



## Section II Proposed Rules

### WATER MANAGEMENT DISTRICTS

#### Suwannee River Water Management District

RULE NO.:        RULE TITLE:  
40B-1.722        District Funds

PURPOSE AND EFFECT: The Suwannee River Water Management District (District) gives notice that it is initiating rulemaking to establish Rule 40B-1.722, F.A.C., to permit the District to utilize Electronic/Wire Funds Transfers of District Funds.

SUMMARY: District Funds

#### 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 District has completed for the Governor’s Office of Fiscal Accountability and Regulatory Reform (OFARR) the “Is a SERC Required?” form and prepared a summary of the proposed rule, which are both available upon request. Based on the completed “Is a SERC Required?” form and summary and the analysis performed by the District, the proposed rule amendment is not expected to require legislative ratification pursuant to subsection 120.541(3), 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: 373.113, 373.553 FS.

LAW IMPLEMENTED: 373.553 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: SRWMD at (386)362-1001 or (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 IS: Stephen Schroeder, Suwannee River Water Management District, 9225 CR 49, Live Oak, Florida 32060, (386)362-1001 or (800)226-1066 (FL only)

THE FULL TEXT OF THE PROPOSED RULE IS:

#### 40B-1.722 District Funds

District funds may be disbursed by wire or electronic transfer according to the following procedure:

(1) The Executive Director, or the Executive Director’s designee, shall authorize and supervise all wire or electronic transfers of District funds, and shall report all wire or electronic transfer transactions to the Governing Board at its regular meeting following such transaction.

(2) The Executive Director, or the Executive Director’s designee shall provide written instructions to each financial entity that will be transferring District funds by wire or electronic transfer indicating which District staff shall have the authority to request wire or electronic transfers of District funds, and stating that such financial entity may not wire or electronically transfer District funds without receiving prior instructions for each transfer.

(3) The Executive Director, or any staff member authorized by the Executive Director to request wire or electronic transfers of District funds as provided in subsection (2) above, shall provide a request for confirmation of transfer and detailed instructions, by e-mail or other electronic communications, telecopy transmission, hand delivery, or U.S. mail, to the financial entity transferring the funds indicating the accounts from and to which District funds are to be transferred prior to each wire or electronic transfer of District funds.  
Rulemaking Authority 373.113, 373.553 FS. Law Implemented 373.553 FS. History–New [DATE].

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Stephen Schroeder

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Suwannee River Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 20, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 4, 2020

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
62-787.100	Applicability and Purpose
62-787.200	Definitions
62-787.300	Procedures for Determining Qualifications of Firms for Continuing Contracts
62-787.400	Competitive Selection
62-787.500	Contract Terms and Conditions
62-787.600	Assignment, Negotiation, and Modification of Task Assignments

**PURPOSE AND EFFECT:** To establish a process for competitive procurement of multiple pollution response action contractors under a single solicitation for the Waste Cleanup Program. The new rule will increase efficiency in our pollution response action contract procurements and provide clarity to the pollution response action contractors and Department.

**SUMMARY:** This chapter establishes a process for procuring pollution action response contracts for the Department of Environmental Protection's Waste Cleanup Program. Rule 62-787.100, F.A.C.: Applicability and Purpose - New regulation for establishing Department's procurement procedures for selecting Pollution Response Action Contractors. Rule 62-787.200, F.A.C.: Definitions - Creates and defines 15 terms used in this Chapter. Rule 62-787.300, F.A.C.: Procedures for Determining Qualifications of Firms for Continuing Contracts - Establishes the minimal criteria for firms to enter a continuing contract with the Waste Cleanup Program. Rule 62-787.400, F.A.C.: Competitive Selection - Establishes process for the Waste Cleanup Program to qualify firms, evaluate submissions, negotiate terms, and award contracts. Rule 62-787.500, F.A.C.: Contract Terms and Conditions - Requires firms to use competitive bids for non-professional services, maintain minimal qualifications throughout the term of the contract, payment processes, task assignments, and renewal of contracts. Rule 62-787.600, F.A.C.: Assignment, Negotiation, and Modification of Task Assignments – Work is assigned by task assignments. No guarantee of work.

**OTHER RULES INCORPORATING THIS RULE:** none

**EFFECT ON THOSE OTHER RULES:** Creation of Chapter 62-787, F.A.C., in this Notice of Proposed Rule is not expected to have any impact on other rules.

**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 creation of Chapter 62-787, F.A.C., will increase efficiency in the competitive procurement of pollution response action contracts.

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:** 287.0595, 376.303, FS.

**LAW IMPLEMENTED:** 287.055, 287.0595, 376.30, 376.301, 376.303, 376.305, 376.307, 376.3078, 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:** Billy Hessman, Department of Environmental Protection, 2600 Blair Stone Rd., Tallahassee, FL 32399. Billy.Hessman@FloridaDEP.gov or (850)245-8972.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

62-787.100 Applicability and Purpose.

(1) Purpose. This chapter establishes a process for procuring pollution action response contracts for the Department of Environmental Protection's Waste Cleanup Program, as defined below.

(2) Applicability. The following procedures shall be followed for the procurement of Continuing Contracts for pollution action response contracts. These rules do not apply to procurements for: 1) a contract for a single Project or Site that can be identified prior to the procurement or 2) a contract for a Project or Site where the construction cost or Professional Services fee exceed the limits set forth in s. 287.055(2)(g), F.S.

