

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-10.0342 Career and Technical Education Program
Performance Reporting

PURPOSE AND EFFECT: This rule sets forth the requirements for performance reporting for Career and Technical Education Programs and reflects how the Department will implement policy in compliance with s. 1008.43(1)(a), Florida Statutes. The amendment updates existing rule language with the current year targets.

SUBJECT AREA TO BE ADDRESSED: Career and technical education.

RULEMAKING AUTHORITY: 1008.43, FS.

LAW IMPLEMENTED: 1008.43, 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: Tara Goodman, Bureau Chief, Budget, Accountability and Assessment, 325 West Gaines Street, Tallahassee, Florida, 32399-0400; (850)245-9002; tara.goodman@fldoe.org. To request a rule development workshop, please contact: Chris Emerson, Agency Clerk, Department of Education, (850)245-9601 or email Christian.Emerson@fldoe.org or go to <https://web02.fldoe.org/rules>.

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

PUBLIC SERVICE COMMISSION

RULE NO.: RULE TITLE:

25-17.015: Energy Conservation Cost Recovery

PURPOSE AND EFFECT: To streamline the utilities' filing requirements in energy conservation cost recovery rule. Undocketed

SUBJECT AREA TO BE ADDRESSED: The energy conservation cost recovery clause filing dates and filing requirements will be modified for efficiency and to avoid duplicative data filings

RULEMAKING AUTHORITY: 350.127, 366.05, FS.

LAW IMPLEMENTED: 366.01, 366.06 366.82, 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: Adria E. Harper, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, aharper@psc.state.fl.us.

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 EDUCATION

Florida's Office of Early Learning

RULE NO.: RULE TITLE:

6M-8.601: Voluntary Prekindergarten (VPK) Provider
Kindergarten Readiness Rate

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise the criteria and define the calculations used to create the VPK Provider Kindergarten Readiness Rates based on the new kindergarten screening tool adopted by the Department of Education (Star Early Literacy assessment). The rule also provides clarity on the verification and dispute processes associated with the readiness rates. Additionally, the rule contains edits to reflect changes in roles from the Department of Education to Office of Early Learning to be consistent with statute.

SUMMARY: The rule defines the processes and calculations used in the annual calculation of the VPK Provider Kindergarten Readiness Rates.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the economic analysis by the Office of the adverse impact or potential regulatory costs of the proposed rule

amendments does not exceed any of the criteria established in s. 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 1002.69(5), (6), 1002.79 FS.

LAW IMPLEMENTED: 1002.69(5). FS

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

DATE AND TIME: Wednesday, April 11, 2018; 11:30 a.m. to 12:30 p.m. or at the conclusion of business whichever is earlier

PLACE: GoToWebinar; information regarding registration may be found at: http://www.floridaearlylearning.com/statewide_initiatives/laws_and_rules/proposed_rules.aspx

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: Tara Huls (850)717-8550.. 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: Tara Huls, Bureau Chief, VPK Program and Policy, Office of Early Learning, 250 Marriott Dr., Tallahassee, Florida 32399, (850)717-8550

THE FULL TEXT OF THE PROPOSED RULE IS:

6M-8.601 Voluntary Prekindergarten (VPK) Provider Kindergarten Readiness Rate.

(1) Purpose. The purpose of this rule is to implement the requirements of Section 1002.69, F.S.

(2) Accuracy of Data.

(a) Prior to the calculation of the final VPK Provider Kindergarten Readiness Rate, as described in subsection (3) of this rule, private and public school VPK providers shall have the opportunity to review a ~~preliminary readiness rate which includes~~ a cumulative list of all of the children served in their program and the total number of hours they attended.

(b) ~~If a~~ Verification. The private or public provider may verify disputes the accuracy or submit suggested corrections to of the cumulative list of VPK participants or the total number of hours the VPK participants attended when such change would result in their inclusion or exclusion in the calculation of the VPK Provider Kindergarten Readiness Rate, as measured by the threshold of seventy (70%) percent, as described in subparagraph (3)(a)1., of this rule. The provider may submit corrective information to the Office of Early Learning

~~(OEL) Department of Education~~ within the review period described below after publication of the cumulative list on the VPK Provider Kindergarten Readiness Rate Department's website (vpk.fldoe.org). The Department, in collaboration with Florida's OEL Office of Early Learning and the respective eEarly Learning Coalition, shall review the corrective information and accept or reject the requested corrective information within the review period described below. The provider review period for verification and dispute shall be twenty-one (21) calendar days from the time of publication of the cumulative list of children served. The early learning coalition shall review and accept or reject any changes to the verification data within a period of ten (10) calendar days after the close of the provider review period.

(c) Dispute. If a private or public school provider disputes the accuracy of the ~~data preliminary VPK Provider Kindergarten Readiness Rate~~ as published on the Department's website or if a private provider disputes ownership as defined in section (4) at the time of the 2009-10 VPK program, the provider may file a dispute on the Department's website and submit documentation to the Office of Early Learning Department for its review and consideration after publication of the preliminary rate. OEL will review all disputes filed by providers and provide a response to each dispute. This review period shall be less than twenty one (21) days following publication of the preliminary readiness rate. The Department shall review and accept or reject any changes to the data within fourteen (14) days after the close of the review period. The VPK Provider Kindergarten Readiness Rate will be recalculated in accordance with the method described in subsection (3) of this rule. The provider review period for verification and dispute shall be twenty-one (21) calendar days from the time of publication of the cumulative list of children served. The early learning coalition shall review and accept or reject any changes to the verification data within a period of ten (10) calendar days after the close of the provider review period.

(3) Criteria for Inclusion in and Calculations of the VPK Provider Kindergarten Readiness Rate.

(a) After the conclusion of the review of the data described in subsection (2) of this rule, ~~the OEL Department~~ shall calculate the VPK Provider Kindergarten Readiness Rate for each private or public school VPK provider of either the school year (five hundred forty (540) hour) or summer (three hundred (300) hour) program that served at least four (4) children who:

1. Attended the VPK program for seventy (70%) percent or more of the total number of instructional hours; and,

2. Are matched to a valid score on the Florida Kindergarten Readiness Screener both of the kindergarten screening measures.

(b) Calculation of the VPK readiness rate:

1. Kindergarten student scores on the Florida Kindergarten Readiness Screener Florida Assessments for Instruction in Reading (FAIR) assessment administered during the first thirty (30) days of the school year must demonstrate a score of at least 500 on the Star Early Literacy assessment ~~probability of reading success of .67 or high~~ to be considered “ready for kindergarten.” ~~Kindergarten student scores on the Early Childhood Observation System (ECHOS) must indicate that the student is either “emerging/progressing” or “demonstrating” to be considered “ready for kindergarten.”~~ In order for a provider to be considered to have successfully administered the VPK program, the provider must have ~~sixty (60%) seventy (70%)~~ percent of children ready using the calculation in this section. A provider failing to meet this standard will be placed on probation in accordance with subsection (5) below.

2. The “Percent of Children Ready for Kindergarten” shall be calculated as the number of “Children Ready for Kindergarten” on ~~both~~ the screening measures divided by the total number of “Children Screened” meeting the requirements ~~set by the State Board of Education~~ in subparagraphs (3)(a)1. and (3)(a)2., of this rule.

(c) If a private or public school provider does not meet the criteria described in (3)a above, information as to why the provider was not included in the VPK Provider Readiness Rate calculation shall be displayed on the VPK Provider Profile required by Section 1002.53(5), F.S.

(d) The Office of Early Learning Department shall publish each VPK program provider’s readiness rate.

(4) VPK Provider Kindergarten Readiness Rates. VPK Provider Kindergarten Readiness Rates shall be binding on new private VPK owners if the change of ownership occurred at a point in time in which seventy (70%) percent or more of the VPK school-year or summer program remained. For the purpose of this rule, a change of ownership does not include the sale or transfer to family members, ~~or~~ persons with a pre-existing ownership interest in the business or a “person associated with a provider.” For the purpose of this subsection, “individual associated with a provider” means an individual or family member of an individual who, regardless of compensation, holds a management position, oversees the operations of a provider, or is an officer, shareholder, beneficial owner or member of the board of directors of a provider.

(5) Providers Placed on Probation.

(a) For the 2016-17 and 2017-18 VPK Provider Kindergarten Readiness Rates:

1. No provider will receive a new probationary status.

2. An existing provider on probation whose rate meets the criteria in (3)(b) is removed from probation.

3. An existing provider on probation whose rate did not meet the criteria in (3)(b) will remain on probation in their existing status.

(b) Beginning with the 2018-19 VPK Provider Kindergarten Readiness Rates. If the readiness rate of a private or public VPK provider falls below the minimum rate adopted by the State Board, the provider shall be placed on probation, notified of each designation by the Office of Early Learning Department, and acknowledge such designation on the Department’s website within twenty-one (21) calendar days of the publication of the final Provider Kindergarten Readiness Rates State Board of Education’s adoption of the minimum readiness rate.

