Section I Notice of Development of Proposed Rules and Negotiated Rulemaking

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: RULE TITLE:

40B-2.301 Conditions for Issuance of Permits

PURPOSE AND EFFECT: The purpose of this rulemaking is to amend Section 3.2 of the Water Use Permitting Applicant's Handbook to include a Western Water Resource Caution Area map. The effect will be the expansion of planning areas with existing water resource problems or areas in which water resource problems are projected to develop in the next 20 years. SUBJECT AREA TO BE ADDRESSED: Water Resource Caution Areas

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.185, 373.219, 373.223, 373.226, 373.227, 373.228, 373.229, 373.232, 373.236, 373.239, 373.250 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SRWMD at (386)362-1001 or 1(800)226-1066 (FL only) If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Warren Zwanka, P.G., Suwannee River Water Management District, 9225 CR 49, Live Oak, Florida 32060, (386)362-1001 or 1(800)226-1066 (FL only)

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

AGENCY FOR HEALTH CARE ADMINISTRATION

MedicaidRULE NO.:RULE TITLE:59G-4.022Anesthesia Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.022, Florida Administrative Code (F.A.C.), is to

clarify provider reimbursement requirements. The amendment updates language in the Florida Medicaid Anesthesia Services Coverage Policy, _____.

SUBJECT AREA TO BE ADDRESSED: Anesthesia Services. An additional area to be addressed during the workshop will be the potential regulatory impact Rule 59G-4.022, F.A.C., will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919, 409.961 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913, 409.973 FS.

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

DATE AND TIME: August 1, 2019 from 10:30 a.m. to 11:00 a.m.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: MedicaidRuleComments@ahca.myflorida.com.

Please note that a preliminary draft of the reference material, if available, will be posted prior to the workshop at http://ahca.myflorida.com/Medicaid/review/index.shtml.

Official comments to be entered into the rule record will be received until 5:00 p.m. on August 2, 2019 and may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, please contact the person specified above.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.022 Anesthesia Services.

(1) This rule applies to <u>all providers rendering Florida</u> <u>Medicaid</u> any person or entity prescribing or reviewing a request for anesthesia services <u>to recipients</u> and to all providers of anesthesia services who are enrolled in or registered with the Florida Medicaid program.

(2) All <u>providers persons or entities described in subsection</u> (1) must be in compliance with the provisions of the Florida Medicaid Anesthesia Services Coverage Policy, <u>June</u> 2016, incorporated by reference. The policy is available on the Agency for Health Care Administration's <u>Web site</u> website at http://ahca.myflorida.com/Medicaid/review/index.shtml, and available at

http://www.flrules.org/Gateway/reference.asp?No=____Re <u>f-06764</u>.

Rulemaking Authority 409.919, 409.961 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.912, 409.913, 409.973 FS. History–New 7-5-16,

Section II Proposed Rules

NONE

Section III Notice of Changes, Corrections and Withdrawals

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-23.001	Purpose, Intent and Repeal of Other Laws;
	Designation as Restricted Species
68B-23.002	Definitions
68B-23.003	Gear Specifications and Prohibited Gear
68B-23.0035	Size Limit
68B-23.004	Commercial Fishing Season for Spanish
	Mackerel; Commercial Vessel Limits
68B-23.005	Recreational Bag Limit for Spanish
	Mackerel
68B-23.006	Other Prohibitions
68B-23.011	Other Prohibitions
	NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 45 No. 120, June 20, 2019 issue of the Florida Administrative Register.