(a) In the event the Department declares a valid emergency the Department may enter into a contract with Firms who are not on a Continuing Contract.

(3) Within four years of the effective date of this rule, the Department will evaluate this rule to determine if the Department needs to repeal this rule in accordance with the procedures set forth in s. 120.54, F.S.

Rulemaking Authority 287.0595, 376.303, Law Implemented 287.055, 287.0595, 376.30, 376.301, 376.303, 376.305, 376.307, 376.3078 FS. History New \_\_\_\_\_.

62-787.200 Definitions.

All words and phrases defined in Sections 287.012, F.S. and 376.301, F.S., shall have the same meaning when used in this chapter.

(1) "Continuing Contract" means a Contract between the Department and a PRAC for an indefinite quantity of Pollution

Action Response Services as described in the scope of services in the Continuing Contract for a period of time defined in the Continuing Contract.

(2) “Department” means the Department of Environmental Protection.

(3) “Firm” means a partnership, corporation, or other legal entity that is certified under s. 471.023, F.S. to practice or offer to practice engineering.

(4) “Level of Effort” means the estimate that the PRACs will provide based on their Project assessment, including the cost(s) from lowest responsible and responsive bid(s) from non-Professional Services.

(5) “Oral Evaluation Committee” means Department employees selected by the Department head or designee to evaluate the oral presentation portion of the Request for Qualifications.

(6) “Pollution Response Action Contractor” or “PRAC” means a single entity that is responsible for a Project, including scheduling and coordination, in both pre-rehabilitation and rehabilitation phases, and generally responsible for the successful, timely, and economical completion of the Project. The PRAC shall also be responsible for procurement and management of all non-Professional Services contractor(s) used on a Project.

(7) “Pollution Response Action Services” means a pollution response action as defined in s. 376.301, F.S.

(8) “Professional Services” means pursuant to s. 287.055, F.S., those services within the scope of the practice of architecture, professional engineering, landscape architecture or registered surveying and mapping, as defined by the laws of the State, or those performed by any architect, professional engineer, landscape architect, or registered surveyor and mapper in connection with his or her professional employment or practice.

(9) “Project” means a response action as defined in s. 376.301, F.S.

(10) “Request for Qualifications” or “RFQ” means a process for competitive procurement performed in accordance with s. 287.055, F.S. and the procedures outlined in rules 62-787.300 and 62-787.400, Florida Administrative Code.

(11) “Site” means any “contaminated site” as defined in s. 376.301, F.S.

(12) “Task Assignment” means written authorization to use contracted services to conduct a defined set of activities related to a Project for a Site or multiple Sites under the purview of the Waste Cleanup Program.

(13) “Task Assignment Change Order” means a modification to a Task Assignment by written authorization prior to the expiration of the Task Assignment or agreement.

(14) “Technical Evaluation Committee” means Department employees selected by the Department head or designee to evaluate the technical presentation portion during the Request for Qualifications.

(15) “Waste Cleanup Program” means all response action activity, regardless of funding source, excluding response actions addressed pursuant to s. 376.3071, F.S.

Within four years of the effective date of this rule, the Department will evaluate this rule to determine if the Department needs to repeal this rule in accordance with the procedures set forth in s. 120.54, F.S.

Rulemaking Authority 287.0595, 376.303, Law Implemented 287.055, 287.0595, 376.30, 376.301, 376.303, 376.305, 376.307, 376.3078 FS, History New \_\_\_\_\_.

62-787.300 Procedures for Determining Qualifications of Firms for Continuing Contracts.

(1) To be eligible to enter a Continuing Contract with the Department, Firms must, at a minimum:

(a) Meet all certification and license requirements imposed by law.

(b) Employ a professional geologist, who possesses and maintains a valid certificate of authorization to practice geology from the Florida Department of Business and Professional Regulation (DBPR) pursuant to s. 492.111, F.S.

(c) Employ a professional engineer who possesses and maintains a valid certificate of authorization to practice engineering from the Florida Board of Professional Engineers (FBPE) pursuant to s. 471.023, F.S., or demonstrate that the professional engineer is not practicing engineering under a fictitious name or a business organization, and therefore does not require a certificate of authorization.

(d) Have the capacity to perform or directly supervise the majority of the work at a Site in accordance with s. 489.113(9), F.S.

(2) The Department may require additional qualifications for Firms in its RFQ.

(3) Failure to possess any of the qualifications listed in subsection 62-787.300(1), F.A.C., or listed in the RFQ at the date the RFQ is due shall result in rejection of the Firm as unqualified.

(4) Pursuant to s. 120.57, F.S., an unqualified Firm will be advised of the right to petition for an administrative hearing of the decision to disqualify the Firm and shall be given a time certain within which to provide the petition.

(5) Within four years of the effective date of this rule, the Department will evaluate this rule to determine if the Department needs to repeal this rule in accordance with the procedures set forth in s. 120.54, F.S.

Rulemaking Authority 287.0595, 376.303 FS, Law Implemented 287.0595, 376.30, 376.301, 376.303, 376.305, 376.307, 376.3078 FS, History New \_\_\_\_\_.

62-787.400 Competitive Selection.

(1) The Department may issue an RFQ to qualify and award Firms a Continuing Contract for response action and Site rehabilitation as defined in s. 376.301, F.S.

(2) The Department may qualify and award multiple Continuing Contracts from a single RFQ, if doing so is determined to be in the best interest of the State.

