms of a previously agreed-upon repayment schedule: For a first offense: \$5,000 fine, and suspension until the violation is corrected; if after 30 days the violation continues: termination. For a second offense: \$5,000 fine, and suspension until the violation is corrected, and, if the violation is not corrected within 5 calendar days, an additional \$1,000 fine, per day for which the violation continues; if after 30 days the violation continues: termination. For a third, and subsequent offense: termination (Sections 409.913(15)(q) and 409.913(25)(c), F.S.);

(r) For violations under Sections 409.913(13), F.S. (generally, criminal offenses related to the delivery of health care, the practice of the provider's profession, and patient abuse or neglect), the Agency shall consider the violations identified in Sections 435.04 and 408.809, F.S., as related to the provider's profession, and shall impose immediate termination.

(s) For non-payment or partial payment where monies are owed to the Agency, and failure to enter into a repayment agreement, in accordance with Sections 409.913(25)(c) and 409.913(30), F.S., the Agency shall impose the sanction of termination.

(8) Additional sanctions for multiple violations under the sanction rule. In the event the Agency issues an audit report wherein it has determined that violations of more than one provision of this rule (the sanction rule) have been committed, the Agency shall cumulatively apply the sanction associated

with each section; if the violations invoke three or more provisions of this rule (the sanction rule), a corrective action plan will also be required.

Rulemaking Authority 409.919 FS. Law Implemented 409.907, 409.913, 409.920 FS. History—New 4-19-05, Amended 4-26-06, 10-29-08, 9-7-10,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Ramona Stewart  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Justin M. Senior  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 05, 2017  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 22, 2017

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Family Safety and Preservation Program**

RULE NO.: RULE TITLE:

65C-15.036 Intercountry Adoption Services

PURPOSE AND EFFECT: Section 409.175, F.S., requires the Department to adopt and amend licensing rules for child-placing agencies. The proposed amendments concern the child-placing agency’s responsibilities regarding compliance with federal and international accreditation standards.

SUMMARY: The amendments (1) Require any child-placing agency which conducts intercountry adoptions and is accredited by the United States Department of State to remain in good standing with the accreditation body; and (2) Provide that if the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption suspends or revokes accreditation of a child-placing agency, the Department will consider the action of the accreditation suspension or revocation grounds for revocation of the child-placing agency’s license.

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

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

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

the Department has determined that the proposed rule is not expected to require legislative ratification.

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

RULEMAKING AUTHORITY: 409.175(5)(a), FS.

LAW IMPLEMENTED: 409.175(5)(a), FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jodi Abramowitz. Jodi can be reached at (850)717-4189 or Jodi.abramowitz@myflfamilies.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-15.036 Intercountry Adoption Services.

(1) No change.

(2) Any child-placing agency which conducts intercountry adoptions and is accredited by the United States Department of State shall remain in good standing with the accreditation body.

(3) If the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption suspends or revokes accreditation of a child-placing agency, the Department will consider the action of the accreditation suspension or revocation grounds for revocation of the child-placing agency’s license.

~~(4)~~(2) No change.

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a) FS. History—New 10-27-93, Formerly 10M-24.052, Amended 11-14-16,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Courtney Smith

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Carroll

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 10, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 31, 2017

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.:       RULE TITLE:  
59G-6.035       Certified Public Expenditures for  
                    Emergency Services  
                    NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 43 No. 15, January 24, 2017 issue of the Florida Administrative Register.

59G-6.035 Certified Public Expenditures Program for Emergency Transportation Services.

(1) No change.

(2) Now reads: Providers must submit AHCA Form 5000-0035, \_\_\_\_\_ Emergency Medical Transportation Integrated Disclosure and Medicaid Cost Report General Information ~~and Certification~~, incorporated by reference, and available at <http://ahca.myflorida.com/Medicaid/Finance/finance/LIP-DSH/PEMT/index.shtml>, and at [DOS Placeholder] to the Agency for Health Care Administration (AHCA) annually, to be eligible to use certified public expenditure funds as state match in order to receive federal financial participation in accordance with the state’s Supplemental Payment for Publicly Owned or Operated Emergency Medical Transportation Providers, SPA 2015-014, incorporated by reference, available at <http://ahca.myflorida.com/Medicaid/Finance/finance/LIP-DSH/PEMT/index.shtml> and at [DOS Placeholder]. The form must be completed in accordance with AHCA Form 5000-0035A, \_\_\_\_\_ Emergency Medical Transportation Services Cost Report Instructions, incorporated by reference, and available at <http://ahca.myflorida.com/Medicaid/Finance/finance/PEMT/index.shtml>, and at [DOS Placeholder].

