

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.0163 **RULE TITLE:** Reading Endorsement Competencies
PURPOSE AND EFFECT: To revise the 2011 Reading Endorsement Competencies for alignment with evidence-based instructional and intervention strategies rooted in the science of reading. Revisions will address identification of the characteristics of conditions such as dyslexia, implementation of evidence-based classroom instruction and interventions, including evidence-based reading instruction and interventions specifically for students with characteristics of dyslexia, and effective progress monitoring. This rule development will also identify state-approved pathways for educators to earn a high-quality Reading Endorsement.

SUBJECT AREA TO BE ADDRESSED: Reading Endorsement.

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1012.55(1), 1012.98(8), F.S.

LAW IMPLEMENTED: 1012.55, 1012.586, 1012.98, F.S.

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

DATE AND TIME: April 28, 2022, 10:00 a.m.

PLACE: GoToWebinar:
<https://attendee.gotowebinar.com/register/2185604138209808397>

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lindsey Brown, Executive Director, Just Read, Florida! – Lindsey.Brown@fldoe.org or (850)245-5060. To comment on this rule development workshop, please go to <https://web02.fldoe.org/rules> or contact: Chris Emerson, Director, Office of Executive Management, Department of Education, (850)245-9601 or email Christian.Emerson@fldoe.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Available prior to rule workshop at <https://web02.fldoe.org/rules>.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0532 **RULE TITLE:** New Worlds Reading Initiative
PURPOSE AND EFFECT: Improve literacy skills and instill a love of reading by providing high-quality, free books to

students in kindergarten through grade 5 who are reading below grade level. Beginning September 30, 2022, and annually thereafter, the department must report on its website the number of students participating in the initiative in each school district, information from the annual financial report of the Initiative’s administrator, and the academic achievement and learning gains of participating students based on data provided by school districts. The rule will establish requirements revolving around information needed by the department so that the department can effectively complete the required report.

SUBJECT AREA TO BE ADDRESSED: Reading.

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1003.485(5), F.S.

LAW IMPLEMENTED: 1003.485, F.S.

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

DATE AND TIME: April 28, 2022, 10:00 a.m.

PLACE: GoToWebinar:
<https://attendee.gotowebinar.com/register/2185604138209808397>.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Cari Miller, Vice Chancellor, Literacy Achievement, Cari.Miller@fldoe.org. To comment on this rule development workshop, please go to <https://web02.fldoe.org/rules> or contact: Chris Emerson, Director, Office of Executive Management, Department of Education, (850)245-9601 or email Christian.Emerson@fldoe.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Available prior to rule workshop at <https://web02.fldoe.org/rules>.

Section II

Proposed Rules

DEPARTMENT OF LAW ENFORCEMENT

Division of Criminal Justice Information Systems

RULE NOS.: **RULE TITLES:**
 11C-7.006 Procedures on Court-Ordered Expunctions
 11C-7.007 Procedures on Court-Ordered Sealings
 11C-7.009 Procedures on Juvenile Diversion Expunctions
 11C-7.010 Procedures on Early Juvenile Expunction
 11C-7.012 Procedures on Lawful Self Defense Expunctions

PURPOSE AND EFFECT: 11C-7.006: The rule change is requested to reflect changes to existing forms

11C-7.007: The rule change is requested to reflect changes to existing forms

11C-7.009: The rule change is requested to reflect changes to existing forms

11C-7.010: The rule change is requested to reflect changes to existing forms

11C-7.012: The rule change is requested to reflect changes to existing forms

SUMMARY: Updates to existing forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

RULEMAKING AUTHORITY: 943.03(4), 943.058(2), 943.059(2), 943.0582, 943.0515(1), 943.0578 FS.

LAW IMPLEMENTED: 943.059, 943.0582, 943.0515, 943.0578 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Thursday, April 21, 2022 at 10:00 a.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Rachel Truxell at (850)410-7100, or racheltruxell@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308. 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: Rachel Truxell at (850)410-7100, or racheltruxell@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308.

THE FULL TEXT OF THE PROPOSED RULE IS:

11C-7.006 Procedures on Court-Ordered Expunctions.

(1) Prior to petitioning the court to expunge a criminal history record, the subject must apply to the Department for a certificate of eligibility for expunction. The application packet for the certificate of eligibility must include:

(a) A money order, cashier's check, certified check, personal check or business check for \$75.00 made payable to the Florida Department of Law Enforcement. This processing fee is non-refundable, regardless of the results of the certification review. A fee waiver may be granted by the Executive Director of the Department upon submission of a written request and in his determination that the waiver is in the best interests of criminal justice.

(b) A completed Application for Certification of Eligibility. The subject must complete section A of the application. The Application for Certification of Eligibility (form number FDLE 40-021, rev. ~~June 2021~~ ~~October 2019~~), which is hereby incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-11937>, may be obtained from:

1. The Clerk of the Court, or
2. Florida Department of Law Enforcement
Seal and Expunge Section
Post Office Box 1489
Tallahassee, Florida 32302-1489
Email: SEINFO@fdle.state.fl.us
Telephone Number: (850)410-7870
Website: <http://www.fdle.state.fl.us/Seal-and-Expunge-Process/Seal-and-Expunge-Home>

(c) The appropriate state attorney or statewide prosecutor may provide the required written certified statement by completing section B of the Application for Certification of Eligibility.

(d) A legible set of fingerprints recorded on an FBI Applicant Fingerprint Card (FD-258, rev. 03/10) or FDLE fingerprint sheet. Fingerprints may not be submitted to FDLE by electronic means. The fingerprinting must be taken by a law enforcement agency or by a vendor engaged in the business of providing electronic fingerprint submissions which has an agreement in place with FDLE pursuant to Section 943.053(13), F.S. The subject must pay any fees required by the law enforcement agency or vendor for providing this service. If a copy of the Applicant Fingerprint Card or FDLE fingerprint sheet is needed, it may be obtained from:

1. The Clerk of the Court, or
2. Florida Department of Law Enforcement
Seal and Expunge Section
Post Office Box 1489
Tallahassee, Florida 32302-1489
Email: SEINFO@fdle.state.fl.us
Telephone Number: (850)410-7870

Website: <http://www.fdle.state.fl.us/Seal-and-Expunge-Process/Seal-and-Expunge-Home>

(e) A certified copy of the disposition of the charge(s) to which the Application for Certificate of Eligibility to expunge pertains. The subject should obtain this document from the Clerk of the Court in the appropriate jurisdiction. The subject must pay any fees required by the Clerk of the Court for providing this service.

(2) through (4) No change.