(3) A Technical Evaluation Committee shall determine the relative ability of each Firm to perform the services required under the scope of services of the RFQ and provide each Firm with a relative score.

(4) A Technical Evaluation Committee shall select Firms in order of ranking and deemed to be most highly qualified to perform the required services based on the scores.

(5) The highest-ranking Firms selected by the Technical Evaluation Committee shall be eligible to participate in oral presentations. The number of Firms participating in the oral presentations shall be specified in the RFQ.

(6) An oral presentation topic, scoring guidelines, and a presentation date shall be provided to those Firms selected to participate in oral presentations.

(7) Firms will present the oral presentations to the Oral Evaluation Committee. The Oral Evaluation Committee shall evaluate all presentations and shall select Firms deemed to be the most highly qualified to perform the required services.

(8) The Oral Evaluation Committee will submit their recommendations to the Secretary of the Department or designee for approval.

(9) The Department will negotiate contracts with the number of Firms set forth in the RFQ. Failure of a Firm to negotiate a contract rate that is fair, competitive, and reasonable, shall result in that Firm no longer being eligible for a contract. The Department will then select the next highest-ranking Firm from the oral presentations to negotiate a contract.

(10) For single source purchases, the Department shall follow the procedures in s. 287.057(3)(c), F.S.

(11) Within four years of the effective date of this rule, the Department will evaluate this rule to determine if the Department needs to repeal this rule in accordance with the procedures set forth in s. 120.54, F.S.

Rulemaking Authority 287.0595, 376.303 FS. Law Implemented 287.0595, 376.30, 376.301, 376.303, 376.305, 376.307, 376.3078 FS. History New\_\_\_\_\_.

62.787.500 Contract Terms and Conditions.

(1) Non-Exhaustive List of Required Contract Terms. Each Continuing Contract issued pursuant to this chapter shall contain provisions that require:

(a) The PRAC to follow a competitive procurement process to obtain quotes from non-Professional Services contractors for

each non-Professional Service required by a Task Assignment. The competitive procurement process must follow rule 60D-5, F.A.C., or alternate, but similar process pre-approved by the Department in writing. A minimum of three bids will be obtained, where practicable, for all subcontracted work. Exceptions to the minimum three-bid requirement would be: situations where only one (sole-source) or two subcontractors are available to provide the desired services or when the PRAC receives less than three responsive bids, proposals or replies. The PRAC will manage and assume responsibility for all work conducted by subcontractors under a Task Assignment. The Department retains the right to reject the use of any subcontractor prior to and during execution of the work under a Task Assignment.

(b) The PRAC is to select the lowest responsible and responsive non-Professional Services contractors and use that price in developing their Level of Effort for each Task Assignment.

(2) The PRAC must maintain the minimum qualifications required by this chapter and demonstrate its continued compliance with those requirements upon demand. Failure to meet this requirement shall result in immediate termination of the Continuing Contract.

(3) Payments, purchases, warrants, and invoices are subject to the provisions in Sections 215.42, 215.422, and 112.061, F.S.

(4) The PRAC must comply with s. 287.0585, F.S.

(5) Renewals and extensions of Continuing Contracts must be in compliance with s. 287.057(12) - 287.057(13), F.S.

(6) Task Assignments.

(a) Task Assignments may not be used for a Site in which the estimated construction cost or Professional Services fee for the Project exceed the limits set forth in s. 287.055(2)(g), F.S.

(b) Each Task Assignment incorporates all terms and conditions of the Continuing Contract. Task Assignments shall not be broader in scope than the Continuing Contract.

(c) Each Task Assignment shall outline a detailed scope of work that divides the services into quantifiable, measurable, and verifiable units of deliverables that must be received and accepted in writing by the Department before payment.

(d) The parties shall specify and describe the work necessary to complete a Project in the Task Assignment.

(e) The Department reserves the right to require a performance bond on Tasks Assignments.

(7) Within four years of the effective date of this rule, the Department will evaluate this rule to determine if the Department needs to repeal this rule in accordance with the procedures set forth in s. 120.54, F.S.

Rulemaking Authority 287.0595, 376.303 FS. Law Implemented 287.055, 287.0595, 376.30, 376.301, 376.303, 376.305, 376.307, 376.3078 FS. History New\_\_\_\_\_.

62-787.600 Assignment, Negotiation, and Modification of Task Assignments.

(1) The PRAC may be assigned Task Assignments from the Continuing Contract. There is no minimum amount of work guaranteed to any PRAC under a Continuing Contract. The Department shall assign work at its sole discretion as determined by the Department to be in the best interest of the State. In making a determination of the best interest of the State, the Department may consider a PRAC’s workload, past performance, experience with similar tasks, and scheduling availability in making all assignments.

(2) Cost negotiations shall be addressed in each Task Assignment.

(a) Upon assignment of a Project, the PRAC shall negotiate a Level of Effort with the Department.

(3) Modification of Task Assignments.

(a) Should conditions alter the nature and extent of the work specified and described in the Task Assignment, and the alteration of such conditions causes greater or less cost and expense or time to perform the work required to complete the Project as specified or described and planned to be incurred in the PRAC’s Level of Effort and negotiated cost, a modification shall be made by means of a Task Assignment Change Order to the Task Assignment time and/or Task Assignment amount.