(3) Now reads: Funds are appropriated from the Medical Care Trust Fund for the Certified Public Expenditures Program for Emergency Transportation Services and are supplemental to the reimbursement rates on the Florida Medicaid Emergency Ambulance Transportation Services Fee Schedule, incorporated by reference in Rule 59G-4.002, Florida Administrative Code.

(4) Now reads: The Provider Reimbursement Manual CMS PUB. 15-1, April 5, 2012, is incorporated by reference, and available at <https://www.cms.gov/Regulations-and-Guidance/Guidance/Manuals/Paper-Based-Manuals-Items/CMS021929.html>, and at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07043>.

(5) Now reads: The OMB Circular A-87, May 10, 2004, is incorporated by reference, and available at [https://obamawhitehouse.archives.gov/omb/circulars\\_a087\\_2004](https://obamawhitehouse.archives.gov/omb/circulars_a087_2004) ~~[https://www.whitehouse.gov/omb/circulars\\_a087\\_2004](https://www.whitehouse.gov/omb/circulars_a087_2004)~~, and at [DOS Placeholder \_\_\_\_].

AHCA Form 5000-0035A, \_\_\_\_\_ Emergency Medical Transportation Services Cost Report Instructions Page 2, Section 3. REPORTING REQUIREMENTS, now reads:

First paragraph: No change.

All costs must be reported in accordance with all of the following:

3. Centers for Medicare and Medicaid Services Provider Reimbursement Manual (CMS Pub. 15-1), April 5, 2012, incorporated by reference in Rule 59G-6.035, Florida Administrative Code (F.A.C.), and available at <https://www.cms.gov/Regulations-and-Guidance/Guidance/Manuals/Paper-Based-Manuals-Items/CMS021929.html>

4. Reported costs that do not comply with these provisions are subject to review by AHCA and will be adjusted accordingly.

5. Allowable costs specified in OMB Circular A-87, May 10, 2004, incorporated by reference in Rule 59G-6.035, F.A.C., and available at [https://obamawhitehouse.archives.gov/omb/circulars\\_a087\\_2004](https://obamawhitehouse.archives.gov/omb/circulars_a087_2004).

AHCA Form 5000-0035, \_\_\_\_\_ Emergency Medical Transportation Integrated Disclosure and Medicaid Cost Report General Information and Certification, now reads:

AHCA Form 5000-0035, \_\_\_\_\_ Emergency Medical Transportation Integrated Disclosure and Medicaid Cost Report General Information.

First tab, Certification now reads:

Title: General Information

Paragraph below line 27, now reads:

For the purpose of this document, “provider” is a Publicly Owned or Operated Emergency Medical Transportation Services provider.

To be Executed by Officer or Administrator of the Fire Department / Agency

First sentence now reads:

I, \_\_\_\_\_ attest:

Fifth sentence, now reads:

The provider acknowledges and understands that the Agency for Health Care Administration must deny payments for any claim submitted if it is determined that the report is not adequately supported for purposes of Federal Financial Participation.

Sixth sentence, now reads:

That I am the responsible person of the subject Fire Department / Agency and am duly authorized to sign this document and that, to the best of my knowledge and information, each statement and amount in the accompanying schedules are to be true, and correct.

Contact for questions: Tanisha.Feehrer@ahca.myflorida.com

**Section IV  
Emergency Rules**

NONE

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on April 12, 2017, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Joker Marchant Stadium at 2301 Lakeland Hills Blvd, Lakeland, FL. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.8.1 and 2.8.2.2, as adopted by subsection 61C-5.001(1), Florida Administrative Code. That requires removing foreign equipment from the machine room which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2017-060).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Michelle Comingore, 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-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on April 13, 2017, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Flori de Leon at 130 4th Avenue N, St. Petersburg,

FL. Petitioner seeks a variance of the requirements of ASME A17.1, Section 8.7.2.15, as adopted by subsection 61C-5.001(1), Florida Administrative Code that requires a 42” toeguard which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2017-062).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, dhr.elevators@myfloridalicense.com.

DEPARTMENT OF HEALTH

Board of Nursing

The Board of Nursing hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver, filed on December 22, 2015, by Taylor Lauren Bouthot. The Notice of Petition for Waiver or Variance was published in Vol. 42, No. 4, the January 7, 2016 Florida Administrative Register. Petitioner sought a variance or waiver of Rule 64B9-3.002, Florida Administrative Code, regarding the requirement of a completed Practice Nurse Equivalence Application Letter. The Board considered the instant Petition at a duly-noticed public meeting held on February 3-5, 2016, in Miami, Florida.

The Board’s Order, filed on March 15, 2016, denied the petition for the following reason: The Board found that the Petitioner did not show why application of the rule would cause a substantial hardship or violate the principles of fairness and that the purpose of the underlying statute would be achieved by other means.

A copy of the Order or additional information may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, info@floridasnursing.gov or by calling (850)245-4125.