(5) The Department will send the subject a Certificate of Eligibility (form number FDLE 40-030, revised December 2020 40-023, rev. October 2019), if the specified criminal history record meets the requirements for expunction. If the specified criminal history record does not meet the requirements for expunction, the Department will send the subject a letter stating the reason for ineligibility with an explanation of appeal rights.

(6) No change.

Rulemaking Authority 943.03(4), 943.0585(2) FS. Law Implemented 943.0585 FS. History—New 8-5-92, Amended 7-7-99, 8-22-00, 6-9-08, 6-3-10, 7-29-15, 7-9-19, 5-5-20, 5-20-21, _____.

11C-7.007 Procedures on Court-Ordered Sealings.

(1) Prior to petitioning the court to seal a criminal history record, the subject must apply to the Department for a certificate of eligibility for sealing. The application packet for the certificate of eligibility must include:

(a) A money order, cashier’s check, certified check, personal check or business check for \$75.00 made payable to the Florida Department of Law Enforcement. This processing fee is non-refundable, regardless of the results of the certification review. A fee waiver may be granted by the Executive Director of the Department upon submission of a written request and in his determination that the waiver is in the best interests of criminal justice.

(b) A completed Application for Certification of Eligibility. The subject must complete section A of the application. The Application for Certification of Eligibility (form number FDLE 40-021, rev. June 2021 October 2019) and incorporated by reference) <http://www.flrules.org/Gateway/reference.asp?No=Ref-11937>, may be obtained from:

1. The Clerk of the Court, or
2. Florida Department of Law Enforcement
Seal and Expunge Section
Post Office Box 1489
Tallahassee, Florida 32302-1489
Email: SEINFO@fdle.state.fl.us
Telephone Number: (850)410-7870

Website: <http://www.fdle.state.fl.us/Seal-and-Expunge-Process/Seal-and-Expunge-Home>

(c) A legible set of fingerprints recorded on an FBI Applicant Fingerprint Card (FD-258, rev. 03/10) or FDLE fingerprint sheet. Fingerprints may not be submitted to FDLE by electronic means. The fingerprinting must be taken by a law enforcement agency or by a vendor engaged in the business of providing electronic fingerprint submissions which has an agreement in place with FDLE pursuant to Section 943.053(13), F.S. The subject must pay any fees required by the law enforcement agency or vendor for providing this service. If a copy of the Applicant Fingerprint Card or FDLE fingerprint sheet is needed, it may be obtained from:

1. The Clerk of the Court, or
2. Florida Department of Law Enforcement
Seal and Expunge Section
Post Office Box 1489
Tallahassee, Florida 32302-1489
Email: SEINFO@fdle.state.fl.us
Telephone Number: (850)410-7870

Website: <http://www.fdle.state.fl.us/Seal-and-Expunge-Process/Seal-and-Expunge-Home>

(d) A certified copy of the disposition of the charge or charges to which the Application for Certificate of Eligibility to seal pertains. The subject should obtain this document from the Clerk of the Court in the appropriate jurisdiction. The subject must pay any fees required by the Clerk of the Court for providing this service.

(2) through (4) No change.

(5) The Department will send the subject a Certificate of Eligibility (form number FDLE 40-029, revised December 2020 40-022, rev. October 2019), if the specified criminal history record meets the requirements for sealing. If the specified criminal history record does not meet the requirements for sealing, the Department will send the subject a letter stating the reason for ineligibility with an explanation of appeal rights.

(6) No change.

Rulemaking Authority 943.03(4), 943.059(2) FS. Law Implemented 943.059 FS. History—New 8-5-92, Amended 7-7-99, 8-22-00, 6-9-08, 6-3-10, 7-9-19, 5-5-20, 5-20-21, _____.

11C-7.009 Procedures on Juvenile Diversion Expunctions.

(1) A minor who has successfully completed a diversion program as authorized by Section 985.125, F.S., which program satisfies the requirements found at Section 943.0582, F.S., may apply directly to the Department for expunction of the minor’s juvenile nonjudicial arrest record. The application packet for the Juvenile Diversion Expunction must include:

(a) A completed Application for Juvenile Diversion Expunction. The subject must complete section A of the application. The Application for Juvenile Diversion

Expunction, form number FDLE 40-025 (rev. ~~June 2021~~ ~~October 2019~~), hereby incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-11935>, may be obtained from:

1. The Clerk of the Court, or
2. Florida Department of Law Enforcement
Seal and Expunge Section
Post Office Box 1489
Tallahassee, Florida 32302-1489
Email: SEINFO@fdle.state.fl.us
Telephone Number: (850)410-7870
Website: <http://www.fdle.state.fl.us/Seal-and-Expunge-Process/Seal-and-Expunge-Home>

(b) The state attorney must provide the required written certification statement by completing section B of the Application for Juvenile Diversion Expunction.

(c) A legible set of fingerprints recorded on an FBI Applicant Fingerprint Card (FD-258) (rev. 03/10) or FDLE fingerprint sheet. Fingerprints may not be submitted to FDLE by electronic means. The fingerprinting must be taken by a law enforcement agency or by a vendor engaged in the business of providing electronic fingerprint submissions which has an agreement in place with FDLE pursuant to Section 943.053(13), F.S. The subject must pay any fees required by the law enforcement agency or vendor for providing this service. If a copy of the Applicant Fingerprint Card or the FDLE fingerprint sheet is needed, it may be obtained from:

1. The Clerk of the Court, or
2. Florida Department of Law Enforcement
Seal and Expunge Section
Post Office Box 1489
Tallahassee, Florida 32302-1489
Email: SEINFO@fdle.state.fl.us
Telephone Number: (850)410-7870
Website: <http://www.fdle.state.fl.us/Seal-and-Expunge-Process/Seal-and-Expunge-Home>

(2) through (6) No change.

Rulemaking Authority 943.0582 FS. Law Implemented 943.0582 FS. History—New 11-5-02, Amended 6-9-08, 5-29-14, 7-20-17, 7-9-19, 5-5-20, 5-20-21, _____.

11C-7.010 Procedures on Early Juvenile Expunction.

(1) A person who has not been committed to a juvenile correctional facility or juvenile prison under Chapter 985, F.S., may apply directly to the Department to have his or her juvenile criminal history record expunged, provided he or she is at least 18 years of age but less than 21 years of age. To be eligible for this form of expunction, the applicant must not have been charged by the state attorney with or found to have committed any criminal offense within the 5-year period before the

application date. The application for the Early Juvenile Expunction must include:

(a) A money order, cashier's check, certified check, personal check, or business check for \$75.00 made payable to the Florida Department of Law Enforcement. This processing fee is non-refundable, regardless of whether the application for expunction is granted. A fee waiver may be granted by the Executive Director of the Department, upon submission of a written request, and in his or her determination that the waiver is in the best interests of criminal justice.