Rulemaking Authority 1002.69(5), (6), 1002.79 FS. Law Implemented 1002.69(5), (6) FS. History—New 6-3-07, Amended 1-16-08, 1-5-09, 12-15-09, 10-25-10, 5-10-12, Formerly 6A-1.099821, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tara Huls, Bureau Chief

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Rodney J. MacKinnon, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 19, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 10, 2018.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-1.660 Publications, Forms and Agreements Incorporated by Reference

PURPOSE AND EFFECT: The purpose of this rulemaking is to incorporate the amended Environmental Resource Permit Applicant’s Handbook Volume II by reference. The amendments to Volume II of the Handbook were necessary to provide minor corrections in citations and wording and to clarify certain provisions.

SUMMARY: Publications, Forms, and Agreements Incorporated by Reference

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.

N/A

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: None of the proposed amendments to Volume II of the

Handbook will generate additional regulatory costs or have new adverse impacts on small businesses.

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: 373.044, 373.046, 373.113, 373.171, 373.414 FS.

LAW IMPLEMENTED: 373.0361, 373.079(4)(a), 373.083(5), 373.114, 373.171, 373.403, 373.413, 373.4135, 373.4136, 373.414, 373.4144, 373.416, 373.429, 373.441 FS.

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

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 Director, (352) 796-7211, ext. 4703; 1-800-423-1476 (FL only), ext. 4703 or email to ADACoordinator@swfwmd.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Adrienne E. Vining, SWFWMD, 7601 Highway 301 North, Tampa, FL 33637-6759, (813) 985-7481, ext. 4657; email adrienne.vining@swfwmd.state.fl.us (OGC# 2014024).

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-1.660 Publications, Forms and Agreements Incorporated by Reference.

The following documents are hereby incorporated by reference and are applicable to this chapter and Chapters 40D-40 and 40D-400, F.A.C.:

(1) Environmental Resource Permitting Information Manual Part B, Basis of Review <http://www.flrules.org/Gateway/reference.asp?No=Ref-00788>, Environmental Resource Permit Applications within the Southwest Florida Water Management District, December 29, 2011. This document is available from the District's website at www.WaterMatters.org or from the District upon request.

(2) Operating Agreement Concerning Regulation Under Chapter 373, Part IV, F.S., Between Southwest Florida Water Management District and Department of Environmental Protection, dated July 1, 2007. This document is available from the District's website at www.waterMatters.org or from the District upon request.

(3) Chapter 62-344, F.A.C., Delegation of Environmental Resource Program to Local Governments (8/29/1995), available from the Florida Department of Environmental Protection at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

(4) Memorandum of Understanding Between the Southwest Florida Water Management District and the Environmental Protection Commission of Hillsborough County Regarding Coordination of Regulatory Activities, dated October 19, 2005, available from the District upon request.

(5) Operating Agreement Between the U.S. Army Corps of Engineers and the Southwest Florida Water Management District (SWFWMD) Located within the Geographical Limits of the SWFWMD in Florida, Pursuant to Programmatic General Permit (PGP) PGP-SAJ-95, effective March 24, 2008, available from the District upon request.

(6) Mitigation Bank Form Documents. The following forms are incorporated herein by reference and are available from the District's website at www.watermatters.org or from the District upon request:

(a) Mitigation Bank Performance Bond to Demonstrate Construction and Implementation Financial Assurance, Form MB/PB (4/09);

(b) Mitigation Bank Irrevocable Letter of Credit to Demonstrate Construction and Implementation Financial Assurance, Form MB/ILC (4/09);

(c) Mitigation Bank Trust Fund Agreement to Demonstrate Construction and Implementation Financial Assurance, Form MB/CIFA (4/09); and

(d) Mitigation Bank Trust Fund Agreement to Demonstrate Perpetual Management Financial Responsibility, Form MB/PMFA (4/09).

(7) Southwest Florida Water Management District Environmental Resource Permitting Applicant's Handbook Volume II (6-1-18 ~~40-1-13~~) <http://www.flrules.org/Gateway/reference.asp?No=Ref-02936> is also available at the District's website and from the District upon request. Applicant's Handbook Volume II applies only to permit applications, exemptions, notices and petitions for formal or informal delineations that are processed under the statewide environmental resource permit rule to be adopted by the Department of Environmental Protection as Chapter 62-330, F.A.C.

Rulemaking Authority 373.044, 373.046, 373.113, 373.171, 373.414 FS. Law Implemented 373.0361, 373.079(4)(a), 373.083(5), 373.114, 373.171, 373.403, 373.413, 373.4135, 373.4136, 373.414, 373.4144, 373.416, 373.429, 373.441 FS. History—New 4-2-87, Amended 3-1-88, 9-11-88, 10-1-88, 4-1-91, 11-16-92, 1-30-94, 10-3-95, 12-26-95, 5-26-96, 7-23-96, 4-17-97, 4-12-98, 7-2-98, 12-3-98, 7-28-99, 8-3-00, 9-20-00, 6-12-01, 10-11-01, 2-27-02, 7-29-02, 3-26-03, 7-22-03, 8-3-03, 3-11-04, 6-7-04, 2-1-05, 6-30-05, 10-19-05, 2-8-06, 5-2-06, 7-1-07, 9-25-07(1), 9-25-07(4), 11-26-07, 5-12-08, 5-20-08, 6-22-08, 5-

12-09, 5-17-09, 8-30-09, 11-2-09, 11-3-09, 12-9-09, 9-5-10, 12-8-10, 12-12-11, 12-29-11, 10-1-13, Formerly 40D-4.091, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Adrienne E. Vining, Assistant General Counsel
 NAME OF AGENCY HEAD WHO APPROVED THE
 PROPOSED RULE: Southwest Florida Water Management
 District Governing Board
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: 02/27/18
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAR: 03/13/18

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

Board of Professional Engineers

RULE NO.: RULE TITLE:

61G15-22.0001 License Renewal

PURPOSE AND EFFECT: The proposed amendment updates the application form and adds a requirement that delinquent status licensees must attach documentation of completion of required continuing education (CE) hours when renewing.

SUMMARY: Requirements for renewal of delinquent status licensees and application 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, 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: 455.271(2), (5), (6)(a), (7), 471.011, 471.017(2) FS.

LAW IMPLEMENTED: 455.02(1), 455.271(2), (5), (6)(a), (7), 471.011, 471.017 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: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303; (850)521-0500.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-22.0001 License Renewal.

(1) Active or Inactive Status. To renew an active or inactive status license, the licensee must remit to FEMC a completed renewal application and the biennial renewal licensure fee for active or inactive status licenses as specified by Rule 61G15-24.001, F.A.C. The application form FBPE/020, ~~1206/17~~, Professional Engineer License Renewal Application And Instructions, is incorporated by reference herein and may be obtained from www.fbpe.org/index.php/licensure/other-forms or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-08781>. All applications for renewal of inactive status licenses must also contain a statement certifying that the licensee has neither practiced engineering in Florida nor violated any of the provisions of Section 471.033, F.S., since the date on which the license was first placed on inactive status.

(2) Delinquent status.

(a) Pursuant to Section 455.271(6)(a), F.S., licensees with delinquent status licenses must affirmatively apply for either active or inactive status during the renewal cycle in which the license becomes delinquent; failure to do so by the end of the renewal cycle renders the license void without further action by the Board.

(b) Application for renewal of a delinquent status license shall be made on form FBPE/020, and shall be accompanied by all fees as specified by section 455.271(7), F.S. and Rule 61G15-24.001, F.A.C. In addition, applications for renewal of a delinquent status license must be accompanied by documentation of the licensee's compliance with the continuing education requirements established by section 471.017(3)(a), F.S. and Rule 61G15-22.001, F.A.C.

Rulemaking Authority 455.271(2), (5), (6)(a), (7), 471.011, 471.017(2) FS. Law Implemented 455.02(1), 455.271(2), (5), (6)(a), (7), 471.011, 471.017 FS. History—New 8-1-02, Amended 2-18-16, 2-27-17, 11-21-17, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Professional Engineers
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 7, 2017
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 5, 2018

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE NO.: 64B2-13.004
 RULE TITLE: Continuing Education

PURPOSE AND EFFECT: The Board proposes the rule amendment to update and clarify the requirements for continuing education.

SUMMARY: Update and clarify requirements of continuing education.

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, 456.025(7), 460.408(3) FS.

LAW IMPLEMENTED: 456.013(6), (8), (9), 456.025(7), 456.036(10), 460.408 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 Spivey, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257; (850)488-0595.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-13.004 Continuing Education.