DEPARTMENT OF HEALTH

Board of Nursing

The Board of Nursing hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver, filed on May 5, 2016, by Tracy Bardin. The Notice of Petition for Waiver or Variance was published in Vol. 42, No. 91, the May 10, 2016 Florida Administrative Register. Petitioner sought a variance or waiver of paragraph 64B9-3.002(1)(c), Florida Administrative Code, regarding writing the examination of practical nurses on the basis of practical nursing education equivalency. The Board considered the instant Petition at a duly-noticed public meeting held on June 1-3, 2016, in Jacksonville, Florida.



The Board’s Order, filed on July 5, 2016, denied the petition for the following reason: The Board found that the Petitioner had not shown that the purpose of the underlying statute, 464.008(1)(c), F.S., will be or has been achieved by other means, as required by Section 120.542(2), F.S.

A copy of the Order or additional information may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, info@floridasnursing.gov or by telephone at (850)245-4125.

**DEPARTMENT OF HEALTH**

Board of Pharmacy

RULE NO.: RULE TITLE:

64B16-26.300 Consultant Pharmacist Licensure

NOTICE IS HEREBY GIVEN that on April 13, 2017, the Board of Pharmacy, received a petition for variance or waiver filed by Tevieca Andrews Johnson, PharmD, CPh, on behalf of Kethura S. Pullins, PharmD, seeking a variance or waiver of the requirement of paragraph 64B16-26.300(4)(a), Florida Administrative Code, that requires that in order to act as a preceptor, a person shall be a consultant pharmacist of record at an institutional pharmacy which is required to have a consultant pharmacist under the provisions of Chapter 465, F.S., and the Board of Pharmacy rules.

A copy of the Petition for Variance or Waiver may be obtained by contacting: C. Erica White, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254 or at info@Floridaspharmacy.gov. Comments on this petition should be filed with the Board of Pharmacy/MQA, within 14 days of publication of this notice.

**Section VI**

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Consumer Services

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

DATES AND TIMES: May 8, 2017, 4:00 p.m., Probable Cause Panel; closed to the public except for portions, if any, which deal with disciplinary cases that have already become public; May 9, 2017, 8:00 a.m., Committee Meetings and General Business Session if time allows; May 10, 2017, 8:00 a.m., General Business Session.

PLACE: Hilton Garden Inn – Fort Myers, 12600 University Drive, Fort Myers, Florida 33907

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

A copy of the agenda may be obtained by contacting Jenna Harper, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3674. One week prior to the meeting date, the agenda will also be available online at: www.freshfromflorida.com/Public-Notices/.

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

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

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

**EXECUTIVE OFFICE OF THE GOVERNOR**

The Constitution Revision Commission announces a public meeting to which all persons are invited.

DATE AND TIME: April 26, 2017, 5:00 p.m. – 8:00 p.m. (end time is tentative depending upon attendance and public interest in speaking before the Commission.)

PLACE: University of Florida (UF), Curtis M. Phillips Center for the Performing Arts, 3201 Hull Road, Gainesville, Fla. 32611

GENERAL SUBJECT MATTER TO BE CONSIDERED: Once every twenty years, Florida’s Constitution provides for the creation of a thirty-seven member revision commission for the purpose of reviewing Florida’s Constitution and proposing changes for voter consideration. The Commission meets for approximately one year, traveling the State of Florida to speak with citizens, identifying issues, performing research and possibly recommending changes to the Constitution. Any amendments proposed by the Commission would be placed on the 2018 General Election ballot.

A copy of the agenda may be obtained by contacting: Meredith Beatrice, Director of External Affairs: Meredith.Beatrice@flrc.gov, (850)717-9242.

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: Meredith Beatrice, Director of External Affairs: Meredith.Beatrice@flrc.gov, (850)717-9242. 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: Meredith Beatrice, Director of External Affairs: Meredith.Beatrice@flrc.gov, (850)717-9242.

**EXECUTIVE OFFICE OF THE GOVERNOR**

The Constitution Revision Commission announces a public meeting to which all persons are invited.

DATE AND TIME: April 27, 2017, 11:00 a.m. – 2:00 p.m. (end time is tentative depending upon attendance and public interest in speaking before the Commission.)

PLACE: Florida State College at Jacksonville (FSCJ), Kent Campus Auditorium, Building F, Room 128, 3939 Roosevelt Boulevard, Jacksonville, FL 32205

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Once every twenty years, Florida's Constitution provides for the creation of a thirty-seven member revision commission for the purpose of reviewing Florida's Constitution and proposing changes for voter consideration. The Commission meets for approximately one year, traveling the State of Florida to speak with citizens, identifying issues, performing research and possibly recommending changes to the Constitution. Any amendments proposed by the Commission would be placed on the 2018 General Election ballot.