(b) A completed Application for Early Juvenile Expunction. The subject must complete section A of the application. The Application for Early Juvenile Expunction, (form number FDLE 40-028, rev. ~~June 2021~~ ~~October 2019~~), hereby incorporated by reference, <https://www.flrules.org/Gateway/reference.asp?No=Ref-11934>, may be obtained from:

1. The Clerk of the Court, or
2. Florida Department of Law Enforcement
Seal and Expunge Section
Post Office Box 1489
Tallahassee, Florida 32302-1489
Email: SEINFO@fdle.state.fl.us
Telephone Number: (850)410-7870
Website: <http://www.fdle.state.fl.us/Seal-and-Expunge-Process/Seal-and-Expunge-Home>

(c) The state attorney for the circuit having jurisdiction over the arrest may provide the required written certified statement by completing section B of the Application for Early Juvenile Expunction.

(d) A legible set of fingerprints recorded on an FBI Applicant Fingerprint Card (FD-258, rev. 03/10) or FDLE fingerprint sheet. Fingerprints may not be submitted to FDLE by electronic means. The fingerprinting must be taken by a law enforcement agency or by a vendor engaged in the business of providing electronic fingerprint submissions which has an agreement in place with FDLE pursuant to Section 943.053(13), F.S. The subject must pay any fees required by the law enforcement agency or vendor for providing this service. If a copy of the Applicant Fingerprint Card or FDLE fingerprint sheet is needed, it may be obtained from:

1. The Clerk of the Court, or
2. Florida Department of Law Enforcement
Seal and Expunge Section
Post Office Box 1489
Tallahassee, Florida 32302-1489
Email: SEINFO@fdle.state.fl.us
Telephone Number: (850)410-7870
Website: <http://www.fdle.state.fl.us/cms/Seal-and-Expunge-Process/Seal-and-Expunge-Home>

(e) A sworn, written statement from the applicant that he or she is no longer under court supervision applicable to the disposition of the arrest or alleged criminal activity to which the application pertains, and that he or she has not been charged with or found to have committed a criminal offense, in any jurisdiction of the state or within the United States, within the 5-year period before the application date.

(f) A certified copy of the disposition of the charge or charges to which the Application for Early Juvenile Expunction pertains. The subject should obtain this document from the Clerk of the Court in the appropriate jurisdiction. The subject must pay any fees required by the Clerk of the Court for providing this service.

(2) through (5) No change.

Rulemaking Authority 943.0515(1) FS. Law Implemented 943.0515(1) FS. History—New 7-20-17, Amended 7-9-19, 5-5-20, 5-20-21, _____.

11C-7.012 Procedures on Lawful Self-Defense Expunctions.

(1) Prior to petitioning the court for an expunction of a criminal history record, the subject must apply to the Department for a certificate of eligibility for expunction. The application for the certificate of eligibility must include:

(a) A money order, cashier’s check, certified check, personal check or business check in the amount of \$75.00 made payable to the Florida Department of Law Enforcement. This processing fee is non-refundable, regardless of the results of the certification review. A fee waiver may be granted by the Executive Director of the Department upon submission of a written request and in his determination that the waiver is in the best interests of criminal justice.

(b) A completed Application for a Certification of Eligibility for Lawful Self-Defense Expunction. The subject must complete section A of the application. The Application for Certification of Eligibility for Lawful Self-Defense Expunction under Section 943.0578 F.S. (form number FDLE 40-026, rev. ~~June 2021~~ ~~October 2019~~), are hereby incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-11936>, may be obtained from:

1. The Clerk of the Court, or
2. Florida Department of Law Enforcement
Seal and Expunge Section
Post Office Box 1489
Tallahassee, Florida 32302-1489
Email: SEINFO@fdle.state.fl.us
Telephone Number: (850)410-7870
Website: <http://www.fdle.state.fl.us/Seal-and-Expunge-Process/Seal-and-Expunge-Home>

(c) The appropriate state attorney or statewide prosecutor must provide the required written certified statement by

completing section B of the Application for Certification of Eligibility.

(d) A legible set of fingerprints recorded on an FBI Applicant Fingerprint Card (FD-258, rev. 03/10) or FDLE fingerprint sheet. Fingerprints may not be submitted to FDLE by electronic means. The fingerprinting must be taken by a law enforcement agency or by a vendor engaged in the business of providing electronic fingerprint submissions which has an agreement in place with FDLE pursuant to Section 943.053(13), F.S. The subject must pay any fees required by the law enforcement agency or vendor for providing this service. If a copy of the Applicant Fingerprint Card or FDLE fingerprint sheet is needed, it may be obtained from:

1. The Clerk of the Court, or
2. Florida Department of Law Enforcement
Seal and Expunge Section
Post Office Box 1489
Tallahassee, Florida 32302-1489
Email: SEINFO@fdle.state.fl.us
Telephone Number: (850)410-7870
Website: <http://www.fdle.state.fl.us/Seal-and-Expunge-Process/Seal-and-Expunge-Home>

(e) A certified copy of the disposition of the charge or charges to which the application to expunge pertains. The subject should obtain this document from the Clerk of the Court in the appropriate jurisdiction. The subject must pay any fees required by the Clerk of the Court for providing this service.

(2) through (6) No change.

Rulemaking Authority 943.03(4), 943.0578(5) FS. Law Implemented 943.0578 FS. History—New 5-5-20, Amended 5-20-21, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Director Robin Sparkman
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2022
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 29, 2021

**DEPARTMENT OF LAW ENFORCEMENT
Division of Local Law Enforcement Assistance**

RULE NOS.: RULE TITLES:
11D-12.001 Definitions
11D-12.002 Procedures
PURPOSE AND EFFECT: Implement mandates pursuant to newly created s. 943.326(4)(d).
SUMMARY: Implementation of the sexual offense kit tracking database.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

RULEMAKING AUTHORITY: 943.03(4), 943.326(4)(d), FS.
LAW IMPLEMENTED: 943.326(4)(d), FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Thursday, April 21, 2022 at 10:00 a.m.

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Christopher Bufano at 850-410-7676, or christopherbufano@fdle.state.fl.us, or write to Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308. 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: Christopher Bufano at (850)410-7676, or christopherbufano@fdle.state.fl.us, or write to Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308.

THE FULL TEXT OF THE PROPOSED RULE IS:

11D-12.001 Definitions Definitions

As used in Rule 11D-12.002, F.A.C., the following definitions apply:

(1) “Kit” shall mean a Florida sexual offense evidence kit or other sealed package containing samples collected from the alleged victim’s body.