(b) All adjustments to the Task Assignment amount resulting from a change in the work shall be determined by the measure of actual, or estimated out-of-pocket costs and expenses incurred or avoided by the PRAC for labor, materials, equipment, equipment rental, and overhead and profit thereon, for performing the changed work, or not performing the work.

(c) It is in the best interest of the State that the PRAC perform changes in the work and that bidding not be required if the PRAC’s performance and capability remain satisfactory at the time of a proposed Task Assignment Change Order and: (i)the change is within the general scope of the Continuing Contract and the Continuing Contract or Task Assignment contains a method of calculating overhead and profit caused by Task Assignment Change Order; or (ii)the change will reduce either the scope or size of the Project or the Task Assignment price, is an integral part of the Project that must be made to correct an unanticipated condition which is necessary to permit the Project to continue; and the PRAC agrees to a reasonable negotiated change in the Task Assignment price. The Department shall make a determination in the best interest of the State on the basis of these criteria for each proposed change in the work.

(4) The Department may solicit a cost proposal for a qualifying Project from any PRAC and may thereafter enter into a Task Assignment with that PRAC, for any of the services described in the scope of services contained in the RFQ and in the Continuing Contract. Under a Task Assignment, the PRAC

will manage all work being conducted under that Task Assignment. This includes: pre-qualification of all subcontractors necessary for conducting work under the Task Assignment; selection of the lowest cost, responsive, responsible subcontractor for each aspect of the subcontracted work described within the Task Assignment; management of all selected subcontractors under the Task Assignment; and payment of all subcontractors following satisfactory completion of work described in the Task Assignment.

(5) Within four years of the effective date of this rule, the Department will evaluate this rule to determine if the Department needs to repeal this rule in accordance with the procedures set forth in s. 120.54, F.S.

Rulemaking Authority 287.0595, 376.303 FS. Law Implemented 287.0595, 376.30, 376.301, 376.303, 376.305, 376.307, 376.3078 FS. History New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
William Burns, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, FL 32399.  
Bill.Burns@dep.state.fl.us. or (850)245-8842.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Noah Valenstein, Secretary, Florida Department of Environmental Protection

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 23, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 19, 2020

---

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-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on May 15, 2020, 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), 2017 FDA Food Code, Section 3-305.14, 2017 FDA Food Code, Section 6-202.15, 2017 FDA Food Code, Section 6-202.16, 2017 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from SANTA CRUZ MEXICAN FOOD LLC located in Orlando. 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: Kasimira.Kelly@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

#### DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

The Board of Optometry hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on February 11, 2020, by Zoran Mihajlovic. Petitioner was seeking a waiver or variance from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., entitled, "Examination Requirements" which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt. The Notice was published in Volume 46, No. 30, of the Florida Administrative Register, on February 13, 2020.

The Board considered the instant Petition at a duly-noticed public telephonic meeting held April 3, 2020. The Board's Order, filed on April 30, 2020, granted the petition finding that Petitioner had established that the purpose of the underlying

statute would be met by granting a variance or waiver from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, telephone: (850)488-0595, or by electronic mail – Anthony.Spivey@flhealth.gov.

#### DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

The Board of Optometry hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on February 11, 2020, by Zoran Mihajlovic. Petitioner was seeking a waiver or variance from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., entitled, "Examination Requirements" which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt. The Notice was published in Volume 46, No. 30, of the Florida Administrative Register, on February 13, 2020.

The Board considered the instant Petition at a duly-noticed public telephonic meeting held April 3, 2020. The Board's Order, filed on April 30, 2020, granted the petition finding that Petitioner had established that the purpose of the underlying statute would be met by granting a variance or waiver from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, telephone: (850)488-0595, or by electronic mail – Anthony.Spivey@flhealth.gov.

## DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

The Board of Optometry hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on March 19, 2020, by Stephanie Dodd Minerella. Petitioner was seeking a waiver or variance from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., entitled, "Examination Requirements" which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt. The Notice was published in Volume 46, No. 56, of the Florida Administrative Register, on March 20, 2020.

The Board considered the instant Petition at a duly-noticed public telephonic meeting held April 3, 2020. The Board's Order, filed on April 30, 2020, granted the petition finding that Petitioner had established that the purpose of the underlying statute would be met by granting a variance or waiver from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, telephone: (850)488-0595, or by electronic mail – Anthony.Spivey@flhealth.gov.

## DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

The Board of Optometry hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on March 10, 2020, by Karen Ottenheimer. Petitioner was seeking a waiver or variance from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., entitled, "Examination Requirements" which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist

of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt. The Notice was published in Volume 46, No. 49, of the Florida Administrative Register, on March 11, 2020.

The Board considered the instant Petition at a duly-noticed public telephonic meeting held April 3, 2020. The Board's Order, filed on April 30, 2020, granted the petition finding that Petitioner had established that the purpose of the underlying statute would be met by granting a variance or waiver from subsections 64B13-4.001(1)(d)2. and 3., F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, telephone: (850)488-0595, or by electronic mail – Anthony.Spivey@flhealth.gov.

## DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

The Board of Optometry hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on February 19, 2020, by Janna Parramore. Petitioner was seeking a waiver or variance from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., entitled, "Examination Requirements" which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt. The Notice was published in Volume 46, No. 35, of the Florida Administrative Register, on February 20, 2020.