A copy of the agenda may be obtained by contacting: Meredith Beatrice, Director of External Affairs, Meredith.Beatrice@flrc.gov, (850)717-9242.

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: Meredith Beatrice, Director of External Affairs: Meredith.Beatrice@flrc.gov, (850)717-9242. 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: Meredith Beatrice, Director of External Affairs, Meredith.Beatrice@flrc.gov, (850)717-9242.

**DEPARTMENT OF CHILDREN AND FAMILIES**

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: April 28, 2017, 8:30 a.m.

PLACE: Joseph P. D'Alessandro Office Complex, 2295 Victoria Avenue, Room 307, Fort Myers, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Ongoing Lee County Alliance business.

A copy of the agenda may be obtained by contacting: Stephanie Jones at (239)895-0257.

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: Stephanie Jones at (239)895-0257. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF CHILDREN AND FAMILIES**

Mental Health Program

The Department of Children and Families announces a workshop to which all persons are invited.

DATE AND TIME: Monday, May 1, 2017, 3:00 p.m. – 4:30 p.m.

PLACE: West Palm Beach Police Department Community Room, 600 Banyan Blvd., West Palm Beach, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Department of Children and Families, the Department of Health, and the Florida Department of Law Enforcement will host a community workshop to discuss the ongoing issue of opioid drug use. The goal of the workshops is for agency leadership and staff to hear the specific needs of these communities and provide information regarding existing resources, best practices regarding opioid use disorders, and grant opportunities. Workshops are open to the public.

A copy of the agenda may be obtained by contacting: (850)487-1111, option 3.

**DEPARTMENT OF CHILDREN AND FAMILIES**

Mental Health Program

The Department of Children and Families announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, May 2, 2017, 9:00 a.m. – 10:30 a.m.

PLACE: The Bradenton Area Convention Center, Longboat Key Room, One Haben Blvd., Palmetto, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Department of Children and Families, the Department of Health, and the Florida Department of Law Enforcement will host a community workshop to discuss the ongoing issue of opioid drug use. The goal of the workshops is for agency leadership and staff to hear the specific needs of these communities and provide information regarding existing resources, best practices regarding opioid use disorders, and grant opportunities. Workshops are open to the public.

A copy of the agenda may be obtained by contacting: (850)487-1111, option 3.

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

The Department of Children and Families announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, May 2, 2017, 3:00 p.m. – 4:30 p.m.

PLACE: Orange County Board of County Commission Chambers, 201 South Rosalind Avenue, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Children and Families, the Department of Health, and the Florida Department of Law Enforcement will host a community workshop to discuss the ongoing issue of opioid drug use. The goal of the workshops is for agency leadership and staff to hear the specific needs of these communities and provide information regarding existing resources, best practices regarding opioid use disorders, and grant opportunities. Workshops are open to the public.

A copy of the agenda may be obtained by contacting: (850)487-1111, option 3.

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

The Department of Children and Families announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, May 3, 2017, 9:00 a.m. – 10:30 a.m.

PLACE: City Hall, St. James Bldg., Lynwood Roberts Room, 117 West Duval Street, Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Children and Families, the Department of Health, and the Florida Department of Law Enforcement will host a community workshop to discuss the ongoing issue of opioid drug use. The goal of the workshops is for agency leadership and staff to hear the specific needs of these communities and provide information regarding existing resources, best practices regarding opioid use disorders, and grant opportunities. Workshops are open to the public.

A copy of the agenda may be obtained by contacting: (850)487-1111, option 3.

DEPARTMENT OF CHILDREN AND FAMILIES

Refugee Services

The Tampa Bay Area Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 2, 2017, 1:30 p.m. – 3:30 p.m.

PLACE: Istanbul Cultural Center of Tampa Bay, 2166 W. Busch Blvd., Tampa, FL 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Tampa Bay Area Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Janet Blair at (813)545-1716 or Taddese Fessehaye at (407)317-7335.

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: Janet Blair at (813)545-1716 or Taddese Fessehaye at (407)317-7335. 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: Janet Blair at (813)545-1716 or Taddese Fessehaye at (407)317-7335.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

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

DATE AND TIME: April 26, 2017, 9:30 a.m.

PLACE: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deliberation for cases pending before the Reemployment Assistance Appeals Commission that are ready for final review and the Chairman’s report. No public testimony will be taken.

A copy of the agenda may be obtained by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. 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: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740

Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

**FLORIDA LOCAL GOVERNMENT FINANCE COMMISSION**

The Florida Local Government Finance Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 3, 2017, 10:30 a.m.