(1) Required Hours. For the purpose of renewing a license, an applicant must demonstrate to the Board that he or she participated in at least forty (40) contact classroom hours of continuing chiropractic education during the past two (2) years, ~~of which~~ Only those contact classroom hours earned at Board approved continuing education courses or which comply with the provisions of this rule are acceptable.

(2) Required Areas.

(a) Risk Management. ~~At~~ at least three (3) hours shall be in the area of risk management. Two (2) of these three risk management hours shall specifically relate to the laws and rules of the board and the regulatory agency under which the Board operates. For the purpose of this rule, risk management means the identification, investigation, analysis, and evaluation of risks and the selection of the most advantageous method of correcting, reducing or eliminating identifiable risks. The laws and rules of the Board and the regulatory agency under which the Board operates include Chapters 456 and 460, F.S., and Rule Division 64B2, F.A.C.

(b) ~~(2)~~ Record Keeping/Documentation, Coding, and Ethics and Boundaries. ~~Only those classroom hours earned at Board approved continuing education courses or under the provisions of this rule are acceptable.~~ Six (6) hours of the forty (40) shall be in the area of record keeping/documentation and coding; and two (2) hours of the forty (40) must be in the area of ethics and boundaries.

(3) Online Attendance Continuing Education.

(a) Definitions. For purposes of this rule, the following definitions shall apply.

1. “Online attendance continuing education course” means a competency based learning course presented through live, synchronous technology or through prerecorded video coupled with a means for course attendees to ask questions of the instructor(s) and receive responses in a timely manner. Such courses may be presented through video conferencing technologies or interactive computer based applications.

2. “Competency Based Learning” shall mean a course in which periodic challenge questions and a post-test is administered to assess the licensee’s mastery of the materials.

(a) Challenge questions. Challenge questions are offered during each credit hour of a course to verify the licensee’s attendance. A minimum of seventy-five percent (75%) of the challenge questions asked during each credit hour must be answered by the attendee to receive credit for that hour of content. If an attendee fails to answer at least 75% of the challenge questions, the attendee must retake the entire credit

hour, and each credit hour must be completed before the next credit hour of content may be attempted.

b. Post-test. A post-test must be offered at the completion of the course to assess the attendee's mastery of the course content. A minimum score of seventy-five percent (75%) of the post-test questions must be answered correctly for an attendee to obtain credit for the course.

~~(b) Online Hours Allowed. Each licensee may elect to obtain no more than ten (10) general hours each biennium through of online attendance continuing education courses. The online courses shall be competence based learning. Online continuing education providers shall comply with the approval process outlined in subsection (5), of this rule.~~

~~(a) All online continuing education courses shall be competency based learning.~~

~~(b) All online continuing education courses shall use the Sharable Content Objective Reference Model (SCORM) for security purposes.~~

~~(c) The continuing education provider shall include a description of the security process in place to ensure that the licensee is the person completing the online program. These security measures shall protect the learner's identity and the course and related content from unauthorized access; and include that only the attendee's registered computer is used for the course.~~

~~(d) Providers must include the courses instructors' curriculum vitae or resume for each portion of the program.~~

~~(e) Providers must explain the appropriate level of technology required for the licensee to participate in the course.~~

~~(f) Providers must have technical assistance available as appropriate to the course format.~~

~~(g) Providers shall establish a deadline for course completion.~~

~~(h) Providers shall notify the program attendees when he or she is leaving a continuing education site and is being directed to a promotional or sponsored site.~~

~~(i) The provider must allow access to the online program to the Board member who is reviewing the course for approval.~~

(4) Licensees Certified in Acupuncture. Each licensee certified in acupuncture by the Board shall obtain four (4) hours of Board approved acupuncture continuing education. Two (2) hours shall be in the area of safety and risk management and two (2) hours shall be in the area of technique. These four (4) hours shall be obtained as part of the forty (40) hours required in each licensure biennium. Licensees certified in acupuncture must complete the hours required in subsection 64B2-13.004(2), F.A.C.

(5) Approval of Continuing Education Courses.

(a) Provider approval fees. Continuing education providers, including providers of continuing education in AIDS and risk management, seeking initial approval of continuing

education courses by the Board shall pay a fee of \$250.00. Continuing education providers seeking renewal for the providership of approved courses shall also pay a \$250.00 fee each biennium. The initial fee and renewal fee shall be assessed per provider and not per course.

(b) Requirements for approval of all courses. To receive Board approval, all continuing education courses:

1. ~~(a)~~ No change.

2. ~~(b)~~ Must be offered for the purpose of keeping the licensee apprised of advancements and new developments in at least one of the following areas, provided that the continuing education is within the scope of chiropractic practice as defined in Chapter 460, F.S.:

1. through 17. renumbered a. through q. No change.

3. ~~(c)~~ Shall have its sponsor submit to the Board at least the following:

1. through 2. renumbered a. through b. No change.

3. The procedure to be used for recording attendance of those attendees seeking to apply for continuing education credit and the procedure for certification by the program's registrar of attendance to be submitted to the Board as verification. The provider must require a licensee provide a photo identification and sign in and out each time they enter or exit the meeting site and licensee's attendance must be certified by the course's registrar and submitted to the Board as verification. Providers of online attendance courses must explain how this requirement will be substantially met through the course's technology.

4. ~~(d)~~ Shall be taught by one or more speakers or lecturers with at least one of the following qualifications:

a1. No change

b2. A post-graduate level instructor of a chiropractic college or school maintaining a standard and reputability approved by the Board, or a post-graduate level instructor at a medical or osteopathic college or a university which college or university is accredited by, or has status with, an agency or its successor which is recognized and approved by the United States Office of Education or the Council on Post Secondary Accreditation; and-

5. Shall ensure the security of payment of registration fees.

(c) Additional requirements for approval of online attendance courses. In addition to the requirements of paragraphs (5)(a) and (b), to receive Board approval, all online attendance continuing education courses must meet the following additional requirements.

1. All online attendance continuing education courses shall be competency based learning.

2. The continuing education provider must explain the appropriate level of technology required for the licensee to participate in the course.

3. The continuing education provider must have technical assistance available as appropriate to the course format.

4. The provider must allow access to the online program to a Board member for auditing purposes; and

5. Copies of all post-test and challenge questions must be submitted for Board review.

~~(6) When attending an approved course, a licensee must provide a photo identification and sign in and out each time they enter or exit the meeting site and the licensee's attendance must be certified by the course's registrar and submitted to the Board as verification.~~

~~(6)(7)~~ Out of State Licensees Laws and Rules. Licensees who reside out of state may satisfy the requirement of continuing education in the laws and rules of the Board and the regulatory agency under which the Board operates by certifying that they have obtained and read a copy of Chapters 456 and 460, F.S., and Rule Division 64B2, F.A.C. A copy of said laws and rules may be obtained from the Board Office or from the Board's website <http://floridaschiropracticmedicine.gov/>.

~~(7)(8)~~ Acupuncture Certification. Hours completed to satisfy the requirements of Rule 64B2-11.012, F.A.C., shall satisfy the requirements of this rule.

~~(8)(9)~~ Alternative Means of Earning Continuing Education Credits.

(a) Attendance at Board Meetings. Five (5) hours of continuing chiropractic education in the subject area of risk management may be obtained by attending one full day or eight (8) hours of a Board meeting (whichever is shorter) at which disciplinary hearings are conducted by the Board of Chiropractic Medicine in compliance with the following:

(a) through (c) renumbered 1. through 3. No change.

~~(b)(10)~~ Expert Witnesses. In addition to the continuing chiropractic education credits authorized above, any volunteer expert witness who is providing expert witness opinions for cases being reviewed pursuant to Chapter 460, F.S., shall receive five (5) hours of credit in the area of risk management for each case reviewed up to a maximum of ten (10) hours per biennium. In this regard, volunteer expert witnesses are encouraged to perform a literature survey in conjunction with a review of cases for the Board.

~~(c)(11)~~ Course Instructors; Speakers; Panelists. In addition to the continuing chiropractic education credits authorized above, a course instructor or speaker, for one presentation only per biennium, will receive ten (10) hours of credit for a continuing education program sponsored by a Board approved provider. A panelist at a conference of healthcare professionals at a Board approved conference, shall receive five (5) hours of risk management continuing education credit per biennium.

~~(d)(12)~~ Department Test Examiners and Consultants. In addition to the continuing chiropractic education credits authorized above, test examiners who have passed their trainee period and were used by the Department of Health during the biennium and test consultants who assist the Department in

writing and reviewing the questions for the laws and rules examination will receive two (2) hours of laws and rules continuing education credit for the biennium.

~~(e)(13)~~ Service on Probable Cause Panels. In addition to the continuing chiropractic education credits authorized above, former Board members will receive thirteen (13) hours of continuing education credit for the required hours in laws and rules, risk management, prevention of medical errors, boundaries and ethics, and record-keeping and documentation per biennium for service on a Probable Cause Panel.