The Board considered the instant Petition at a duly-noticed public telephonic meeting held April 3, 2020. The Board's Order, filed on April 30, 2020, granted the petition finding that Petitioner had established that the purpose of the underlying



statute would be met by granting a variance or waiver from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, telephone: (850)488-0595, or by electronic mail – Anthony.Spivey@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

The Board of Optometry hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on February 19, 2020, by Buck Dunn. Petitioner was seeking a waiver or variance from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., entitled, “Examination Requirements” which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt. The Notice was published in Volume 46, No. 35, of the Florida Administrative Register, on February 20, 2020.

The Board considered the instant Petition at a duly-noticed public telephonic meeting held April 3, 2020. The Board’s Order, filed on April 30, 2020, granted the petition finding that Petitioner had established that the purpose of the underlying statute would be met by granting a variance or waiver from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, telephone: (850)488-0595, or by electronic mail – Anthony.Spivey@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-5.002 Criteria for Approval

The Board of Optometry hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on March 13, 2020, by William Peacock. Petitioner was seeking a waiver or variance from paragraph 64B13-5.002(2)(a), F.A.C., entitled “Criteria for Approval” which lists the criteria or course content for approval of non-transcript quality continuing education programs.

The Notice was published in Volume 46, No. 53, of the Florida Administrative Register, on March 17, 2020.

The Board considered the instant Petition at a duly-noticed public telephonic meeting held April 3, 2020. The Board’s Order, filed on April 30, 2020, denied the petition finding that Petitioner had failed to establish that the purpose of the underlying statute would be met by granting a variance or waiver from paragraph 64B13-5.002(2)(a), F.A.C. The Board further finds that Petitioner failed to establish that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, telephone: (850)488-0595, or by electronic mail – Anthony.Spivey@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

The Board of Optometry hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on March 17, 2020, by Carl L. Ritch. Petitioner was seeking a waiver or variance from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., entitled, “Examination Requirements” which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test

attempt. The Notice was published in Volume 46, No. 54, of the Florida Administrative Register, on March 18, 2020.

The Board considered the instant Petition at a duly-noticed public telephonic meeting held April 3, 2020. The Board’s Order, filed on April 30, 2020, granted the petition finding that Petitioner had established that the purpose of the underlying statute would be met by granting a variance or waiver from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, telephone: (850)488-0595, or by electronic mail – Anthony.Spivey@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

The Board of Optometry hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on February 21, 2020, by Max Sarver. Petitioner was seeking a waiver or variance from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., entitled, “Examination Requirements” which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt. The Notice was published in Volume 46, No. 37, of the Florida Administrative Register, on February 24, 2020.

The Board considered the instant Petition at a duly-noticed public telephonic meeting held April 3, 2020. The Board’s Order, filed on April 30, 2020, granted the petition finding that Petitioner had established that the purpose of the underlying statute would be met by granting a variance or waiver from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, telephone: (850)488-0595, or by electronic mail – Anthony.Spivey@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

The Board of Optometry hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on February 12, 2020, by Sallekh Shakya. Petitioner was seeking a waiver or variance from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., entitled, “Examination Requirements” which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt. The Notice was published in Volume 46, No. 30, of the Florida Administrative Register, on February 13, 2020.

The Board considered the instant Petition at a duly-noticed public telephonic meeting held April 3, 2020. The Board’s Order, filed on April 30, 2020, granted the petition finding that Petitioner had established that the purpose of the underlying statute would be met by granting a variance or waiver from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, telephone: (850)488-0595, or by electronic mail – Anthony.Spivey@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

The Board of Optometry hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on March 19, 2020, by Michael Slusky. Petitioner was seeking a waiver or variance from subparagraphs 64B13-

4.001(1)(d)2. and 3., F.A.C., entitled, “Examination Requirements” which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt. The Notice was published in Volume 46, No. 56, of the Florida Administrative Register, on March 19, 2020.

The Board considered the instant Petition at a duly-noticed public telephonic meeting held April 3, 2020. The Board’s Order, filed on April 30, 2020, granted the petition finding that Petitioner had established that the purpose of the underlying statute would be met by granting a variance or waiver from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, telephone: (850)488-0595, or by electronic mail – Anthony.Spivey@flhealth.gov.

---

#### DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

The Board of Optometry hereby gives notice:

of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on March 9, 2020, by Cristy Witt. Petitioner was seeking a waiver or variance from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., entitled, “Examination Requirements” which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test

attempt. The Notice was published in Volume 46, No. 49, of the Florida Administrative Register, on March 11, 2020.

The Board considered the instant Petition at a duly-noticed public telephonic meeting held April 3, 2020. The Board’s Order, filed on April 30, 2020, granted the petition finding that Petitioner had established that the purpose of the underlying statute would be met by granting a variance or waiver from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, telephone: (850)488-0595, or by electronic mail – Anthony.Spivey@flhealth.gov.

---

#### DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

The Board of Optometry hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on March 10, 2020, by Jacqueline Zapata. Petitioner was seeking a waiver or variance from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., entitled, “Examination Requirements” which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt. The Notice was published in Volume 46, No. 49, of the Florida Administrative Register, on March 11, 2020.

The Board considered the instant Petition at a duly-noticed public telephonic meeting held April 3, 2020. The Board’s Order, filed on April 30, 2020, granted the petition finding that Petitioner had established that the purpose of the underlying statute would be met by granting a variance or waiver from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, telephone: (850)488-0595, or by electronic mail – Anthony.Spivey@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

The Board of Optometry hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on February 19, 2020, by Blake Zippi. Petitioner was seeking a waiver or variance from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., entitled, “Examination Requirements” which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt. The Notice was published in Volume 46, No. 35, of the Florida Administrative Register, on February 20, 2020.