PLACE: 2502 Rocky Point Drive, Suite 1060, Tampa, Florida 33607

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The meeting of the Commission will be for purposes of reviewing the statewide pooled commercial paper loan program for Florida governmental entities. The Commission is an unincorporated, nonprofit association whose members are comprised of Brevard County, Florida, Charlotte County, Florida, Collier County, Florida, Lee County, Florida, Osceola County, Florida and Sarasota County, Florida.

A copy of the agenda may be obtained by contacting: Anna Doughty, Florida Association of Counties, 100 S. Monroe Street, Tallahassee, Florida 32301.

**HDR, INC.**

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

DATE AND TIME: Thursday, April 27, 2017, 4:00 p.m. – 7:00 p.m.

PLACE: St. Petersburg College – Allstate Center, Florida Room, 3200 34th Street S., St. Petersburg, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Department of Transportation (FDOT), District 7, will hold a public open house on April 27, 2017 from 4:00 p.m. to 7:00 p.m. at St. Petersburg College – Allstate Center, Florida Room, 3200 34th Street S, St. Petersburg, Florida to discuss the S.R. 679 Pinellas Bayway Bridge Replacement Design-Build Project from North of Yacht Club Lane to S.R. 682 in Pinellas County, Florida. The project includes replacing the existing two-lane bascule bridge with a two-lane, high-level, fixed bridge (Bayway Structure “E,” which is the bridge between Isla Del Sol and Tierra Verde islands), repaving the existing roadway, and replacing a seawall south of the bridge.

This open house will provide property and business owners, interested persons, and organizations the opportunity to review project information and comment on the proposed improvements to S.R. 679 Pinellas Bayway within the above referenced project limits. The meeting will be held in an informal, open house format. There will be no formal presentation. Project aerials, plan sets, and graphic exhibits will be on display for review. FDOT representatives will be available from 4 p.m. to 7 p.m. to discuss the project and answer questions.

The project consists of a construction of a new two-lane high-level fixed bridge (2,900-ft in length), pavement resurfacing of S.R. 679 Pinellas Bayway from north of the new bridge to S.R. 679 at S.R. 682 and intersection seawall reconstruction. The project will also include the construction of a 12-foot-wide shared-use path on the east side and a 5-foot-wide concrete sidewalk on the west side of S.R. 679 for the entire project limits. Instead of a traffic signal, a roundabout will be provided at Madonna Boulevard/First Street.

Written comments may be submitted at the meeting or mailed to: Kevin Lee, Project Manager, FDOT, District Seven, 11201 N. McKinley Drive, Tampa, Florida 33612. All written comments must be postmarked or emailed by May 11, 2017 to become part of the official public meeting record.

A copy of the agenda may be obtained by contacting: Kevin Lee, FDOT, District Seven, 11201 N McKinley Drive, Tampa, Florida 33612, (813)975-6155 or kevin.lee@dot.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 7 days before the workshop/meeting by contacting: Christopher Speese, Florida Department of Transportation, District Seven, 11201 N McKinley Drive, Tampa, Florida 33612, (813)975-6405 or christopher.speese@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**CONCRETE MASONRY EDUCATION COUNCIL**

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

DATE AND TIME: April 22, 2017, 8:30 a.m.

PLACE: Florida Concrete & Products Association, 6353 Lee Vista Boulevard, Orlando, Florida 32822

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Budget & Finance Committee, 8:30 a.m. – 9:00 a.m.; Board of Directors + Strategic Planning Meeting, 9:00 a.m. – 3:00 p.m.

A copy of the agenda may be obtained by contacting: mweber@fmsworks.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: mweber@fmsworks.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: mweber@fmsworks.com.

**H.W. LOCHNER, INC.**

The Florida Department of Transportation, District Three announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, May 2, 2017, 5:30 p.m. – 6:30 p.m., CT

PLACE: Immanuel Baptist Church, 4187 Hwy. 90, Pace, Florida 32571

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) invites you to attend a public hearing concerning the proposed safety and operational improvements along the U.S. 90 (State Road 10) corridor at Dean Drive to San Street, Bostic Lane, Galilee Baptist Church, Lewis Funeral Home to Wendy’s, and west of Stewart Street. The improvements will include turn lane, median opening, and driveway modifications. The purpose of the hearing is to afford interested persons an opportunity to express their views concerning the project. The hearing will be conducted in an open house format beginning at 5:30 p.m., followed by a formal presentation at 6:00 p.m. FDOT representatives will be available to discuss the project, answer questions, and receive comments.

A copy of the agenda may be obtained by contacting: FDOT Project Manager Jimmy Smith, P.E., 2902 Madison Street, Marianna, FL 32446, (850)372-4126, Jsmith@panhandlegroup.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 seven days before the workshop/meeting by contacting: Jimmy Smith using the information listed above. 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).