(2) “Participating Entities” shall mean entities that participate in the statewide database as described in 943.326(4)(c), F.S.

(3) “Software” shall mean STACSTM DNA Track-KitTM cloud-based software.

(4) “Administrator” shall mean a participating entity’s designated individual who shall have add, delete, and editing authority of its users.

(5) “Forensic Medical Exam Facility” means a participating entity responsible for collecting a kit, or other DNA evidence from an alleged victim of a sexual offense.

(6) “Vendor” shall mean a company doing business with FDLE to prepare barcoded “kits” for the statewide database.

(7) “Non-reporting kit” shall mean a “kit” collected from an alleged victim who has not filed a report with law enforcement, and whose identity is not disclosed to law enforcement.

(8) “DNA match” shall mean an association made to a DNA reference sample from a person deemed by investigators to be a suspect or person on interest via direct submission to the laboratory or through the DNA investigative support database. Rulemaking Authority 943.03(4), 943.326(4)(d), FS. Law Implemented 943.326 FS. History–New: _____.

11D-12.002 Procedures.

(1) Kit tracking. Participating Entities shall utilize the software and identify at least one administrator. The administrator’s contact information shall be provided to FDLE.

(a) Forensic Medical Exam Facilities.

1. Barcoded kits obtained from the vendor shall be utilized during the exam. In the event a barcoded kit is not available, FDLE shall be contacted.

2. The software shall be utilized to receive kits from the vendor.

3. The examiner shall claim a kit and indicate the collection date in real time, or no later than 24 hours of the collection.

4. If the alleged victim is under 18 years old, it shall be indicated.

5. If the alleged victim is not filing a police report, it shall be documented, along with the location of the kit storage.

6. The examiner shall provide the alleged victim with the unique kit number, password, and instructions to be able to access the software.

7. The administrator shall reset the alleged victim’s password, when applicable.

8. The kit shall be securely and properly stored at the facility until transferred to the law enforcement agency, when applicable.

9. If non-reporting kits are stored, it shall be indicated when the kit has been destroyed.

(b) Law Enforcement Agencies.

1. Agency members shall enter the kit pickup date from the forensic medical exam facility and case number in real time, or no later than 24 hours of the pickup.

2. Agency members shall document when the kit is picked up from the laboratory in real time, or no later than 24 hours of the pickup.

3. Agency members shall ensure the release of a DNA match, as described in section 943.326(4e), F.S.

4. It shall be indicated if the kit has been destroyed, and why, or if the storage agency changes (for court or transfer to another law enforcement agency).

5. The administrator shall reset the alleged victim's password, when applicable.

(c) Laboratories within the statewide criminal analysis laboratory system.

1. Laboratory members shall enter the date the kit was received from a law enforcement agency in real time, or no later than 24 hours of the receipt.

2. Laboratory members shall indicate when the kit is ready for law enforcement pickup.

3. A completion date shall be entered once the laboratory analysis is finished and the report has been released to the law enforcement agency.

4. Laboratory members shall enter the date of a DNA match, if applicable.

5. Laboratory members shall indicate transfer of the kit into long-term storage, if applicable.

6. If kits are stored, it shall be indicated if the kit is destroyed and the reason for destruction.

(2) Kit distribution. Vendors shall utilize the software to create pending orders, receive lots of kits and to fill orders. The vendor shall create the unique barcodes for the kits and passwords for the alleged victims, and include this information within the kit.

Rulemaking Authority 943.03(4), 943.326(4)(d), FS. Law Implemented 943.326 FS. History--New: _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Director Jason Bundy
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2022
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 29, 2021

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:

64B5-13.005 Disciplinary Guidelines
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 47 No. 188, September 28, 2021 issue of the Florida Administrative Register.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and discussion and subsequent vote by the board at a public meeting held February 18, 2022. The changes are as follows:

64B5-13.005 Disciplinary Guidelines.

(1) When the Board finds an applicant, licensee, certificate holder, or telehealth registrant whom it regulates under chapter 466, F.S., has committed any of the acts set forth in section 456.072(1), 466.028, or 456.47, F.S., it shall issue a final order imposing appropriate penalties as recommended in these disciplinary guidelines. For any violation found that is for fraud or making a false or fraudulent representation, the Board will impose a fine of \$10,000.00 per count or offense. The use of terms to describe the offenses herein within the individual guidelines is intended to be only a generally descriptive use of the terms. For an accurate description of the actual offenses, the reader should refer to the statutory disciplinary provisions. The maximum penalties set forth in any individual offense guideline include all of the less severe penalties that would fall in between the maximum and the minimum penalties stated. For telehealth registrants, a suspension may be accompanied by a corrective action plan that addresses the conduct which resulted in the underlying disciplinary violations. The Board may require a corrective action plan be completed prior to reinstatement of the suspended registration or the corrective action plan may follow a suspension for a definite term.

	VIOLATION		PENALTY RANGE	
	MINIMUM	MAXIMUM	TELEHEALTH REGISTRANT MINIMUM	TELEHEALTH REGISTRANT MAXIMUM
(a) Attempting				

to obtain, obtaining or renewing a license by bribery, fraudulent misrepresentations or error of the Board. (Sections 466.028(1)(a), 456.072(1)(h), F.S.)				
<u>1. Obtain license by bribery.</u>				
First Offense	<u>\$500 fine and two (2) years' probation or application denial, \$500 fine and referral to State Attorney's office if not licensed.</u>	<u>\$5,000 fine and one (1) year suspension.</u>		
Second Offense	<u>\$5,000 fine and one (1) year suspension or application denial, \$500 fine and referral to State Attorney's</u>	<u>\$10,000 fine and Permanent Revocation.</u>		

	<u>y's office if not licensed.</u>			
<u>2. Obtain license by fraudulent misrepresentations.</u>				
First Offense	No change.	<u>Denial/or five (5) year suspension revocation \$10,000 fine and referral to State Attorney's office if not licensed.</u>	<u>Denial of Application n.</u>	<u>Revocation n. or Denial of Application n.</u>
Second Offense	No change.	<u>Revocation \$10,000 fine and <u>revocation</u> or permanent denial and revocation.</u>	<u>Revocation n. or Denial</u>	<u>Same.</u>
(b) Having a license to practice dentistry or dental hygiene revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country. (Sections 466.028(1)(b),				