The Board considered the instant Petition at a duly-noticed public telephonic meeting held April 3, 2020. The Board’s Order, filed on April 30, 2020, granted the petition finding that Petitioner had established that the purpose of the underlying statute would be met by granting a variance or waiver from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, telephone: (850)488-0595, or by electronic mail – Anthony.Spivey@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

NOTICE IS HEREBY GIVEN that on May 14, 2020, the Board of Optometry, received a petition for waiver or variance filed

by Angelica McIntyre. Petitioner is seeking a variance or waiver of subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., that states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt. Petitioner also seeks a variance or waiver of subparagraphs 64B13-4.001(2)(b)2., F.A.C., that states pursuant to subsection 120.60(1), F.S., the Board’s approval of an application will not result in issuance of a license until passing scores on all parts of the Florida licensure examination are achieved.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on this petition should be filed with the Board of Optometry within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:

64B16-26.2031 Licensure by Examination; Foreign Pharmacy Graduates

NOTICE IS HEREBY GIVEN that on May 14, 2020, the Board of Pharmacy, received a petition for variance or waiver filed by Roaa Abdulsalam Mahmood, seeking a waiver of the requirement of paragraph 64B16-26.2031(2)(b), which requires the applicant for licensure as a foreign graduate must demonstrate proficiency in the use of English by passing the Test of English as a Foreign Language (TOEFL), which is administered by the Educational Testing Service, Inc., with a score of at least 550 for the pencil and paper test or 213 for the computer version and by passing the Test of Spoken English (TSE) with a score of 50 on the recalibrated TSE, or demonstrate proficiency in the use of English by passing the Test of English as a Foreign Language Internet-based test (TOEFL ibt) with scores of: Listening – 18; Reading – 21; Speaking – 26; and Writing – 24.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jessica Sapp, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 or at info@Floridaspharmacy.gov. Comments on this petition should be filed with the Board of Pharmacy/MQA, within 14 days of publication of this notice.

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

### WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

The Southwest Florida Water Management District (SWFWMD) announces a workshop to which all persons are invited.

**DATE AND TIME:** The May 2020 Charlotte Harbor SWIM Plan Update (PLAN) public workshop will be held on May 26, 2020, 4:00 p.m. – 6:00 p.m. Visit [WaterMatters.org/SWIM](http://WaterMatters.org/SWIM) to access draft plan, meeting agenda and comment forum available until May 29, 2020.

**PLACE:** <https://meet.lync.com/swfwmd-state/randy.emberg/KW3MG62R> to be held on May 26, 2020

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This workshop will provide a comment opportunity to the public and other agency representatives on the PLAN. The public will be able to review the PLAN and provide comment for consideration online at [WaterMatters.org/SWIM](http://WaterMatters.org/SWIM).

A copy of the agenda may be obtained by contacting: [WaterMatters.org](http://WaterMatters.org) – Boards, Meetings & Event Calendar, 1(800)423-1476 (FL only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Office Chief at 1(800)423-1476 (FL only) or (352)796-7211, x4703; TDD (FL only) 1(800)231-6103, or email to [ADACoordinator@swfwmd.state.fl.us](mailto: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).

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: [Lizanne.Garcia@watermatters.org](mailto:Lizanne.Garcia@watermatters.org), 1(800)423-1476 (FL only) or (352)796-7211, x2204 (Ad Order SWIM001).

### WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The South Florida Water Management District announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, May 28, 2020, 10:00 a.m.

Water Resources Accountability and Collaboration Public Forum Group and Governing Board

**PLACE:** SFWMD, District Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, FL 33406

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** A Public Forum of the Water Resources Accountability and Collaboration (WRAC) regarding water resources protection, water supply and flood protection issues. This first meeting will include an introduction of WRAC Public Forum group members and an overview of SFWMD priorities. There will be an opportunity for public comment during this meeting. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this public forum. No Governing Board action will be taken.

A copy of the agenda may be obtained by contacting: Yvette Bonilla, (561)682-6286, [ybonilla@sfwmd.gov](mailto:ybonilla@sfwmd.gov), or at our website: [sfwmd.gov/meetings](http://sfwmd.gov/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: District Clerk at (561)682-6805. 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: Yvette Bonilla, (561)682-6286.

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

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

**DATE AND TIME:** Wednesday, June 24, 2020, 1:30 p.m.

**PLACE:** 1(888)585-9008, Conference Room: 148-951-924, followed by #.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Probable Cause Panel meeting portions which may be closed to the public.

A copy of the agenda may be obtained by contacting: Board of Veterinary Medicine, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1981.

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: Board of Veterinary Medicine, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1981. 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 Veterinary Medicine, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1981.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Veterinary Medicine**

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

DATE AND TIME: Friday, June 19, 2020, 10:00 a.m.

PLACE: <https://global.gotomeeting.com/join/825557813> or United States: (571)317-3116, Access Code: 825-557-813

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business.

A copy of the agenda may be obtained by contacting: Board of Veterinary Medicine, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1981.

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: Board of Veterinary Medicine, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1981. 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 Veterinary Medicine, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1981.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The Florida Department of Environmental Protection's Office of Resilience and Coastal Protection in partnership with the University of Florida announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 4, 2020, 6:00 p.m.