**H.W. LOCHNER, INC.**

The Florida Department of Transportation, District Three announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, May 4, 2017, 5:30 p.m. – 6:30 p.m., CT

PLACE: Midway Baptist Church, 5471 Gulf Breeze Parkway, Gulf Breeze, Florida 32563

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) invites you to attend a public hearing concerning the proposed safety and operational improvements along the U.S. 98 (State Road 30) corridor at Villa Woods Circle to Marble Court, Oriole Beach Road, Grand Ridge Circle to Fordham Parkway, College Parkway, America Avenue, Alpine Avenue, and west of Ortega Park Drive. The improvements will include turn lane, median opening, and drainage modifications. The purpose of the hearing is to afford interested persons an opportunity to express

their views concerning the project. The hearing will be conducted in an open house format beginning at 5:30 p.m., followed by a formal presentation at 6:00 p.m. FDOT representatives will be available to discuss the project, answer questions, and receive comments.

A copy of the agenda may be obtained by contacting: FDOT Project Manager Jimmy Smith, P.E., 1369 South Railroad Avenue, Chipley, Florida 32428, (850)372-4126, Jsmith@panhandlegroup.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 seven days before the workshop/meeting by contacting: Jimmy Smith at the information listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001 Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that Florida Building Commission has received the petition for declaratory statement from HVAC Designs, Inc. The petition seeks the agency’s opinion as to the applicability of Section R101.4.3 and Form R402-2014, Florida Building Code, Energy Conservation 5th Ed. (2014) as it applies to the petitioner.

Petitioner seeks clarification as to whether unaltered building systems that will service additions to existing buildings must comply with the Florida Building Code, Energy Conservation.

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

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001 Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from Shumake Architecture, PA. The petition seeks the agency’s opinion as to the applicability of Section 1029.1, Florida Building Code, Building 5th Ed. (2014) as it applies to the petitioner.

Petitioner seeks clarification of the requirements of the emergency escape and rescue requirements of the Florida Building Code with respect to R-2 occupancies.

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

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

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

DEPARTMENT OF HEALTH

Board of Nursing

NOTICE IS HEREBY GIVEN that the Board of Nursing has issued an order disposing of the petition for declaratory statement filed by LeShanta Baker on April 04, 2016. The following is a summary of the agency’s disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Volume 42, No. 68, the April 7, 2016 Florida Administrative Register. Petitioner asks whether it is within the scope of practice of a specially trained RN, as defined in Section 464.003(20)(a), F.S., to practice independently under the title Monitrice, which can be defined as a medically trained Labor Support Specialist that provides physical, emotional, and informational labor support as well as limited clinical services. The Board’s Order, filed on March 30, 2017, states that the petition filed in this cause is not in substantial compliance with

the provisions of Section 120.565, F.S., and Rule 28-105, F.A.C. The petition appears to describe a practice more appropriate for a certified nurse midwife. Therefore, the Board finds that under the specific facts of the petition, as set forth above, Petitioner may not practice as a “Monitrice” in a home health care setting.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399; Joe.Baker@flhealth.gov.

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

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

NONE

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

NONE

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

NONE

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

NONE

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

Florida Developmental Disabilities Council  
RFP 2017-TRS-15200 Improving Postsecondary Outcomes  
REQUEST FOR PROPOSALS

(FDDC RFP #2017-TRS-15200)

**IMPROVING POSTSECONDARY OUTCOMES**

The Florida Developmental Disabilities Council, Inc. (FDDC) is pleased to announce that this request for proposals (RFP #2017-TRS-15200) is released to 1) conduct research for the purposes of establishing baseline data and setting targets for annual improvement; 2) conduct outreach to students who identify as Autism Spectrum Disorder (ASD) and Hispanic/Latino and their families to identify key barriers and proposed solutions to accessing and completing postsecondary education and training programs; and 3) collaborate with all stakeholders to create, market and implement programs, supports, and/or strategies to improve access to and completion of postsecondary education and training programs, particularly those offered within the Florida College System, to ensure outcomes are achieved and efforts are sustainable long-term.

Individuals, not-for-profit, and for-profit agencies may submit proposals in response to this RFP. FDDC has set aside a maximum of \$50,000 federal funds for a period not to exceed one (1) year for fiscal support of this RFP. The exact amount of this contract will be developed during contract negotiations.

Copies of this RFP can be downloaded from the FDDC website ([www.fddc.org](http://www.fddc.org)), requested by writing FDDC at 124 Marriott Drive, Suite 203, Tallahassee, FL 32301, by calling (850)488-4180. 1(800)580-7801 toll-free or TDD toll-free at 1(888)488-8633.

The deadline for submitting written questions and letters of intent for this RFP is May 5, 2017 by 4:00 p.m. (ET) Letters of intent are encouraged but not mandatory. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by email will not be accepted. All answers to written questions will be posted on the FDDC website during the week of May 8, 2017. The deadline for submitting proposals for this RFP to FDDC is June 1, 2017 by 2:00 p.m. (ET).