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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: RULE TITLE:

40B-400.091 Publications and Agreements Incorporated by Reference

NOTICE IS HEREBY GIVEN that on July 3, 2019, the Suwannee River Water Management District, received a petition for a variance from Brad Carter, Bradford County, PO Box B, Starke, FL. Pursuant to Section 120.542, F.S., Petitioner is seeking a variance from subparagraph 62-330.051(4)(e)7, F.A.C. (incorporated by reference in rule 40B-400.091, F.A.C.), which provides that a notice of intent to use an exemption under this subsection is provided to the Agency 30 days before performing any work. The project is located in Sections 16, 21, 28, 32, 33, Township 6S, Range 21E of Bradford County, and has been assigned permit number ERP-007-233697-2, SW 101st Avenue.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Tilda Musgrove, Business Resource Specialist, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida only.

AGENCY FOR HEALTH CARE ADMINISTRATION Health Facility and Agency Licensing RULE NO.: RULE TITLE: 59A-36.025 Emergency Environmental Control for As

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on July 1, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-36.025, F.A.C., from S-H Thirty-Five OPCO Tamarac Acquisition, LLC d/b/a Atria Tamarac to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019010307. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on July 1, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-36.025, F.A.C., from S-H Thirty-Five OPCO Tamarac, LLC d/b/a Atria Tamarac to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019010308. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION Health Facility and Agency Licensing RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on July 1, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-36.025, F.A.C., from S-H Thirty-Five OPCO – Willow Wood, LLC d/b/a Atria Willow Wood to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019010310. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on July 3, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-36.025, F.A.C., from Arden Courts of Sarasota FL, LLC d/b/a Arden Courts of Sarasota to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019010396. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on July 3, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-36.025, F.A.C., from Arden Courts of Palm Harbor FL, LLC d/b/a Arden Courts of Palm Harbor to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019010393. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION Health Facility and Agency Licensing RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on July 3, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-36.025, F.A.C., from Arden Courts-Lely Palms of Naples FL, LLC d/b/a Arden Courts of Lely Palms to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019010387. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on July 3, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-36.025, F.A.C., from Arden Courts of Largo FL, LLC d/b/a Arden Courts of Largo to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019010386. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION Health Facility and Agency Licensing RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on July 3, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-36.025, F.A.C., from Arden Courts of Ft. Myers FL, LLC d/b/a Arden Courts of Ft. Myers to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case num. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on July 3, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-36.025, F.A.C., from Arden Courts of Delray Beach FL, LLC d/b/a Arden Courts of Delray Beach to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019010382. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on July 3, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-36.025, F.A.C., from Solaris Senior Living North Naples to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019010364. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION Health Facility and Agency Licensing RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on July 3, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-36.025, F.A.C., from Arden Courts of W. Palm Beach FL, LLC d/b/a Arden Courts of West Palm Beach to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019010401. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on July 3, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-36.025, F.A.C., from Arden Courts of Winter Springs FL., LLC d/b/a Arden Courts of Winter Springs to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019010399. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION Health Facility and Agency Licensing RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on July 3, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-36.025, F.A.C., from Arden Courts of Seminole FL., LLC d/b/a Arden Courts of Seminole to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019010397. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on July 3, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-36.025, F.A.C., from FS Tenant Pool III Trust d/b/a The Forum at Deer Creek to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019010408. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on July 3, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-36.025, F.A.C., from Five Star Coral Springs d/b/a Park Summit at Coral Springs to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019010409. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION Health Facility and Agency Licensing RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on July 3, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-36.025, F.A.C., from SNH SE Tenant TRS, Inc. d/b/a Stratford Court of Palm Harbor to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019010410. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on July 3, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-36.025, F.A.C., from Parkland Commons Subtenant, LLC d/b/a The Inn at Aston Gardens to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019010361. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION Health Facility and Agency Licensing RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on July 3, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-36.025, F.A.C., from Five Star Coral Oaks, LLC d/b/a Coral Oaks to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019010402. Any interested person or other agency may submit written comments on the petition 14 days after this notice by within e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on July 3, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-36.025, F.A.C., from Five Star Quality Care-FL, LLC d/b/a Tuscany Villa of Naples to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019010403. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION Health Facility and Agency Licensing RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on July 8, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-4.1265(5), F.A.C., from Health Center at Sinai Residences and Toby & Leon Cooperman Sinai Residences, seeking additional time beyond May 30, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019010759. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION Health Facility and Agency Licensing RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on July 3, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-36.025, F.A.C., from SNH SE Tenant TRS, Inc. d/b/a Five Star Premier Residencies of Hollywood to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019010404. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on July 3, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-36.025, F.A.C., from SNH SE Tenant TRS, Inc. d/b/a The Horizon Club to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019010405. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION Health Facility and Agency Licensing RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on July 3, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-36.025, F.A.C., from SNH SE Barrington Boynton Tenant LLC d/b/a Barrington Terrace of Boynton Beach to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019010407. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on July 17, 2019, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, Section 6-202.15, 2009 FDA Food Code, Section 6-202.16, 2009 FDA Food Code, subsection 61C-4.010(1), Florida

Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from Au Bon Gout Mobile Catering Inc. located in Pompano Beach. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

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.Lee@myfloridalicense.com

Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On July 16, 2019 the Division issued an order. The Final Order was in response to a Petition for an emergency permanent Variance from Brandon Regional Hospital, filed June 25, 2019, and advertised on June 28, 2019 in Vol.45, No.126, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.8.5.1, ASME A17.1, 2013 edition, as adopted by Rule 61C-5.001 Florida Administrative Code that requires air conditioning equipment not be located above elevator equipment because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2019-121).

A copy of the Order or additional information may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013. dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On July 16, 2019 the Division issued an order. The Final Order was in response to a Petition for an emergency permanent Variance from DOUBLETREE GUEST SUITES TAMPA BAY, filed May 21, 2019, and advertised on May 24, 2019 in Vol.45, No.102, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rules 2.7.4.1 and 2.8.5.2, ASME A17.1, 2013, edition, as adopted by Rule 61C-5.001 Florida Administrative Code that requires minimum head room clearance in the machine room because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2019-102).

A copy of the Order or additional information may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013. dhr.elevators@myfloridalicense.com.

FLORIDA HOUSING FINANCE CORPORATION RULE NO.: RULE TITLE:

67-48.0072 Credit Underwriting and Loan Procedures

NOTICE IS HEREBY GIVEN that on July 17, 2019, the Florida Housing Finance Corporation, received a petition for waiver of paragraph 67-48.0072(4)(c) (2014) from Society of St. Vincent De Paul South Pinellas, Inc. for Ozanam Village II, requesting to extend the loan closing deadline by ninety (90) days to November 6, 2019.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also Florida Housing's been posted on website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301.

FLORIDA HOUSING FINANCE CORPORATION RULE NO.: RULE TITLE:

67-48.0072 Credit Underwriting and Loan Procedures

NOTICE IS HEREBY GIVEN that on July 17, 2019, the Florida Housing Finance Corporation, received a petition for waiver of paragraph 67-48.0072(21)(b) F.A.C. (2017) from Citadelle Village, LLC, requesting to extend the deadline for the firm loan commitment an additional 180 days - up to and including January 31, 2020.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing's website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301.

FLORIDA HOUSING FINANCE CORPORATION RULE NO.: RULE TITLE:

67-48.0072 Credit Underwriting and Loan Procedures

NOTICE IS HEREBY GIVEN that on July 17, 2019, the Florida Housing Finance Corporation, received a petition for waiver of subsection 67-48.0072(21)(b) (2016) from Society of St. Vincent De Paul South Pinellas, Inc. for Ozanam Village III, requesting to extend the firm loan commitment deadline by ninety (90) days to November 6, 2019.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing's website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301.

Section VI Notice of Meetings, Workshops and Public Hearings

FLORIDA COMMISSION ON OFFENDER REVIEW

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

DATES AND TIMES: Wednesday, August 7, 2019, 9:00 a.m.; Thursday, August 8, 2019, 9:00 a.m.; Wednesday, August 21, 2019, 9:00 a.m.; Thursday, August 22, 2019, 9:00 a.m.