PLACE: <https://www.eventbrite.com/e/uf-and-dep-coral-reef-program-stakeholder-engagement-project-public-meeting-tickets-105414778440>

GENERAL SUBJECT MATTER TO BE CONSIDERED: DEP's Coral Reef Conservation Program is supporting a Southeast Florida Coral Reef Initiative (SEFCRI) stakeholder engagement project conducted by the University of Florida. Selected participants, or committee members, will represent various fisheries-related stakeholder groups to harness the capacity of the fishing community (fishing stakeholders and industry) to advance conservation of the Southeast Florida Coral Reef Ecosystem Conservation Area (ECA). This capacity includes knowledge/experience, outreach/advocacy, and standing and commitment to achieving conservation outcomes for resources and the coral reef ecosystem. During this first of seven committee meetings, facilitators will lead discussions with committee members regarding the following:

- Committee member introductions
- Purpose of committee formation
- Review of committee membership
- Initial discussion on committee mode of operation

A copy of the agenda may be obtained by contacting: Alycia Shatters by email: [Alycia.Shatters@FloridaDEP.gov](mailto:Alycia.Shatters@FloridaDEP.gov) or (305)795-1204.

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: Alycia Shatters at [Alycia.Shatters@FloridaDEP.gov](mailto:Alycia.Shatters@FloridaDEP.gov). 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 HEALTH**

**Board of Nursing**

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

DATE AND TIME: June 10, 2020, 10:30 a.m.

PLACE: Toll Free Number: 1(888)585-9008, 275-112-502

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider cases where Probable Cause has previously been found.

A copy of the agenda may be obtained by contacting: <https://floridasnursing.gov/meeting-information/>.

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).

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.

**FISH AND WILDLIFE CONSERVATION COMMISSION**  
 The Fish & Wildlife Foundation of Florida announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, May 27, 2020, 10:00 a.m. – 11:30 a.m.

**PLACE:** Live teleconference. Public comments will be accepted via call-in number. The call-in number to provide public comment will be provided upon request. Public comment will be taken on a first call/first serve basis utilizing a call in number.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Finance & Audit Committee of the Fish & Wildlife Foundation of Florida will be reviewing the operating budget, investment, financial reports, and staff compensation of the Foundation.

A copy of the agenda may be obtained by contacting: Mr. Will Bradford, 620 S. Meridian St, Tallahassee, FL 32399, (850)404-6129.

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). 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: Mr. Will Bradford, 620 S. Meridian St, Tallahassee, FL 32399, (850)404-6129.

**DEPARTMENT OF FINANCIAL SERVICES**  
 The Department of Financial Services announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, May 27, 2020, 2:00 p.m. – 4:00 p.m., Eastern Time

**PLACE:** GoToMeeting virtual meeting. See agenda for GoToMeeting details.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida PALM Executive Steering Committee will meet to discuss the status of the Florida PALM Project. A copy of the agenda may be obtained by contacting: the Florida PALM

Project website  
<https://www.myfloridacfo.com/floridapalm/governance/>.

A copy of the agenda may be obtained by contacting: NA 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: Jenifer Hartsfield at (850)410-9025 or FloridaPALM@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: or would like to submit public comment regarding the Florida PALM Executive Steering Committee, please email FloridaPALM@myfloridacfo.com.

**CITIZENS PROPERTY INSURANCE CORPORATION**  
 The Citizens Property Insurance Corporation Claims Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** Monday, June 1, 2020, 1:00 p.m. Eastern  
**PLACE:** Teleconference Number: 1(888)942-8686, Participant Code: 944 710 6691#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Business before the Claims Committee

A copy of the agenda may be obtained by contacting: Citizens' website: [www.citizensfla.com](http://www.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, (850)513-3744, 2101 Maryland Circle, Tallahassee, FL 32303. 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: Barbara Walker, (850)513-3744, 2101 Maryland Circle, Tallahassee, FL 32303.

**CITIZENS PROPERTY INSURANCE CORPORATION**  
 The Citizens Property Insurance Audit Committee announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** June 3, 2020, 10:00 a.m.

**PLACE:** Telephonic only: Public Line: 1(888)942-8686, Participant Code: 944 710 6691#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** As per the agenda.

A copy of the agenda may be obtained by contacting: Betty Veal at email [Betty.Veal@citizensfla.com](mailto:Betty.Veal@citizensfla.com) or on the website - [www.Citizensfla.com](http://www.Citizensfla.com).

For more information, you may contact: Barbara Walker, (850)513-3744, or email [Barbara.Walker@citizensfla.com](mailto:Barbara.Walker@citizensfla.com).

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

DEPARTMENT OF HEALTH

Division of Environmental Health

NOTICE IS HEREBY GIVEN that the Department of Health has received a petition for declaratory statement on behalf of Petitioners, Blue Seven, LLC and Matthew and Jacqueline Stewart, on April 20, 2020. The petition seeks the department's opinion as to the applicability of Sections 386.01, 386.041, subsection 514.011(2), and Sections 514.031 and 514.0315, Florida Statutes, as they apply to the petitioners. Motions for leave to intervene must be filed within 21 days of publication and must contain the information required in subsection 28-105.0027(2), Florida Administrative Code.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Amanda Bush at (850)245-4027 or at amanda.bush@flhealth.gov. Please refer all comments to Amanda Bush at the contact information previously listed.