THE ABOVE ANNOUNCEMENT WILL APPEAR IN THE FLORIDA ADMINISTRATIVE REGISTER AND ON THE FDDC WEB PAGE ([fddc.org](http://fddc.org)) ON APRIL 18, 2017. PLEASE FORWARD ALL REQUESTS FOR COPIES OF THIS RFP TO CAROLYN WILLIAMS.

QUESTIONS ARE TO BE SUBMITTED IN WRITTEN FORMAT ONLY. THIS IS A LEGAL PROCESS AND WE CANNOT ANSWER QUESTIONS VERBALLY.

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FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL  
 2017-TRS-15200 Improving Postsecondary Outcomes  
 REQUEST FOR PROPOSALS  
 (FDDC RFP #2017-TRS-15200)

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**VISIT FLORIDA**

VISIT FLORIDA wanted to share a Request for Qualifications (RFQ) that has been posted by VISIT FLORIDA on [VISITFLORIDA.org](http://VISITFLORIDA.org).

VISIT FLORIDA is accepting proposals from content providers capable of providing VISIT FLORIDA story writing, photography, and videography content that inspires people to travel to Florida. This RFQ is ongoing and interested content providers may submit qualifications to VISIT FLORIDA. For more information, please click [here](#).

Questions should be submitted to [contractsteam@VISITFLORIDA.org](mailto:contractsteam@VISITFLORIDA.org).

Responses to questions will be posted to <https://visitflorida.box.com/s/5uegig2vzm63z4p7inj307z0q2kp4p70>.

Proposals should be submitted to [kevin@VISITFLORIDA.org](mailto:kevin@VISITFLORIDA.org).

**Section XII  
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed  
with the Secretary of State

Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 8:00 a.m., Tuesday April 11, 2017 and 3:00 p.m., Monday, April 17, 2017. An improved electronic publication system is forthcoming on the Florida Administrative Rules website, FLRules.org, which will accommodate complete publication of rules filed for adoption in the previous 7 days, including rules awaiting legislative action.

Rule No.	File Date	Effective Date
5E-2.0105	4/17/2017	5/7/2017
5E-2.0312	4/17/2017	5/7/2017
5E-14.102	4/17/2017	5/7/2017
5E-14.104	4/17/2017	5/7/2017
5E-14.108	4/17/2017	5/7/2017
5E-14.110	4/17/2017	5/7/2017
5E-14.142	4/17/2017	5/7/2017
5E-14.1421	4/17/2017	5/7/2017
60Y-4.001	4/17/2017	5/7/2017
60Y-4.028	4/17/2017	5/7/2017
61-9.011	4/12/2017	5/2/2017
61-9.012	4/12/2017	5/2/2017
61-9.013	4/12/2017	5/2/2017
61-9.014	4/12/2017	5/2/2017
61-9.015	4/12/2017	5/2/2017
64B8-8.0012	4/11/2017	5/1/2017
68A-15.006	4/14/2017	7/1/2017
68A-15.062	4/14/2017	7/1/2017

Rule No.	File Date	Effective Date
68A-17.005	4/14/2017	7/1/2017
69K-27.001	4/12/2017	5/2/2017
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
40B-9.021	12/21/2016	**/**/****
40B-9.041	12/21/2016	**/**/****
40B-9.126	12/21/2016	**/**/****
40B-9.131	12/21/2016	**/**/****
40B-9.1381	12/21/2016	**/**/****
40B-9.1411	12/21/2016	**/**/****
40B-9.142	12/21/2016	**/**/****
40B-9.145	12/21/2016	**/**/****
40B-9.123	12/9/2016	**/**/****
58M-2.009	2/9/2017	**/**/****
60FF1-5.009	7/21/2016	**/**/****
64B8-9.009	6/15/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.100	12/19/2016	**/**/****
69L-7.501	12/19/2016	**/**/****

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No. DEO-17-111

In re: A LAND DEVELOPMENT REGULATION

ADOPTED BY POLK CITY

ORDINANCE NO. 2013-1298

**FINAL ORDER**

**APPROVING POLK CITY ORDINANCE NO. 2013-1298**

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by the Polk City, Florida, (the “City”) Ordinance No. 2013-1298 (the “Ordinance”).

**FINDINGS OF FACT**



1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. The City is a local government within the Green Swamp Area of Critical State Concern.

2. The Ordinance was adopted by the City on May 20, 2013, and rendered to the Department on March 17, 2017.

3. The Ordinance amends the City’s Unified Land Development Code by adding a definition for Family Cemeteries, and allowing Family Cemeteries as a permitted use in several zoning districts with development standards.