~~(f)(14)~~ NBCE Test Examiners or Graders. In addition to the continuing chiropractic education credits authorized above, any Florida licensee who participates as an examiner/grader for the National Board of Chiropractic Examiners (NBCE) shall receive up to nineteen (19) hours of general continuing chiropractic education for each examination administration in which he/she participates.

~~(g)(15)~~ Board Members. Board members shall receive thirteen (13) hours of continuing education for the required hours in laws and rules, risk management, prevention of medical errors, boundaries and ethics, and record-keeping and documentation credit for each full or partial biennium served on the Board.

Rulemaking Authority 456.013, 456.025(7), 460.408(3) FS. Law Implemented 456.013(6), (8), (9), 456.025(7), 456.036(10), 460.408 FS. History—New 1-10-80, Amended 11-25-80, 1-13-82, Formerly 21D-13.04, Amended 6-22-86, 7-5-87, 1-25-88, 10-17-90, 10-15-92, Formerly 21D-13.004, Amended 10-26-93, Formerly 61F2-13.004, Amended 3-16-95, 7-18-95, 6-11-96, Formerly 59N-13.004, Amended 6-24-98, 8-4-99, 7-11-02, 11-30-03, 4-17-05, 11-14-06, 11-13-07, 7-1-09, 5-17-10, 8-22-11, 10-21-12, 7-10-13, 7-8-15, 11-15-16, 5-30-17, 1-22-18,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Chiropractic Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 9, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 29, 2017

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:

64B16-28.830 Special - Closed System Pharmacy

PURPOSE AND EFFECT: The Board proposes the rule amendment to update/correct the name of a type of ICF and include the statutorily required language regarding preventing controlled substance dispensing based on fraudulent prescriptions.

SUMMARY: The name of a type of ICF will be updated/corrected. The statutorily required language regarding

preventing controlled substance dispensing based on fraudulent prescriptions will be added to 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: 456.013, 465.005, 465.0155, 465.009, 465.022(12) FS.

LAW IMPLEMENTED: 456.013, 456.42, 456.43, 465.0155, 465.003, 465.009, 465.016(1)(i), (s), 465.017, 465.022(12), 893.04 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: C. Erica White, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-28.830 Special – Closed System Pharmacy.

(1) A Special – Closed System Pharmacy permit is a type of special pharmacy as provided for by Section 465.0196, F.S., which dispenses medicinal drugs, utilizing closed delivery systems, to facilities where prescriptions are individually prepared for the ultimate consumer, including nursing homes, jails, ALF’s (Adult Congregate Living Facilities), ICF-IIDs (Intermediate Care Facilities – Developmentally Delayed, also known as ICF – Individuals with Intellectual Disabilities, ICF-MR’s (Intermediate Care Facility/Mentally Retarded) or other

custodial care facilities when defined by AHCA rules and which the Board may approve.

(2) A special – closed system pharmacy permittee shall maintain a policy and procedure manual including drug procurement, storage, handling, compounding, dispensing, record keeping and disposition, as well as procedures for preventing the dispensing of controlled substances based upon fraudulent prescriptions.

(3) A special – closed system pharmacy permittee shall provide twenty-four-hour emergency and on-call service.

(4) through (5) No change.

(6) The utilization of registered pharmacy interns and registered pharmacy technicians is ~~subject to the rules~~ as provided by Rules 64B16-26.400, 27.4001, 27.410, and 27.420, F.A.C.

Rulemaking Authority 465.005, 465.022 FS. Law Implemented 465.0196, 465.022, FS. History–New 7-31-91, Amended 10-1-92, Formerly 21S-28.830, 61F10-28.830, 59X-28.830, Amended 1-1-10,

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Pharmacy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:

Board of Pharmacy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD:

February 6, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:

February 26, 2018

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.001 Definitions

65G-2.010 Fire and Emergency Procedures

PURPOSE AND EFFECT: The purpose of this rule amendment is to clarify the requirements for providers and others to report incidents to the Agency.

SUMMARY: New definitions for the following terms: Community-Based Service Location, Other Location, Provider, and School. Also clarifies requirements for incident reporting to the Agency.

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.

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: 393.501(1), 393.067, 120.54 FS.

LAW IMPLEMENTED: 393.067, 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: Lisa Kuhlman, Senior Attorney
Agency for Persons with Disabilities, 4030 Esplanade Way,
Suite 335, Tallahassee, FL 32399, lisa.kuhlman@apdcare.org,
(850) 922-9738

THE FULL TEXT OF THE PROPOSED RULE IS:

65G-2.001 Definitions.

For the purposes of this chapter, the term:

(1) through (6) No change.

(7) “Community-Based Service Location” means for purposes of the incident reporting requirements under Section 393.067, F.S., any location within the community where the resident or client may be located while the individual is under the supervision of a covered person.

~~(8)(7)~~ “Controlling entity” means:

(a) The applicant or licensee;

(b) A person or entity that serves as an officer of, is on the board of directors of, or has a 5-percent or greater ownership interest in the applicant or licensee; or

(c) A person or entity that serves as an officer of, is on the board of directors of, or has a 5-percent or greater ownership interest in the management company or other entity, related or unrelated, with which the applicant or licensee contracts to manage the facility.

(d) This term does not include a voluntary board member.

~~(9)(8)~~ “Covered person” means any owner, employee, paid staff member, volunteer, or intern of the licensee, any person under contract with the Agency, and any person providing care or support to a client on behalf of the Agency or its providers.

~~(10)(9)~~ “Direct Care Core Competency Training” means the training described and mandated by the Florida Medicaid Developmental Disabilities Waiver Services Coverage and Limitations Handbook, which is incorporated by reference in Rule 59G-13.083, F.A.C.

~~(11)(10)~~ “Direct service provider” is as defined in Section 393.063, F.S.

~~(12)(11)~~ “Emotional harm” means an inferred negative emotional state indicated by agitation, withdrawal, crying, screaming, or other behavioral indicators.

~~(13)(12)~~ “Entity” means an individual, partnership, association, joint venture, company, sole proprietorship,

corporation, limited liability corporation, professional limited liability corporation, or any other form of business.

~~(14)(13)~~ “Facility” means a foster care facility, group home facility, residential habilitation center, or comprehensive transitional education program as defined in Section 393.063, F.S. The individual centers and units that comprise a comprehensive transitional education program collectively constitute a single “facility.”

~~(15)(14)~~ “Household members” means residents, live-in staff, family members of live-in staff, and any other person residing in the facility.

~~(16)(15)~~ “Licensee” means a person or entity which has been issued and currently maintains a non-expired residential facility license from the Agency.

~~(17)(16)~~ “Live-in staff” means direct service providers whose primary residence is the same as that of the residents for whom they are providing supports and services.

~~(18)(17)~~ “Local Review Committee (LRC)” means the committee established pursuant to Rule 65G-4.008, F.A.C., to provide oversight of behavioral services to Agency clients in a service region.

~~(19)(18)~~ “Operator” means the person and/or entity responsible for the management and administration of a facility.

(20) “Other Location” means for purposes of the incident reporting requirements under Section 393.067, F.S., any location within the community where the resident or client may be located while not under the supervision of a covered person.

~~(21)(19)~~ “Parcel” means the same as a “lot” as that term is defined in Section 177.031, F.S.

~~(22)(20)~~ “Physical harm” means a bodily injury or illness requiring first aid or other medical procedures.

(23) “Provider” means any program or facility for the care, treatment, training, residence or habilitation of persons with developmental disabilities that is licensed by the Agency or receives funds from the Agency through a contract. A provider does not include a spouse, family member or guardian with whom a person with developmental disabilities resides or a provider covered under the provisions of Part VIII of Chapter 400, F.S.

~~(24)(21)~~ “Regional Office” means the primary office for a service region of the Agency for Persons with Disabilities.

~~(25)(22)~~ “Repeat violation” means the re-occurrence of a violation of the same standard that occurs within 12 months.

~~(26)(23)~~ “Resident” means any person with a developmental disability whose primary place of residence is a facility, whether or not such person is a client of the Agency.

(27) “School” is as defined in Section 1003.01, F.S., for purposes of the incident reporting requirements under Section 393.067, F.S.

~~(28)(24)~~ “Self-determination” is as defined in Section 393.063, F.S.

~~(29)~~~~(25)~~ “Sexual activity” is as defined in Section 393.135, F.S.

~~(30)~~~~(26)~~ “Sexually aggressive resident” means a minor who is an alleged juvenile sexual offender, as defined in Section 39.01, F.S., or an adult who is documented to have committed an act of sexual abuse as that term is defined in Section 415.102, F.S.

~~(31)~~~~(27)~~ “Survey” means an on-site inspection conducted by Agency staff for the purpose of determining compliance with facility standards.