**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**

J. KOKOLAKIS CONTRACTING, INC.

Request for Subcontractor Bids for Sarasota County Courthouse (Building C) Construction

Halfacre Construction and Kokolakis Contracting hereby solicit Subcontractor Bids from qualified subcontractors for the construction of a new 42,000 sqft courthouse with secured parking and sally port area.

The following Trade Packages are included in this Request for Bids:

01 B	Material Testing	08 C	Coiling Counter Doors & High-Speed Rolling Doors	21 A	Fire Sprinkler System & Clean Agent Fire Suppression System
01 C	Surveying	08 D	Storefronts, Curtainwall, Glazing, Security Glazing, Aluminum & Glass Barrier System	22 A	Plumbing
03 A	Cast-in-place Concrete, Courtyard Concrete & Planters, Termite Treatment	09 A	Stucco, Exterior Gypsum Board, Fluid Applied Membrane Barriers, Exterior LG Metal Framing	23 A	HVAC & Exhaust Systems



04 A	Masonry	09 B	Drywall, LG Metal Framing, Wall Insulation	26 A	Electrical & Raceways for Low Voltage Systems
05 A	Structural & Misc. Steel	09 C	Tile	27 A	Network Cabling & Infrastruct ure
05 D	Aluminum Stairs & Railings	09 D	Acoustical Ceilings & Sound Absorbing Wall Units	27 B	A/V System
06 D	Cabinets & Countertops	09 E	Resilient Flooring, Resilient Base & Carpet Tile	27 C	Access Control System
07 A	Waterproofi ng & Joint Sealants	09 N	Paint	27 D	Cellular Repeater System
07 B	Waterproofi ng & Joint Sealants, Firestoppin g	10 A	Specialties: Toilet Partitions, Toilet Accessorie s, Flagpole, Fire Extinguish ers & Cabinets, Metal Lockers & Data / Key Storage Cabinets	27 E	Panic System
07 C	Roofing & Trim	10 B	Signs & Display Cases	27 F	Intercom System
07 E	Composite Metal and Composite Wood Wall Panels	10 L	Fabricated Walkway Covers	27 G	Video Surveillanc e System
07 G	Applied Fireproofin g	11 A	Detention Equipment	27 H	Detention Area Control & Monitoring

08 A	Doors, Frames & Hardware	14 A	Elevator	32 C	High- Security Chain Link Fences and Gates
---------	--------------------------------	---------	----------	---------	--

Construction Manager Point of Contact: Jenny Sanchez, Preconstruction Manager at (727)942-2211 or [jsanchez@jkokolakis.com](mailto:jsanchez@jkokolakis.com) with any questions regarding this project.

Payment and Performance Bond: Bidders with a bid of \$100,000 or more shall be able to provide a 100% Payment & Performance Bond prior to commencement of work.

A NON-MANDATORY Prebid meeting will be held on May 27, 2020, 2:00 p.m. The Pre-Bid meeting will be held via Zoom Meetings to comply with COVID-19 restrictions.

Requests for Information (RFI's) shall be submitted in writing to Jenny Sanchez @ [jsanchez@jkokolakis.com](mailto:jsanchez@jkokolakis.com). Cut-off date for RFI questions is June 5, 2020, 5:00 p.m.

Bids will be received via email on June 18, 2020, 2:00 p.m. Bids shall be submitted in the proper bid form with required attachments in accordance with the Instructions to Bidders in the Bid Manual.

Documents for this project will be issued via SmartBid on or about May 18, 2020. Please contact Jenny Sanchez at [jsanchez@jkokolakis.com](mailto:jsanchez@jkokolakis.com) to obtain documents.

No bidder may withdraw his bid within a period of one hundred and eighty (180) days after the actual date of opening thereof.

The Construction Manager reserves the right to waive any formalities, technicalities, or irregularities in; or reject any or all bids; or to re-advertise for bids and award or refrain from awarding the Contract for the work.

Halfacre Construction and Kokolakis Contracting, on behalf of Sarasota County, in accordance with the provisions of Section 287.133, Florida Statutes shall affirm that "A person of 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 public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, any may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list."

Halfacre Construction and Kokolakis Contracting is an Equal Opportunity Employer and complies with all local and federal regulations relative to nondiscrimination on the grounds of race, color, age, religion, sex, handicap or national origin.

**Section XII  
Miscellaneous**

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

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., Monday, May 11, 2020 and 3:00 p.m., Friday, May 15, 2020.

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.

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
25-6.0342	5/13/2020	6/2/2020
25-30.457	5/13/2020	6/2/2020
53ER20-34	5/14/2020	5/14/2020
53ER20-35	5/14/2020	5/14/2020
53ER20-36	5/14/2020	5/14/2020
61G3-16.006	5/14/2020	6/3/2020
61G3-16.0010	5/14/2020	6/3/2020
61G3-16.007	5/14/2020	6/3/2020
61G3-16.0091	5/14/2020	6/3/2020
61G3-19.011	5/14/2020	6/3/2020
61G15-35.003	5/11/2020	5/31/2020
65C-30.001	5/14/2020	6/3/2020
65G-4.015	5/14/2020	6/3/2020
65G-4.017	5/14/2020	6/3/2020

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

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
60FF1-5.009	7/21/2016	**/**/****
60P-1.003	11/5/2019	**/**/****
60P-2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
64B8-10.003	12/9/2015	**/**/****