456.072(1)(f), F.S.)				
First Offense	No change.	Suspension/denial until the license is unencumbered and active in the jurisdiction in which the disciplinary action was originally taken, or up to five years, followed by probation and \$5,000 10,000 fine or revocation.	No change.	No change.
Second Offense	No change.	Suspension until the license is unencumbered in the jurisdiction in which disciplinary action was taken, <u>followed by five (5) years' probation and \$10,000 fine.</u>	No change.	No change.
Third Offense	No change.	No change.	No change.	No change.
(c) Guilty of a crime directly relating to practice or ability to practice. (Sections 466.028(1)(c), 456.072(1)(c), F.S.)				
First Offense	No change.	Denial or 2 years suspension	No change.	No change.

		followed by 2 years probation with conditions and \$10,000 fine, or revocation.		
Second Offense	No change.	Denial or <u>five (5) year suspension followed by probation with conditions</u> revocation and \$10,000 fine.	No change.	No change.
Third Offense	<u>Five (5) year suspension followed by probation</u> Revocation and \$2,500 fine.	No change.	No change.	No change.
(d) Advertising goods or services in a manner which is fraudulent, false, deceptive, or misleading in form. (Section 466.028(1)(d), F.S.)				
First Offense	No change.	<u>One (1) year probation with conditions and \$5,000</u> 10,000 fine.	No change.	No change.
Second Offense	<u>One (1) year probation with</u> conditions	<u>One (1) year suspension followed by two (2) years probation with</u>	No change.	No change.

	ons and \$3,000 fine.	conditions and \$10,000 \$8,000 fine.		
Third Offense	Two (2) years probation with conditions and \$5,000 fine.	No change.	No change.	No change.
(e) Advertising, practicing, or attempting to practice under a name other than one's own. (Section 466.028(1)(e)), F.S.)				
First Offense	No change.	One (1) year suspension and \$10,000 \$5,000 fine.	No change.	No change.
Second Offense	One (1) year probation with conditions and \$3,000 fine.	Two (2) years suspension followed by two (2) years probation Denial or revocation and \$10,000 fine.	No change.	No change.
Third Offense	Two (2) years probation with conditions and \$5,000 fine.	Revocation and \$10,000 fine.	No change.	No change.
(f) No change.				

(g) Aiding, assisting, procuring, or advising any unlicensed person to practice dentistry or dental hygiene. (Sections 466.028(1)(g), 456.072(1)(j)), F.S.)				
First Offense	No change.	Six (6) months suspension followed by one (1) year probation with conditions and \$10,000 \$5,000 fine.	No change.	No change.
Second Offense	1 year suspension followed by two (2) years probation with conditions and \$5,000 fine.	2 years suspension followed by two (2) years probation with conditions and \$8,000 fine.	No change.	No change.
Third Offense	No change.	No change.	No change.	No change.
(h) Being employed by any corporation, organization, group, or person other than a dentist or a professional corporation or limited				

liability company composed of dentists to practice dentistry. (Section 466.028(1)(h), F.S.)				
First Offense	No change.	Two (2) years probation with conditions and up to suspension, and \$5,000 10,000 fine.	No change.	No change.
Second Offense	No change.	One (1) year suspension followed by one (1) year probation with conditions and \$8,000 10,000 fine.	No change.	No change.
Third Offense	No change.	No change.	No change.	No change.
(i) Failing to perform any statutory or legal obligation placed upon a licensee. (Sections 466.028(1)(i), 456.072(1)(k), F.S.)				
First Offense	No change.	Two (2) years probation with conditions and \$5,000 10,000 fine.	No change.	No change.
Second Offense	No change.	Two (2) years probation with conditions and \$10,000 fine.	No change.	No change.
Third Offense	No change.	One (1) year suspension and \$10,000 fine.	No change.	No change.

(j) Making or filing a false report, failing to file a report or record required by state or federal law, knowingly impeding or obstructing such filing. (Sections 466.028(1)(j), 456.072(1)(l), F.S.)				
First Offense	No change.	One (1) year probation with conditions and up to suspension, and \$5,000 10,000 fine.	No change.	No change.
Second Offense	No change.	One (1) year suspension followed by one (1) year probation with conditions and \$8,000 10,000 fine.	No change.	No change.
Third Offense	No change.	No change.	No change.	No change.
(k) Sexual battery, as defined in chapter 794, F.S., upon a patient. (Section 466.028(1)(k), F.S.)				
First Offense	Revocation 6 months suspension followed	Same Denial or revocation and \$10,000 fine.	No change.	No change.

	ed by probation and \$2,500 fine.			
Second or Subsequent Offense	Revocation and \$10,000 fine 5 years suspension followed by probation with conditions and \$5,000 fine.	Same Denial/revocation and \$10,000 fine.	No change.	No change.
(l) Making deceptive, untrue, or fraudulent representations in or related to the practice of dentistry. (Sections 466.028(1)(l), 456.072(1)(a), F.S.)				
First Offense	No Change.	Six (6) months probation with conditions and \$5,000 +0,000 fine.	No Change.	No Change.
Second Offense	No Change.	Six (6) months suspension and \$7,500 +0,000 fine.	No Change.	No Change.
Third Offense	No Change.	No Change.	No Change.	No Change.
(m) Failing to keep written records and				

history justifying the course of treatment of the patient. (Section 466.028(1)(m), F.S.)				
First Offense	\$1,000 500 fine.	Two (2) years probation with conditions and \$7,500 fine.	No Change.	No Change.
Second Offense	Two (2) years probation with conditions and \$1,000 fine.	One (1) year suspension and \$10,000 fine.	No Change.	No Change.
Third Offense	Five (5) years probation with conditions and \$2,500 fine.	No Change.	No Change.	No Change.
(n) Failing to make available to a patient or client, copies of documents which relate to the patient or client. (Section 466.028(1)(n), F.S.)				
First Offense	No Change.	One (1) year probation with conditions and \$5,000 7,500 fine.	No Change.	No Change.

Second Offense	No Change	Two (2) years Probation with conditions and \$7,500 10,000 fine.	No Change.	No Change.
Third Offense	No Change	No Change.	No Change.	No Change.
(o) Performing professional services which have not been authorized by the patient or client. (Section 466.028(1)(o), F.S.)				
First Offense	No Change	One (1) year Probation with conditions and \$5,000 8,000 fine.	No Change.	No Change.
Second Offense	No Change	One (1) year Suspension and \$7,500 10,000 fine.	No Change.	No Change.
Third Offense	No Change	No Change.	No Change.	No Change.
(p) Prescribing, procuring, dispensing, administering, mixing, or otherwise preparing a legend drug or controlled substance, other than in the course of the professional practice of the dentist.				