~~(32)~~~~(28)~~ “Voluntary board member” means a board member of a not-for-profit corporation or organization who serves solely in a voluntary capacity, does not receive any remuneration for services to the corporation or organization, and has no financial interest in the corporation or organization.

~~(33)~~~~(29)~~ “Welfare” means care which promotes those rights enumerated in Sections 393.13(3) and (4), F.S.

~~(34)~~~~(30)~~ “Zero Tolerance” means Agency initiated activities, such as education and training, which are intended to prevent occurrences of abuse, neglect, exploitation, and abandonment involving persons with developmental disabilities and facilitate quicker identification and reporting of potentially harmful situations and environments in which abuse, neglect, exploitation, or abandonment may arise.

Rulemaking Authority 393.501(1), 393.067 FS. Law Implemented 393.067, 393.13 FS. History—New 7-1-14, Amended .

65G-2.010 Fire and Emergency Procedures.

(1) through (4) No change.

(5) INCIDENT REPORTING. In all cases involving known or suspected abuse, neglect or exploitation, the incident shall be reported immediately to the Florida Abuse Hotline as required under Sections 39.201 and 415.1034, F.S. The Provider or Covered person must take immediate action in the situation to resolve the emergency and ensure the individual’s health and safety. This action may include, but is not limited to, calling 911, or performing Cardiopulmonary Resuscitation (CPR) for recipients without a pulse, who are not breathing and do not have a Do Not Resuscitate (DNR) Order, or back blows and abdominal thrust maneuvers for choking. In addition, all incidents must be reported to the Regional Office in the following manner and according to the specified timeframes utilizing the APD Incident Reporting Form APD OP 3-0006. ~~APD Incident Reporting Form APD 10 002 (effective April 1, 2014)~~

<https://www.flrules.org/gateway/reference.asp?NO=Ref-04209>, which is herein incorporated by reference. A copy of this form may be obtained from the Regional Office.

(a) Critical incidents must be reported to the appropriate Regional Office by telephone or in person within ~~1 one~~ hour after facility staff become aware of the incident. If this occurs

after normal business hours or on a weekend or holiday the person reporting the incident shall call the Regional Office after-hours designee. If the incident occurs between the hours of 8:00 p.m. and 8:00 a.m., a telephonic or in-person ~~an oral~~ contact must be made with the Regional Office no later than 9:00 a.m. It shall be within the provider’s discretion and judgment to determine the appropriateness of waiting until the following morning. A supervisor may be the one to make the verbal report. Telephonic or in-person ~~Oral~~ contacts should be followed up with the submission of a completed APD Incident Reporting Form to the Regional Office within ~~1 one~~ business day following the critical incident. This form should be faxed, electronically mailed, or personally delivered to the Regional Office. The information contained in the first page must be provided by the person with firsthand knowledge of the incident. Additionally, any and all follow-up measures taken by a Provider or Covered Person to protect a resident or client, gain control or manage the situation must be noted on the second page of the incident reporting form, which may be completed and submitted to the Regional Office at a later date, not to exceed five business days. The measures must specify what actions will be taken to mitigate a recurrence of the same type of incident. Critical incidents include the following:

1. The unexpected death of a resident or a client;
 2. Any sexual activity, as defined ~~described~~ in Section 393.135, F.S., between a covered person ~~facility staff~~ and a resident or client regardless of the consent of the resident or client, incidents of nonconsensual sexual activity between residents or clients, sexual activity involving any resident or client who is a minor; child resident; and nonconsensual sexual activity between a resident or client and any person in the community.
 3. The unexpected absence or unknown whereabouts, beyond one hour, of a resident or client who is a minor or an adult resident or client who has been adjudicated incompetent;
 4. ~~Any unusual occurrence or circumstance such as a tornado, kidnapping, riot or hostage situation, which jeopardizes the health, safety or welfare of a resident,~~
 - ~~4.5.~~ A resident or client has sustained a life-threatening injury or illness;
 - ~~5.6.~~ Negative news media reports regarding the operation of the facility or the care of residents or clients;
 - ~~6.7.~~ The arrest of a resident or client for a violent criminal offense; or
 - ~~7.~~ The arrest of a covered person for a potentially disqualifying offense specified in Section 393.0655, F.S.; or
 8. The Department of Children and Families has made a finding of verified abuse, neglect, exploitation, or abandonment by the provider or the provider’s employees.
- (b) Other reportable incidents must be reported to the Regional Office within one business day following the incident

through the completion of a written incident report which may be faxed, electronically mailed, or personally delivered to the Regional Office. Additionally, any and all follow-up measures taken by a Provider or Covered Person to protect a resident or client, gain control or manage the situation must be noted on the second page of the incident reporting form, which may be completed and submitted to the Regional Office at a later date, not to exceed five business days. Reportable incidents include:

1. The death of a resident or client that does not constitute an unexpected death;
 2. Physical altercations occurring between a resident or client and a member of the community, a resident or client and direct service providers, or two or more residents or clients, that results in law enforcement contact;
 3. Any injury to a resident or client due to an accident, act of abuse, neglect or other incident sustained or allegedly sustained while receiving services from a covered person that ~~which~~ requires the resident or client to receive medical treatment attention in an urgent care center, emergency room or physician office setting or requires admission to a hospital;
 4. The arrest of a resident or client for a non-violent offense while that resident or client is under the care of a provider; ~~or the arrest of a direct service provider, or licensee,~~
 5. The unexpected absence or unknown whereabouts of a legally competent adult resident or client beyond eight hours;
 6. Any act which clearly reflects the physical attempt by a resident or client to cause his or her own death;
 7. The commitment of a resident or client to mental health services pursuant to Chapter 394, F.S., also known as the "Baker Act;" ~~or ; and~~
 8. Any illness sustained or allegedly sustained while receiving services from a covered person that requires the resident or client to receive medical treatment in an urgent care center, emergency room or physician office setting, or requires admission to a hospital.
- ~~8. Any other event that places a resident's health, safety or welfare in jeopardy. Examples include: severe weather conditions, alleged criminal activity by licensees, employees or residents, fires or other hazardous events or conditions.~~

(c) through (e) No change.

Rulemaking Authority 393.501(1), 393.067 FS. Law Implemented 393.067 FS. History—New 7-1-14, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jackie Schaffer
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Barbara Palmer
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 03/19/2018
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 11/14/2017

Section III
Notice of Changes, Corrections and
Withdrawals

NONE

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004: General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on March 19, 2018, the Florida Department of Business and Professional Regulation, 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), 2009 FDA Food Code from Pishi LLC located in Doral. 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 three compartment sink and the handwash sink.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:

64B16-27.797: The Standards of Practice for Compounding Sterile Products

The Board of Pharmacy hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, which

was filed on January 12, 2018, by Moffitt Cancer Center. The Notice of Petition for Waiver or Variance was published January 22, 2018 in Volume 44, Number 14 of the Florida Administrative Register. The Petitioner was seeking a waiver or variance of the requirement of Rule 64B16-27.797, Florida Administrative Code, entitled, “The Standards of Practice for Compounding Sterile Products,” and the rule’s incorporated documents USP Chapter 797. The Petitioner was requesting to be able to utilize leftover drugs for subsequent patients’ admixtures from SDVs that are stable for 6 hours or less at 2-8°C after initial opening or entry in an ISO 5 environment that is moved to an ISO 7 environment using the PhaSeal CSDTD. The Board considered the instant Petition at a duly-noticed public meeting held February 7, 2018, in Gainesville, Florida. The Board’s Order, filed on March 9, 2018, granted the petition, finding that Petitioner had established that the purpose of the underlying statute would be met by granting a temporary variance or waiver from Rule 64B16-27.797, Florida Administrative Code. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to its circumstances would violate principles of fairness and impose substantial hardship. A copy of the Order or additional information may be obtained by contacting C. Erica White, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

The Department of Agriculture and Consumer Services announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday March 22, 2018, 1:00 p.m. – 3:00 p.m. ET

PLACE: Join meeting from computer, tablet or smartphone at <https://global.gotomeeting.com/join/952074253>; dial in using phone: United States (toll-free) 1(866)899-4679, United States +1(571)317-3117, access code 952-074-253. First GoToMeeting? Do a quick system check at <https://link.gotomeeting.com/system-check>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: FAPC Spring Meeting. Marketing activities planned on behalf of Florida agriculture.

A copy of the agenda may be obtained by contacting Kelly Wetherington, kelly.wetherington@freshfromflorida.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 2 days before the workshop/meeting by contacting: Kelly Wetherington, kelly.wetherington@freshfromflorida.com, (850)671-7300. 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 Kelly Wetherington, kelly.wetherington@freshfromflorida.com, (850)671-7300.

DEPARTMENT OF EDUCATION

State Board of Education

The State Board of Education announces a public meeting to which all persons are invited.