PLACE: Betty Easley Conference Center, Room #152, 4075 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Commission on Offender Review at ada@fcor.state.fl.us. 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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco RULE NO.: RULE TITLE:

61A-3.055 Items Customarily Sold in a Restaurant

The Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco announces a hearing to which all persons are invited.

DATE AND TIME: Monday, August 5, 2019, 1:30 p.m. -5:00 p.m., or until hearing adjourns. The record of this rule hearing will remain open for the receipt of written comments through 5:00 p.m. on Wednesday, August 7, 2019.

PLACE: 2601 Blair Stone Road, Building C, Room 409, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public hearing regarding proposed language for Rule 61A-3.055, F.A.C.

A copy of the agenda may be obtained by contacting: Rebecca Hays, Counsel for Compliance and Regulatory Programs, at (850)717-1314 or Rebecca.Hays@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 48 hours before the workshop/meeting by contacting: Rebecca Hays, Counsel for Compliance and Regulatory Programs, at (850)717-1314 or Rebecca.Hays@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: Rebecca Hays, Counsel for Compliance and Regulatory Programs, at (850)717-1314 or Rebecca.Hays@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

The Board of Auctioneers announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 26, 2019, 10:00 a.m.

PLACE: Toll free phone number 1(888)585-9008, conference room number for participants to join in: 491089625

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business and to approve an Auctioneer Recovery Fund surcharge.

A copy of the agenda may be obtained by contacting: Board of Auctioneers, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982.

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: Board of Auctioneers, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982. 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: Board of Auctioneers, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

The Board of Accountancy announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 5, 2019, 1:00 p.m., until all business is concluded

PLACE: Conference call dial in number: 1(888)585-9008; Pass code number 683213166

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Rules Committee will meet to discuss possible rule changes.

A copy of the agenda may be obtained by contacting: Missy Williams, (352)333-2505.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Missy Williams, (352)333-2505.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

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

DATES AND TIMES: Thursday, August 29, 2019, Probable Cause, 9:00 a.m.; Friday, August 30, 2019, Board meeting, 9:00 a.m., until all business is concluded

PLACE: Renaissance Fort Lauderdale Cruise Port Hotel 1617 SE 17th street, Ft. Lauderdale, FL 33316

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Probable Cause Panel will meet to conduct hearings on disciplinary matters. These meetings are closed to the public; however, there may be cases where probable cause was previously found which are to be reconsidered. The Board will meet to consider enforcement proceedings including consideration of investigation officers' reports, rules, and other general business. This is a Public meeting.

A copy of the agenda may be obtained by contacting: Missy Williams, (352)333-2505.

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 days before the workshop/meeting by contacting: If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Missy Williams, (352)333-2505.

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Newborn Screening Follow- Up Program announces a telephone conference call to which all persons are invited. DATE AND TIME: July 26, 2019, 10:00 a.m.

PLACE: Conference Call 1(888)299-2873, Conference room code 983-821-887

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Genetic and Newborn Screening (NBS) Advisory Council Task Force will be conducting a conference call to discuss NBS Physician Expertise for the purpose of the 2019 General Appropriations Act proviso language.

A copy of the agenda may be obtained by contacting: Lindsey.Felt@flhealth.gov.

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: 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: Lindsey.Felt@flhealth.gov.

NORTHWEST FLORIDA AREA AGENCY ON AGING

The Northwest Florida Area Agency on Aging, Inc. announces a telephone conference call to which all persons are invited. DATE AND TIME: July 25, 2019, 10:00 a.m.

PLACE: Call Amber McCool for call in information.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee meeting to conduct annual evaluation of Executive Director.

A copy of the agenda may be obtained by contacting: Amber McCool at (850)494-7101.

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: Amber McCool at (850)494-7101. 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: Amber McCool at (850)494-7101.