(Section 466.028(1)(p), F.S.)				
First Offense	No Change	One (1) year Probation with conditions; and \$5,000 10,000 fine and up to suspension.	No Change.	No Change.
Second Offense	Two (2) years Probation with conditions and \$2,500 fine.	One (1) year Suspension and \$7,500 10,000 fine.	No Change.	No Change.
Third Offense	No Change	No Change.	No Change.	No Change.
(q) Prescribing any medicinal drug scheduled in chapter 893, F.S., to herself or himself. (Section 466.028(1)(q), F.S.)				
First Offense	\$500 fine and <u>PRN referral.</u>	One (1) year Suspension followed by probation with conditions, including PRN referral with conditions and \$5,000 10,000 fine.	No Change.	No Change.
Second Offense	One (1) year Probation with condi	One (1) year Suspension and \$7,500 10,000 fine.	No Change.	No Change.

	ons, <u>PRN referral</u> , and \$2,500 fine.			
Third Offense	<u>One (1) year</u> <u>s</u> Suspension followed by probation, <u>includi ng PRN referral</u> and \$5,000 fine.	No Change.	No Change.	No Change.
(r) Prescribing any drug which is a Schedule II amphetamine or a Schedule II sympathomimetic amine drug, pursuant to chapter 893, F.S. (Section 466.028(1)(r)), F.S.)				
First Offense	No Change.	<u>Two (2) years</u> <u>p</u> Probation with conditions and \$10,000 fine.	No Change.	No Change.
Second Offense	<u>Two (2) years</u> <u>p</u> Probation with conditions and \$2,500 fine.	<u>One (1) year</u> <u>s</u> Suspension followed by <u>two (2) years</u> probation and \$10,000 fine.	No Change.	No Change.

Third Offense	<u>Three (3) years</u> <u>p</u> Probation with conditions and \$5,000 fine.	No Change.	No Change.	No Change.
(s) No change.				
(t) Fraud, deceit, or misconduct in the practice of dentistry or dental hygiene. (Section 466.028(1)(t)), F.S.)				
First Offense	No Change.	<u>One (1) year</u> <u>p</u> Probation with conditions and \$8,000 fine.	No Change.	No Change.
Second Offense	<u>One (1) year</u> <u>p</u> Probation with conditions and \$8,000 fine.	<u>One (1) year</u> <u>s</u> Suspension followed by <u>two (2) years</u> probation and \$10,000 fine.	No Change.	No Change.
Third Offense	<u>Two (2) years</u> <u>p</u> Probation with conditions and \$10,000 fine.	No Change.	No Change.	No Change.
(u) Failure to provide and maintain reasonable				

sanitary facilities and conditions. (Section 466.028(1)(u), F.S.)				
First Offense	No Change.	<u>One (1) year</u> Probation with conditions and \$8,000 fine.	No Change.	No Change.
Second Offense	<u>One (1) year</u> Probation with conditions and \$3,000 fine.	<u>One (1) year</u> Suspension, followed by <u>two (2) years</u> probation with conditions and \$10,000 fine.	No Change.	No Change.
Third Offense	<u>One (1) year</u> Probation with conditions and \$8,000 fine.	No Change.	No Change.	No Change.
(v) Failure to provide adequate radiation safeguards. (Section 466.028(1)(v), F.S.)				
First Offense	No Change.	<u>One (1) year</u> Probation with conditions and \$8,000 fine.	No Change.	No Change.
Second Offense	<u>One (1) year</u> Probation with conditions and \$3,000 fine.	<u>One (1) year</u> Suspension followed by probation and \$10,000 fine.	No Change.	No Change.

Third Offense	<u>Two (2) years</u> Probation with conditions and \$8,000 fine.	No Change.	No Change.	No Change.
(w) No change.				
(x) Being guilty of incompetence or negligence, including, but not limited to, being guilty of dental malpractice. (Section 466.028(1)(x), F.S.)				
First Offense	No Change.	<u>One (1) year</u> Probation with conditions and \$10,000 fine.	No Change.	No Change.
Second Offense	<u>One (1) year</u> Probation with conditions and \$1,000 fine.	<u>One (1) year</u> Suspension and \$10,000 fine.	No Change.	No Change.
Third Offense	<u>Two (2) years</u> probation and \$2,500 fine.	No Change.	No Change.	No Change.
(y) Practicing beyond the scope that she or he is				

competent to perform. (Sections 466.028(1)(y), 456.072(1)(o), F.S.)				
First Offense	No Change.	<u>One (1) year</u> Probation with conditions and \$10,000 fine.	No Change.	No Change.
Second Offense	<u>One (1) year</u> Probation with conditions and \$1,000 fine.	<u>One (1) year</u> Suspension followed by one (1) year probation with conditions and \$10,000 fine.	No Change.	No Change.
Third Offense	<u>One (1) year</u> probation with conditions and \$2,500 fine.	No Change.	No Change.	No Change.
(z) Delegating or contracting for professional responsibilities to a person who is not qualified to perform them. (Sections 466.028(1)(z), 456.072(1)(p), F.S.)				
First Offense	No Change.	<u>One (1) year</u> Probation with conditions and,	No Change.	No Change.

		\$10,000 fine and suspension.		
Second Offense	<u>One (1) year</u> Probation with conditions and \$5,000 fine.	<u>One (1) year</u> Suspension followed by two (2) years probation and \$10,000 fine.	No Change.	No Change.
Third Offense	<u>One (1) year</u> Probation with conditions and \$7,500 fine.	No Change.	No Change.	No Change.
Any violation of section 466.028(1)(z), F.S., will result in a minimum licensure suspension of six months, in addition to any other penalty authorized for this violation, except where revocation is imposed.				
(aa)	No change.			
(bb)	Conspiring with another licensee or with any person to commit an act, which would tend to coerce, intimidate, or preclude another licensee from advertising services. (Section 466.028(1)(bb), F.S.)			
First Offense	No Change.	No Change.	No Change.	No Change.