DATE AND TIME: March 27, 2018, 9:00 a.m.

PLACE: Hendry County, LaBelle High School, 4050 E. Cowboy Way, LaBelle, FL 33935

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting agenda will consist of approval of minutes of the State Board meeting held January 17, 2018. Updates will be provided by Ben Jackson, Partner, TNTP; Superintendent Patton on behalf of the Florida Association of District School Superintendents; and President Leitzel on behalf of the Council of Presidents. Items for consideration include action relating to the following: Consideration of Applications for Hope Operator Designation: Individuals Dedicated to Excellence and Achievement (IDEA) Public Schools and Somerset Academy, Inc.; Consideration of an Additional Year of District-Managed Turnaround for Bay County, Hillsborough County, Miami-Dade County, Putnam County and Seminole County; Amendment to Rule 6A-1.0503, F.A.C., Definition of Qualified Instructional Personnel; Amendment to Rule 6A-5.030, F.A.C., District Instructional Personnel and School Administrator Evaluation Systems; Amendment to Rule 6A-5.066, F.A.C., Approval of Teacher Preparation Programs; Amendment to Rule 6A-6.0574, F.A.C., CAPE Postsecondary Industry Certification Funding List; New Rule 6A-1.09515, F.A.C., Excused Absences for Treatment of Autism Spectrum Disorder; Amendment to Rule 6A-7.0335, F.A.C., Regional Centers for Implementing Services to Individuals with Autism, Pervasive Developmental Disorders, Autistic-like Disabilities, Dual Sensory Impairments, or Sensory Impairment with Other Disabling Conditions; Appointments to the Education Practices; Amendment to Rule 6A-1.0014, F.A.C.,

Comprehensive Management Information Systems; Critical Teacher Shortage Areas for 2018-19; Amendment to Rule 6A-5.0411, F.A.C., Calculations of Student Learning Growth for Use in School Personnel Evaluations; Amendment to Rule 6A-6.0571, F.A.C., Career and Technical Education and Adult General Education Standards and Industry-Driven Benchmarks; and Amendment to Rule 6A-1.09441, F.A.C., Requirements for Programs and Courses Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation. A presentation on Florida Attainment will also be provided.

A copy of the agenda may be obtained by contacting: Chris Emerson at (850)245-9601 or Christian.Emerson@fldoe.org, or by visiting the Department's website at: <http://www.fldoe.org/policy/state-board-of-edu/meetings>.

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: Chris Emerson at (850)245-9601 or Christian.Emerson@fldoe.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).

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 announces a public meeting to which all persons are invited.

DATE AND TIME: April 3, 2018, 9:00 a.m. – 1:00 p.m.

PLACE: Holiday Inn Tampa Westshore – Majestic Palms Room, 700 N. West Shore Blvd, Tampa, FL 33609; conference call: 1(888)670-3525, participant code 2152927883#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Elevator Safety Technical Advisory Council will meet to discuss issues pertaining to elevator safety within the State of Florida.

A copy of the agenda may be obtained by contacting latosha.jones@myfloridalicense.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 10 days before the workshop/meeting by contacting latosha.jones@myfloridalicense.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 latosha.jones@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Mobile Home Relocation Corporation

The Florida Mobile Home Relocation Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 28, 2018, 9:00 a.m.

PLACE: Telephone conference: dial 1(888)909-7654, enter participant code 128126 when prompted

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will address official business of the Florida Mobile Home Relocation Corporation which will include, among other matters, a review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use and such other business as may come before the Board. A schedule for future meetings will be determined.

A copy of the agenda may be obtained by contacting Vicky Krentz at 1(888)862-7010.

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 Vicky Krentz at 1(888)862-7010. 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 Vicky Krentz, Executive Director, FMHRC, PO Box 7848, Clearwater, FL, 33758, 1(888)862-7010, vicky@fmhrc.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection, State Revolving Fund announces a public meeting to which all persons are invited.

DATE AND TIME: May 9, 2018, 2:00 p.m. – 4:00 p.m.

PLACE: Conference Room 170, Carr Building, 3800 Commonwealth Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting will commence at 2:00 p.m., continuing until not later than 4:00 p.m., to present and discuss the issues and recommendations for management of the FY 2018 Clean Water State Revolving Fund (CWSRF) and Drinking Water State Revolving Fund (DWSRF) priority lists of projects to be funded with loans under Chapter 62-503 and Chapter 62-552, Florida Administrative Code, respectively.

A copy of the agenda may be obtained by contacting: Michael Isaacson, State Revolving Fund Program, 3900 Commonwealth

Boulevard, Mail Station 3505, Tallahassee, Florida 32399-3000, (850)245-2928, michael.isaacson@dep.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 5 days before the workshop/meeting by contacting Michael Isaacson. 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 Michael Isaacson, (850)245-2928, michael.isaacson@dep.state.fl.us, State Revolving Fund Program, 3900 Commonwealth Boulevard, Mail Station 3505, Tallahassee, Florida 32399-3000.

FISH AND WILDLIFE CONSERVATION COMMISSION
Freshwater Fish and Wildlife

The Florida Fish and Wildlife Conservation Commission announces a public meeting to which all persons are invited.

DATE AND TIME: April 17, 2018, 6:30 p.m. – 8:00 p.m.

PLACE: Grand Lake RV Resort, 18545 Northwest 45th Avenue Road, Citra, FL 32113

GENERAL SUBJECT MATTER TO BE CONSIDERED: FWC will be holding a public meeting to update the public on management activities undertaken at Orange Lake in the past year as well as present future management proposals. The meeting will take place April 17 from 6:30 p.m. to 8:00 p.m. at the Grand Lake RV Resort, 18545 Northwest 45th Avenue Road, Citra, FL 32113. This meeting facility is handicapped accessible. For information on previous meetings please visit <https://orangecreekbasin.wordpress.com>, or contact Allen Martin at (386)623-1836.

A copy of the agenda may be obtained by contacting Jennifer McGee, Florida Fish and Wildlife Conservation Commission, Species Conservation Planning Section, 620 South Meridian Street, MS 2A, Tallahassee, Florida 32399-1600, (850)921-1023, Jennifer.McGee@myfwc.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 5 days before the workshop/meeting by contacting The ADA Coordinator at (850)488-6411. 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: Jennifer McGee, Florida Fish and Wildlife Conservation Commission, Species Conservation Planning Section, 620 South Meridian Street, MS 2A, Tallahassee, Florida 32399-1600, (850)921-1023, Jennifer.McGee@myfwc.com.

FISH AND WILDLIFE CONSERVATION COMMISSION
Freshwater Fish and Wildlife

The Florida Fish and Wildlife Conservation Commission announces public meetings to which all persons are invited.

DATES AND TIMES: April 10, 2018, 9:00 a.m.; April 11, 2018, 9:00 a.m.

PLACE: Tallahassee, FWC Bryant Bldg. Rm. 272 and WebEx (contact Jennifer McGee for details, contact info below)

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a quarterly meeting of the Steering Committee for the Florida Beaches Habitat Conservation Plan. Topics to be discussed include staff updates from the last quarter and final drafts of several chapters the Florida Beaches Habitat Conservation Plan. Votes to approve meeting minutes and final draft chapters are planned.

A copy of the agenda may be obtained by contacting: Jennifer McGee, Florida Fish and Wildlife Conservation Commission, Species Conservation Planning Section, 620 South Meridian Street, MS 2A, Tallahassee, Florida 32399-1600, (850)921-1023, Jennifer.McGee@myfwc.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 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. 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: Jennifer McGee, Florida Fish and Wildlife Conservation Commission, Species Conservation Planning Section, 620 South Meridian Street, MS 2A, Tallahassee, Florida 32399-1600, (850)921-1023, Jennifer.McGee@myfwc.com.

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: March 28, 2018, 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 Medical Malpractice Joint Underwriting Association
The FMMJUA Search Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 29, 2018, 1:00 p.m.

PLACE: Radey Law Firm, 301 S Bronough Street, Suite 200, Tallahassee FL 32302

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Search Committee of the Florida Medical Malpractice Joint Underwriting Association will receive and consider business properly brought before the Committee.

A copy of the agenda may be obtained by contacting FMMJUA, 1836 Hermitage Blvd., Suite 201, 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 7 days before the workshop/meeting by contacting frankie@fmmjua.org. For more information, you may contact: frankie@fmmjua.org or call (850)385-8114. 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 frankie@fmmjua.org or call (850)385-8114.

Citizens Property Insurance Corporation

The Citizens Property Insurance Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: April 5, 2018, 10:00 a.m. – 11:30 a.m.

PLACE: Teleconference: dial-in number 1(866)361-7525, access code 6487811621#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consumer Services Committee Meeting.