Northwest Florida Area Agency on Aging

The Northwest Florida Area Agency on Aging, Inc. announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 25, 2019, 9:15 a.m. Central Time

PLACE: Conference call provided upon request.

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2020 Slate of Board Officers

A copy of the agenda may be obtained by contacting: Amber McCool (850)494-7101.

For more information, you may contact: Amber McCool (850)494-7101.

Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Dave Jaye, Linda Berkman, Tom Breyer, Peter C. Salamoun and Larry Mayer, In Re: Seascape of Little Hickory Island, Inc., Docket No. 2019036062. The petition seeks the agency's opinion as to the applicability of 718.108. 718.113 and 718.115 as it applies to the petitioner.

1. Whether the twenty slip dock that is used by all owners at Seascape is considered a common element. 2. Whether the Association is permitted to selectively assess all fees related to the twenty slip dock to the specific owners of the boat lifts. 3. Whether the owners of the boat lifts are in a position to be reimbursed for fees that have been paid to the association for the twenty slip dock.

A copy of the Petition for Declaratory Statement may be obtained by contacting: the Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030, (850)488-1631; lscmhpublicrecords@myfloridalicense.com.

Please refer all comments to: Nick DuVal, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202.

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 ENVIRONMENTAL PROTECTION DEP RFP 2020003 Administration of the FSESCI Qualification Program

The Florida Department of Environmental Protection is requesting Proposals from qualified vendors to oversee the administration of the Florida Stormwater, Erosion and Sedimentation Control Inspector (FSESCI) Qualification Program (Services). The Department will post notice of any changes or additional meeting(s) on the Vendor Bid System (VBS) in accordance with subsection 287.042(3), Florida Statutes, and will not re-advertise any notice in the Florida Administrative Register (FAR). Access the VBS at: http://www.myflorida.com/apps/vbs/vbs_www.main_menu.

Section XII Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. - 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Thursday, July 11, 2019 and 3:00 p.m., Wednesday, July 17, 2019.

Rule No.	File Date	Effective Date
25-4.0051	7/17/2019	8/6/2019
25-4.520	7/17/2019	8/6/2019
25-22.108	7/17/2019	8/6/2019

61D-6.007	7/12/2019	8/1/2019		
61D-6.012	7/12/2019	8/1/2019		
61G6-6.005	7/12/2019	8/1/2019		
61G6-7.001	7/12/2019	8/1/2019		
61G6-9.005	7/16/2019	8/5/2019		
61G15-20.0019	7/17/2019	8/6/2019		
64B5-12.017	7/17/2019	8/6/2019		
64B8-9.018	7/15/2019	8/4/2019		
64B12-8.008	7/12/2019	8/1/2019		
64B12-8.009	7/12/2019	8/1/2019		
64B12-8.016	7/12/2019	8/1/2019		
64B12-16.009	7/12/2019	8/1/2019		
73B-20.0011	7/16/2019	8/5/2019		
73B-20.003	7/16/2019	8/5/2019		
73B-20.004	7/16/2019	8/5/2019		
73B-20.005	7/16/2019	8/5/2019		
73B-20.007	7/16/2019	8/5/2019		
73B-20.010	7/16/2019	8/5/2019		
73B-20.012	7/16/2019	8/5/2019		
73B-20.014	7/16/2019	8/5/2019		
73B-20.015	7/16/2019	8/5/2019		
73B-20.016	7/16/2019	8/5/2019		
73B-20.017	7/16/2019	8/5/2019		
73B-20.022	7/16/2019	8/5/2019		
73B-20.024	7/16/2019	8/5/2019		
73B-20.025	7/16/2019	8/5/2019		
73B-20.026	7/16/2019	8/5/2019		
73B-20.027	7/16/2019	8/5/2019		
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		
		1		

60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-3.009	12/5/2018	**/**/****

Section XIII Index to Rules Filed During Preceding Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.