Second Offense	One (1) year probation with conditions and \$2,500 fine.	One (1) year probation with conditions and \$10,000 fine.	No Change.	No Change.
Third Offense	One (1) year probation with conditions and \$5,000 fine.	One (1) year suspension followed by two (2) years probation and \$10,000 fine.	No Change.	No Change.
(cc) No change.				
(dd) Presigning blank prescription or laboratory work order forms. (Section 466.028(1)(dd), F.S.)				
First Offense	No Change.	One (1) year probation with conditions and \$5,000 fine.	No Change.	No Change.
Second Offense	No Change.	One (1) year probation with conditions and \$7,500 fine.	No Change.	No Change.
Third Offense	One (1) year probation with conditions and \$2,500 fine.	One (1) year suspension followed by two (2) years probation and \$10,000 fine.	No Change.	No Change.
(ee) Prescribing growth				

hormones, testosterone or its analogs, human chorionic gonadotropin (HCG), or other hormones for the purpose of muscle building or to enhance athletic performance. (Section 466.028(1)(e), F.S.)				
First Offense	No Change.	One (1) year probation with conditions and \$5,000 fine.	No Change.	No Change.
Second Offense	One (1) year probation with conditions and \$2,500 fine.	Three (3) years probation with conditions and \$8,000 fine.	No Change.	No Change.
Third Offense	No Change.	One (1) year suspension and \$10,000 fine.	No Change.	No Change.
(ff) Operating a dental office such as to result in dental treatment that is below minimum acceptable standards of				

performance for the community. (Section 466.028(1)(f), F.S.)				
First Offense	No Change	<u>Two (2) years</u> Probation with conditions and \$5,000 <u>\$10,000</u> fine.	No Change.	No Change.
Second Offense	<u>Two (2) years</u> Probation with conditions and \$2,500 fine.	<u>One (1) year</u> Suspension and \$7,500 <u>\$10,000</u> fine.	No Change.	No Change.
Third Offense	<u>Three (3) years</u> Probation with conditions and \$4,000 fine.	No Change.	No Change.	No Change.
(gg) Administering anesthesia in a manner which violates rules of the board. (Section 466.028(1)(gg), F.S.)				
First Offense	\$1,000 fine and Reprim and.	<u>Two (2) years</u> Probation with conditions and \$10,000 fine.	No change.	No change.
Second Offense	<u>One (1) year</u> Probation	<u>One (1) year</u> Suspension and \$10,000 fine.	No change.	No change.

	with conditions and \$2,500 fine.			
Third Offense	<u>Two (2) years</u> Probation with conditions and \$4,000 fine.	No change.	No change.	No change.
(hh) Failing to report any licensee under chapter 458 or 459, F.S., who the dentist knows has violated the grounds for disciplinary action. (Section 466.028(1)(hh), F.S.)				
First Offense	\$1,000 fine and Letter of Concern.	<u>One (1) year</u> Probation with conditions and \$5,000 <u>\$10,000</u> fine.	No change.	No change.
Second Offense	\$2,500 fine and Reprim and.	\$10,000 fine and <u>two (2) years</u> probation.	No change.	No change.
Third Offense	\$3,500 fine and <u>thirty (30) days</u> suspension.	\$10,000 fine and <u>two (2) years</u> suspension.	No change.	No change.
(ii) Failing to report to the board,				

within 30 days action has been taken against one's license to practice dentistry in another state, territory, or country. (Section 466.028(1)(i), F.S.)				
First Offense	No change.	\$5,000 fine and denial of application or two (2) years suspension followed by three (3) years probation; revocation and \$8,000 fine.	No change.	No change.
Second Offense	<u>One (1) year probation and \$1,500 fine.</u>	\$10,000 fine and two (2) years suspension or denial, revocation and \$10,000 fine.	No change.	No change.
Third Offense	<u>One (1) year suspension followed by two (2) years probation and \$3,000 fine.</u>	\$10,000 fine and denial of application or revocation and \$10,000 fine.	No change.	No change.
(jj) Advertising specialty services in violation of this chapter.				

(Section 466.028(1)(j), F.S.)				
First Offense	No change.	\$5,000 <u>\$7,500</u> fine.	No change.	No change.
Second Offense	No change.	One (1) year probation with conditions and \$7,500 <u>One (1) year probation with conditions and \$10,000</u> fine.	No change.	No change.
Third Offense	<u>Two (2) years probation with conditions and \$5,000 fine.</u>	One (1) year suspension followed by two (2) years probation and \$10,000 fine.	No change.	No change.
(kk) Allowing any person to interfere with a dentist's clinical judgment. (Section 466.028(1)(kk), F.S.)				
First Offense	No change.	No change.	No change.	No change.
Second Offense	<u>One (1) year probation with conditions and \$2,500 fine.</u>	Two (2) years probation with conditions and \$10,000 fine.	No change.	No change.
Third Offense	<u>Two (2) years probation with conditions and \$5,000 fine.</u>	One (1) year suspension and \$10,000 fine.	No change.	No change.

(ll) Violating any provision of Chapters 456 and 466, F.S., or any rules adopted pursuant thereto. (Sections 466.028(1)(mm), 456.072(1)(b), 456.072(1)(dd), F.S.)				
First Offense	No change.	<u>Six (6) months</u> pProbation with conditions and \$8,000 <u>\$10,000</u> fine.	No change.	No change.
Second Offense	<u>Six (6) months</u> pProbation with conditions and \$1,000 fine	<u>One (1) year</u> pProbation with conditions and \$10,000 fine.	No change.	No change.
Third Offense	<u>One (1) year</u> pProbation with conditions and \$2,500 fine.	<u>One (1) year</u> sSuspension followed by probation and \$10,000 fine.	No change.	No change.
(mm) Failing to comply with the educational course requirements for HIV.				

(Section 456.072(1)(e), F.S.)				
First Offense	No change.	<u>Six (6) months</u> pProbation with conditions and \$1,500 fine.	No change.	No change.
Second Offense	No change.	<u>One (1) year</u> pProbation with conditions and \$5,000 fine.	No change.	No change.
Third Offense	No change.	<u>Eighteen (18) months</u> pProbation with conditions and \$7,500 fine.	No change.	No change.
(nn) Having been found liable in a civil proceeding for knowingly filing a false report or complaint with the department against another licensee. (Section 456.072(1)(g), F.S.)				
First Offense	No change.	<u>Six (6) months</u> pProbation with conditions and \$8,000 fine.	No change.	No change.
Second Offense	No change.	<u>One (1) year</u> pProbation with conditions and \$10,000 fine.	No change.	No change.
Third Offense	<u>One (1) year</u> pProbation with conditions and	<u>One (1) year</u> sSuspension and \$10,000 fine.	No change.	No change.