CONCLUSIONS OF LAW

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

5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

6. The Ordinance is consistent with the City’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Future Land Use Element Goal 1.

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.

8. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically, “(a) Minimize the adverse impacts of development on resources of the Floridan Aquifer, wetlands, and flood-detention areas.”

WHEREFORE, IT IS ORDERED that the Department finds that the Polk City Ordinance No. 2013-1298 is consistent with the City’s Comprehensive Plan and the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and is hereby **APPROVED**.

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

/s/ \_\_\_\_\_

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

NOTICE OF ADMINISTRATIVE RIGHTS

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

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

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

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK  
DEPARTMENT OF ECONOMIC OPPORTUNITY  
OFFICE OF THE GENERAL COUNSEL  
107 EAST MADISON ST., MSC 110  
TALLAHASSEE, FLORIDA 32399-4128  
FAX: (850)921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 17th day of April, 2017.

/s/ \_\_\_\_\_

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

By Certified-U.S. Mail:

Patricia R. Jackson, City Manager  
Thomas A. Cloud, City Attorney  
Joe LaCascia, Mayor  
123 Broadway Blvd. SE  
Polk City, FL 33868

**Section XIII**  
**Index to Rules Filed During Preceding**  
**Week**

**INDEX TO RULES FILED BETWEEN**  
**April 10, 2017 AND April 14, 2017**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**WATER MANAGEMENT DISTRICTS**  
**St. Johns River Water Management District**  
40CER17-01 4/12/2017 4/12/2017 43/71  
40CER17-02 4/12/2017 4/12/2017 43/71

**DEPARTMENT OF MANAGEMENT SERVICES**  
**Division of Retirement**  
60S-11.001 4/10/2017 4/30/2017 43/47  
60S-11.002 4/10/2017 4/30/2017 43/47

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**  
61-9.011 4/12/2017 5/2/2017 43/50  
61-9.012 4/12/2017 5/2/2017 43/50  
61-9.013 4/12/2017 5/2/2017 43/50  
61-9.014 4/12/2017 5/2/2017 43/50  
61-9.015 4/12/2017 5/2/2017 43/50

**DEPARTMENT OF HEALTH**  
**Board of Medicine**  
64B8-8.0012 4/11/2017 5/1/2017 43/44

**FISH AND WILDLIFE CONSERVATION COMMISSION**  
**Freshwater Fish and Wildlife**  
68A-15.006 4/14/2017 7/1/2017 42/242 43/44  
68A-15.062 4/14/2017 7/1/2017 42/242 43/44  
68A-17.005 4/14/2017 7/1/2017 42/242 43/44

**DEPARTMENT OF FINANCIAL SERVICES**  
**Division of Funeral, Cemetery, and Consumer Services**  
69K-27.001 4/12/2017 5/2/2017 42/202 43/50

**DEPARTMENT OF ECONOMIC OPPORTUNITY**  
**Division of Community Development**  
73C-49.001 4/10/2017 4/30/2017 43/35  
73C-49.002 4/10/2017 4/30/2017 43/35

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

**WATER MANAGEMENT DISTRICTS**  
**Suwannee River Water Management District**  
40B-9.021 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
40B-9.041 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
40B-9.123 12/9/2016 \*\*/\*\*/\*\*\*\* 42/221  
40B-9.126 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
40B-9.131 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
40B-9.1381 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
40B-9.1411 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
40B-9.142 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
40B-9.145 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227

**DEPARTMENT OF ELDER AFFAIRS**  
**Guardianship**  
58M-2.009 2/9/2017\*\*/\*\*/\*\*\*\* 42/203 43/11

**WATER MANAGEMENT DISTRICTS**  
**Suwannee River Water Management District**  
40B-9.021 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
40B-9.041 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
40B-9.123 12/9/2016 \*\*/\*\*/\*\*\*\* 42/221  
40B-9.126 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
40B-9.131 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
40B-9.1381 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
40B-9.1411 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
40B-9.142 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
40B-9.145 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227

**DEPARTMENT OF MANAGEMENT SERVICES**  
**E911 Board**  
60FF1-5.009 7/21/2016 \*\*/\*\*/\*\*\*\* 42/105

**DEPARTMENT OF HEALTH**  
**Board of Medicine**  
64B8-9.009 6/15/2016 \*\*/\*\*/\*\*\*\* 42/89  
64B8-10.003 12/9/2015 \*\*/\*\*/\*\*\*\* 39/95 41/49

**DEPARTMENT OF FINANCIAL SERVICES**  
**Division of Worker's Compensation**  
69L-7.100 12/19/2016 \*\*/\*\*/\*\*\*\* 42/191 42/218  
69L-7.501 12/19/2016 \*\*/\*\*/\*\*\*\* 42/191 42/218

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.