A copy of the agenda may be obtained by contacting: citizensfla.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 5 days before the workshop/meeting by contacting Barbara Walker at (850)513-3744. 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).

National Council on Compensation Insurance

The Florida Workers Compensation Appeals Board announces a public meeting to which all persons are invited.

DATE AND TIME: April 24, 2018, 10:00 a.m.

PLACE: Four Points by Sheraton Tallahassee Downtown, 316 W Tennessee Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workers Compensation premium disputes.

There is no agenda for this meeting.

For more information, you may contact Maureen Longanacre, NCCI, (915)261-7999.

Florida Insurance Guaranty Assoc., Inc.

The FIGA Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: April 9, 2018, 10:00 a.m.

PLACE: Renaissance Plaza Hotel, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to discuss the general business of the Association. The agenda will include, but not be limited to: Board Elections, Receiver's, Legal, Claims and Financial reports. Also, the Operations and Finance & Audit Committee reports.

A copy of the agenda may be obtained by contacting Cathy Irvin at (850)386-9200.

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 Cathy Irvin at (850)386-9200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Florida Insurance Guaranty Assoc., Inc.

The FIGA Finance and Audit Committee announces a public meeting to which all persons are invited.

DATE AND TIME: April 9, 2018, 8:30 a.m.

PLACE: Renaissance Plaza Hotel, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to discuss the general business of the Finance and Audit Committee. The agenda will include, but not be limited to: Investment and Audit reports, Investment Policy review, 990 Tax Return and the Charter/Checklist.

A copy of the agenda may be obtained by contacting Cathy Irvin at (850)386-9200.

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 Cathy Irvin at (850)386-9200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Florida Workers' Compensation Insurance Guaranty Assoc., Inc.

The FWCIGA Audit Committee announces a public meeting to which all persons are invited.

DATE AND TIME: April 24, 2018, 8:30 a.m.

PLACE: Hyatt Regency Orlando Airport Hotel, Orlando, FL
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to discuss the general business of the Audit Committee. The agenda will include, but not be limited to: 2017 Audit Reports for FWC and AGFG, 990 Tax Return and the Charter/Checklist.

A copy of the agenda may be obtained by contacting Cathy Irvin at (850)386-9200.

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 Cathy Irvin at (850)386-9200. 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).

Infinite Source Communications Group, LLC

The Florida Department of Transportation (FDOT), District Four, announces a Public Information Workshop to which all persons are invited.

DATE AND TIME: Wednesday, April 11, 2018, 6:00 p.m.

PLACE: E. Pat Larkins Community Center, 520 NW 3 Street, Pompano Beach, FL 33060. In the event that the Public Information Workshop cannot be held on Wednesday, April 11, 2018 due to severe weather or unforeseen conditions, it will be held at a later date, time and place.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT), District Four will be conducting a Public Information Workshop regarding the Mobility Improvements Project along NE 11 Avenue from State Road (SR) 814/Atlantic Boulevard to NE 6 Street, NE 48 Street from SR 845/Powerline Road to SR 5/US 1, SW 3 Avenue from SW 10 Street to SR 810/Hillsboro Boulevard, and SE 2 Avenue from SE 10 Street to SR 810/Hillsboro Boulevard in Broward County. The purpose of this project includes the installation of sidewalks, minor roadway widening to accommodate bicycle lanes and enhancement of pavement

markings. (Financial Project ID Number: 434686-1). The Public Information Workshop will be conducted as an informal open house from 6:00 p.m. to 8:00 p.m., with representatives offering pertinent information and answering questions. Design plans and posters will be available for public viewing. A copy of the agenda may be obtained by contacting: Mr. Henry Oaikhena, PE, Project Manager, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4445 or toll-free: 1(866)336-8435, ext. 4445 or via email: henry.oaikhena@dot.state.fl.us.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Pursuant to the provisions of the Americans with Disabilities Act of 1990, any persons requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least seven (7) days before the Public Information Workshop by contacting: Mr. Henry Oaikhena, PE, at (954)777-4445 or toll-free: 1(866)336-8435, ext. 4445; in writing to Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309 or via email: henry.oaikhena@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). Any persons who require translation services (free of charge) should also contact Mr. Henry Oaikhena, PE at least seven (7) days before the meeting.

For more information, you may contact: Mr. Henry Oaikhena, PE, Project Manager, Florida Department of Transportation District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4445, toll-free 1(866)336-8435, ext. 4445, or via email: henry.oaikhena@dot.state.fl.us.

Gray-Robinson

The Florida Department of Transportation (FDOT), District One announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 5, 2018, 5:30 p.m.

PLACE: 2040 Park 82 Drive, Fort Myers, Florida 33905

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FDOT District One will be hosting a Public Information Workshop relating to the roadway improvements for the Bucee's development, located on the southwest quadrant of I-75 and S.R. 82 (Martin Luther King Jr. Blvd), the department is requiring the existing full median opening that is located approximately 1100 feet west of the intersection of S.R. 82 at the I-75 Southbound ramps to be modified to a directional median opening. This median configuration will allow left turns into the proposed connection on the south side (westbound to southbound), while prohibiting left turns out from the side

streets (northbound to westbound and southbound to eastbound). Park 82 Drive/Watts Road will be limited to right in/right out movements. Left hand turns out of and into Park 82 Drive/Watts Road will no longer be allowed.

As part of these changes, Buc-ee's will be responsible for completing Old Immokalee Road inside an existing unconstructed right-of-way within Park 82. This will allow a direct connection between Park 82 Drive and Ortiz Avenue and is expected to be completed within the next 24 months. The connection to Ortiz Avenue will be unsignalized and allow traffic leaving the Park 82 complex to make a left-hand movement onto Ortiz Avenue and then a left turn onto S.R. 82 for access to I-75.

The workshop will begin with an open house format led by Buc-ee's with FDOT staff available to answer questions and provide assistance. A presentation will follow at 6:00 p.m.

A copy of the agenda may be obtained by contacting Nathan Kautz at nathan.kautz@dot.state.fl.us, (863)519-2347, or Lawrence Massey at Lawrence.massey@dot.state.fl.us, (863)519-1960.

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 Nathan Kautz at nathan.kautz@dot.state.fl.us, (863)519-2347, or Lawrence Massey at Lawrence.massey@dot.state.fl.us, (863)519-1960. 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 Nathan Kautz at nathan.kautz@dot.state.fl.us, (863)519-2347, or Lawrence Massey at Lawrence.massey@dot.state.fl.us, (863)519-1960.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

NONE

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

Storm Water Improvements at the Plant City State Farmers Market

Invitation to Bid

As a contractor, you are invited to submit a bid to the Florida Department of Agriculture and Consumer Services, Florida Forest Service, hereinafter referred to as owner, for a storm water improvement project at the Plant City State Farmers Market, 1305 W. Dr. Martin Luther King Jr. Boulevard, Plant City, Florida. The project budget is estimated to be \$500,000. The contractor shall provide all materials, labor and equipment necessary to successfully complete the project in accordance with the terms and conditions of the Invitation to Bid.

PROJECT NAME AND LOCATION: Storm Water Improvements at the Plant City State Farmers Market, located at 1305 W. Dr. Martin Luther King Jr. Boulevard, Plant City, Florida.

SOLICITATION DOCUMENT: The entire solicitation document, which includes specifications, may be viewed and downloaded from the Vendor Bid System at http://www.myflorida.com/apps/vbs/vbs_www.search_r2.crite ria_form, Search Advertisements, Bid Number ITB/DA-17/18-36 Rebid, or by calling the purchasing office at (850)617-7181.

MANDATORY PRE-BID CONFERENCE/SITE VISIT: Each bidder must, before submitting a bid, attend the mandatory pre-bid conference/site visit. The pre-bid conference/site visit will be held at 2:00 p.m., ET, on April 3, 2018, at the Plant City State Farmers Market located at 1305 W. Dr. Martin Luther King Jr. Boulevard, Plant City, Florida. During the pre-bid conference, a site visit will be held for prospective bidders. It is the bidders' responsibility to consider any and all site conditions or requirements for the project. Specifications will be available at the mandatory pre-bid conference/site visit.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate, who has been placed on the convicted vendor list following a conviction for a public entity crime; may not submit a bid on a contract to provide any goods or services to a public entity; may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor or consultant under a contract with any public entity and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for category two, for a period of 36 months from the date of being placed on the convicted vendor list.

DISCRIMINATION, DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES: An entity or affiliate, who has been placed on the discriminatory vendor list, may not submit a bid on a contract to provide goods or services to a public entity; may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids on leases of real property to a public entity; may not award or perform work as a contractor, supplier, subcontractor or consultant under contract with any public entity and may not transact any business with any public entity.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: Each bid shall be accompanied by a performance bond in the amount of one-hundred percent (100%) of the base bid price.

BID BOND: Each bid shall be accompanied by a bid bond guarantee payable to the Department in the amount of five percent (5%) of the base bid price.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: April 24, 2018, 2:00 p.m.

PLACE: Florida Department of Agriculture and Consumer Services, 407 S. Calhoun Street, SB-8, Mayo Building, Tallahassee, Florida 32399-0800, (850)617-7181.

CONTRACT AWARD: The official Notice of Award

Recommendation will be by electronic posting at http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu
Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed, the contract will be awarded to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C. by the owner.

DEPARTMENT OF EDUCATION

Request for Applications for Available Funds

The Florida Department of Education, Farmworker Career Development Program, announces the availability of federal funds through a competitive grants process under the Workforce Innovation and Opportunity Act (WIOA) 2014, Title I, Section 167. Follow the guidelines on each individual Request for Proposal, as due dates may vary. Through the competitive grant process, eligible applicants are assured direct & equitable access to apply for funds. For application information, forms & funding opportunities conference information, please refer to <http://www.fldoe.org/academics/career-adult-edu/funding-opportunities/> direct questions to Judeith.Taylor@fldoe.org.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Building Construction

RFQ-REDM17/18-003 - Benton Building (AE)

STATE OF FLORIDA DEPARTMENT OF MANAGEMENT SERVICES

DIVISION OF REAL ESTATE DEVELOPMENT AND MANAGEMENT

PUBLIC ANNOUNCEMENT FOR PROFESSIONAL SERVICES

ARCHITECTURE

March 20, 2018

REQUEST FOR QUALIFICATIONS (RFQ): The Department of Management Services, Division of Real Estate Development and Management, announces that professional services are required for the project listed below.

RFQ NUMBER: RFQ-REDM17/18-003

PROJECT NUMBER: TBD

PROJECT NAME: Exterior Repair and Sealing, Benton Building

PROJECT LOCATION: Fort Pierce, Florida

ESTIMATED CONSTRUCTION BUDGET: \$2,000,000.00 (+Plus)

Please visit the Department's website http://www.myflorida.com/apps/vbs/vbs_www.main_menu and click on "Search Advertisements" – "Division of Real Estate Development and Management".

**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 3:00 p.m., Tuesday, March 13, 2018 and 3:00 p.m., Monday, March 19, 2018.

Rule No.	File Date	Effective Date
5B-33.001	3/15/2018	4/4/2018
5B-33.002	3/15/2018	4/4/2018
5B-33.003	3/15/2018	4/4/2018
5B-33.004	3/15/2018	4/4/2018
5B-33.005	3/15/2018	4/4/2018
5B-33.006	3/15/2018	4/4/2018
25-4.511	3/14/2018	4/3/2018
25-4.512	3/14/2018	4/3/2018
59E-9.010	3/13/2018	4/2/2018
61C-5.006	3/15/2018	4/4/2018
61G4-12.008	3/19/2018	4/8/2018
61G15-35.003	3/19/2018	4/8/2018
61G18-12.006	3/16/2018	4/5/2018
61G18-15.002	3/16/2018	4/5/2018
62-210.700	3/15/2018	4/4/2018
64B14-5.005	3/19/2018	4/8/2018
64B32-2.001	3/14/2018	4/3/2018
65-2.042	3/13/2018	4/2/2018
65-2.043	3/13/2018	4/2/2018
65-2.044	3/13/2018	4/2/2018
65-2.045	3/13/2018	4/2/2018
65-2.046	3/13/2018	4/2/2018
65-2.047	3/13/2018	4/2/2018
65-2.048	3/13/2018	4/2/2018

65-2.049	3/13/2018	4/2/2018
65-2.050	3/13/2018	4/2/2018
65-2.056	3/13/2018	4/2/2018
65-2.057	3/13/2018	4/2/2018
65-2.059	3/13/2018	4/2/2018
65-2.061	3/13/2018	4/2/2018
65-2.066	3/13/2018	4/2/2018
65-2.068	3/13/2018	4/2/2018
65-2.069	3/13/2018	4/2/2018
65A-1.603	3/15/2018	4/4/2018
65E-12.103	3/19/2018	4/8/2018
65E-12.104	3/19/2018	4/8/2018
65E-12.106	3/19/2018	4/8/2018
68A-1.004	3/16/2018	7/1/2018
68A-6.0022	3/16/2018	4/5/2018
68A-12.002	3/16/2018	7/1/2018
68A-15.063	3/16/2018	7/1/2018
68A-15.064	3/16/2018	7/1/2018
68A-25.003	3/16/2018	4/5/2018
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
40C-2.101	8/2/2017	**/**/****
58A-5.036	2/13/2018	**/**/****
59A-4.1265	2/2/2018	**/**/****
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.020	12/15/2017	**/**/****
69L-7.501	12/15/2017	**/**/****

DEPARTMENT OF HEALTH

Emergency Action

On March 19, 2018, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Glenn Taylor Redman, L.M.T., License # MA 66338. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Dentistry

Emergency Action

On March 19, 2018, State Surgeon General issued an Order Lifting Emergency Suspension of License with regard to the license of Alfred J. Mora, D.D.S., License No. DN 11851. The Department orders that the Emergency Suspension of License be lifted.

Section XIII

Index to Rules Filed During Preceding Week

INDEX TO RULES FILED BETWEEN MARCH 12, 2018 AND MARCH 16, 2018

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

5B-33.001	3/15/2018	4/4/2018	43/244	44/21
5B-33.002	3/15/2018	4/4/2018	43/244	44/21
5B-33.003	3/15/2018	4/4/2018	43/244	44/21
5B-33.004	3/15/2018	4/4/2018	43/244	44/21
5B-33.005	3/15/2018	4/4/2018	43/244	44/21
5B-33.006	3/15/2018	4/4/2018	43/244	44/21

PUBLIC SERVICE COMMISSION

25-4.511	3/14/2018	4/3/2018	44/28	
25-4.512	3/14/2018	4/3/2018	44/28	

AGENCY FOR HEALTH CARE ADMINISTRATION

Hospital and Nursing Home Reporting Systems and Other Provisions Relating to Hospitals

59E-9.010	3/13/2018	4/2/2018	43/238	44/28
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

61C-5.006	3/15/2018	4/4/2018	44/01	
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Board of Veterinary Medicine

61G18-12.006	3/16/2018	4/5/2018	44/28	
61G18-15.002	3/16/2018	4/5/2018	44/28	

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-210.700	3/15/2018	4/4/2018	44/32	
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DEPARTMENT OF HEALTH

Board of Respiratory Care

64B32-2.001	3/14/2018	4/3/2018	44/22	
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DEPARTMENT OF CHILDREN AND FAMILIES

65-2.042	3/13/2018	4/2/2018	44/01	44/26
65-2.043	3/13/2018	4/2/2018	44/01	44/26
65-2.044	3/13/2018	4/2/2018	44/01	44/26
65-2.045	3/13/2018	4/2/2018	44/01	44/26
65-2.046	3/13/2018	4/2/2018	44/01	44/26
65-2.047	3/13/2018	4/2/2018	44/01	44/26
65-2.048	3/13/2018	4/2/2018	44/01	44/26
65-2.049	3/13/2018	4/2/2018	44/01	44/26
65-2.050	3/13/2018	4/2/2018	44/01	44/26
65-2.056	3/13/2018	4/2/2018	44/01	44/26
65-2.057	3/13/2018	4/2/2018	44/01	44/26
65-2.059	3/13/2018	4/2/2018	44/01	44/26
65-2.061	3/13/2018	4/2/2018	44/01	44/26
65-2.066	3/13/2018	4/2/2018	44/01	44/26
65-2.068	3/13/2018	4/2/2018	44/01	44/26
65-2.069	3/13/2018	4/2/2018	44/01	44/26

Economic Self-Sufficiency Program

65A-1.603	3/15/2018	4/4/2018	44/26	
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FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

68A-1.004	3/16/2018	7/1/2018	44/14	
68A-6.0022	3/16/2018	4/5/2018	44/27	
68A-12.002	3/16/2018	7/1/2018	44/14	44/31
68A-15.063	3/16/2018	7/1/2018	44/14	
68A-15.064	3/16/2018	7/1/2018	44/14	44/31
68A-25.003	3/16/2018	4/5/2018	44/27	

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

St. Johns River Water Management District

40C-2.101 8/2/2017 **/**/**** 43/71

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

58A-5.036 2/13/2018 **/**/**** 43/220 44/13

AGENCY FOR HEALTH CARE ADMINISTRATION

Minimum Standards for Nursing Homes

59A-4.1265 2/2/2017 **/**/**** 43/220

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

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

DEPARTMENT OF HEALTH

Board of Medicine

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

69L-7.020 12/15/2017 **/**/**** 43/211

69L-7.501 12/15/2017 **/**/**** 43/211

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.