	\$5,000 fine.			
(oo) Making deceptive, untrue, or fraudulent representations in or related to the practice of a profession or employing a trick or scheme in or related to the practice of a profession. (Section 456.072(1)(m), F.S.)				
First Offense	\$1,000 fine and Letter Concern.	Two (2) years Probation with conditions and \$5,000 8,000 fine.	No change.	No change.
Second Offense	Two (2) years probation with conditions and \$2,500 3,500 fine.	One (1) year suspension followed by two (2) years Probation with conditions and \$8,000 10,000 fine.	No change.	No change.
Third Offense	Two (2) years Probation with conditions and \$5,000 fine.	Five (5) years suspension and \$10,000 fine.	No change.	No change.
(pp) Exercising influence on the patient or client for the purpose of				

financial gain of the licensee or a third party. (Section 456.072(1)(n), F.S.)				
First Offense	\$1,000 fine and Letter Concern.	Two (2) years Probation with conditions and \$5,000 10,000 fine.	No change.	No change.
Second Offense	Two (2) years Probation with conditions and \$2,500 fine.	One (1) year suspension followed by two (2) years probation with conditions and \$8,000 10,000 fine.	No change.	No change.
Third Offense	One (1) year suspension followed by two (2) years Probation with conditions and \$3,500 fine.	No change.	No change.	No change.
(qq) Wrong patient, wrong-site procedure, a wrong procedure, medically unnecessary. (Section 456.072(1)(bb), F.S.)				
First Offense	\$1,000 fine and	Two (2) years Probation with	No change.	No change.

	<u>Letter of Concern</u> .	conditions and \$5,000 10,000 fine		
Second Offense	<u>Two (2) years</u> probation with conditions and \$2,000 fine.	<u>One (1) year</u> s Suspension followed by <u>two (2) years</u> probation with conditions and \$10,000 fine.	No change.	No change.
Third Offense	<u>One (1) year</u> s Suspension followed by <u>two (2) years</u> probation with conditions and \$3,000 fine.	No change.	No change.	No change.
(rr) Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding. (Section 456.072(1)(r), F.S.)				
First Offense	No change.	<u>One (1) year</u> p Probation with conditions and \$5,000 10,000 fine.	No change.	No change.
Second Offense	<u>Two (2) years</u> p Probation	<u>One (1) year</u> s Suspension followed by probation and	No change.	No change.

	with conditions and \$2,500 fine.	\$7,500 10,000 fine.		
Third Offense	<u>Five (5) years</u> p Probation with conditions and \$5,000 fine.	No change.	No change.	No change.
(ss) No change.				
(tt) No change.				
(uu) Engaging or attempting to engage in sexual misconduct as defined and prohibited in section 456.063(1), F.S. (Section 456.072(1)(v), F.S.)				
First Offense	\$2,500 fine and <u>Reprimand</u> .	<u>One (1) year</u> suspension followed by <u>three (3) years</u> Revocation of probation with conditions and \$10,000 fine.	No change.	No change.
Second Offense	<u>Three (3) years</u> p Probation with conditions	<u>\$10,000 fine</u> and <u>three (3) year</u> s Suspension followed by <u>five (5) years</u> probation with	No change.	No change.

	ons and \$5,000 fine.	conditions or revocation, and \$10,000 fine.		
Third Offense	Five (5) years suspension followed by <u>three (3) years</u> probation with conditions and \$8,000 fine.	No change.	No change.	No change.
(vv) Failing to report to the board, in writing within 30 days after the licensee has been convicted or found guilty of, or entered a plea of nolo contendere to regardless of adjudication, a crime in any jurisdiction. (Section 456.072(1)(x), F.S.)				
First Offense	No change.	<u>One (1) year</u> probation with conditions and <u>\$5,000</u> 10,000 fine.	No change.	No change.
Second Offense	<u>One (1) year</u> probation	<u>Two (2) years</u> probation with conditions and \$10,000 fine.	No change.	No change.

	with conditions and \$1,000 fine.			
Third Offense	<u>One (1) year</u> suspension followed by <u>two (2) years</u> probation with conditions and \$2,500 fine.	No change.	No change.	No change.
(ww) Using information about people involved in motor vehicle accidents which has been derived from accident reports. (Section 456.072(1)(y), F.S.)				
First Offense	\$500 fine and <u>Letter of Concern</u> .	<u>Two (2) years</u> probation with conditions and \$5,000 fine.	No change.	No change.
Second Offense	\$1,000 fine and <u>Reprimand</u> .	<u>Four (4) years</u> probation with conditions and \$8,000 fine.	No change.	No change.
Third Offense	\$2,500 fine and <u>Reprimand</u> .	<u>One (1) year</u> suspension followed by <u>five (5) years</u> probation and \$10,000 fine.	No change.	No change.

(xx) Leaving a foreign body in a patient. (Section 456.072(1)(c), F.S.)				
First Offense	No change.	Two (2) years pProbation with conditions and \$ 5,000 10,000 fine.	No change.	No change.
Second Offense	No change.	Suspension followed by Five (5) years probation with conditions and \$ 7,500 10,000 fine.	No change.	No change.
Third Offense	No change.	\$10,000 fine and two (2) years sSuspension followed by five (5) years probation with monitoring and/or revocation and \$10,000 fine.	No change.	No change.
(yy) Testing positive for any drug, on any preemployment or employer-ordered drug screening. (Section 456.072(1)(a), F.S.)				
First Offense	No change.	Two (2) years pProbation with conditions and \$ 5,000 8,000 fine.	No change.	No change.
Second Offense	No change.	Four (4) years sSuspension followed by	No change.	No change.

		probation with conditions and \$10,000 fine.		
Third Offense	No change.	One (1) year suspension followed by five (5) years probation with conditions Revocation and \$10,000 fine.	No change.	No change.
(zz) Intentionally submitting a personal injury protection claim required by section 627.736, F.S., statement that has been "upcoded" as defined in section 627.732, F.S. (Section 456.072(1)(e), F.S.)				
First Offense	No change.	Two (2) years pProbation with conditions and \$ 5,000 8,000 fine.	No change.	No change.
Second Offense	No change.	Four (4) years pProbation with conditions and \$10,000 fine.	No change.	No change.
Third Offense	No change.	One (1) year sSuspension followed by five (5) years probation with conditions and \$10,000 fine.	No change.	No change.
(aaa) Intentionally				

submitting a personal injury protection claim required by section 627.736, F.S., for services that were not rendered. (Section 456.072(1)(f), F.S.)				
First Offense	No change.	<u>Two (2) years</u> pProbation with conditions and \$5,000 <u>\$8,000</u> fine.	No change.	No change.
Second Offense	No change.	<u>Four (4) years</u> pProbation with conditions and \$10,000 fine.	No change.	No change.
Third Offense	No change.	<u>One (1) year</u> sSuspension followed by <u>five (5) years</u> probation with conditions and \$10,000 fine.	No change.	No change.
(bbb) Engaging in a pattern of practice of prescribing medicinal drugs or controlled substances which demonstrates a lack of reasonable skill or safety to patients or a violation of sections 893.055 and				

893.0551, F.S., or law and rules relating to prescribing practitioners . (Section 456.072(1)(gg), F.S.)				
First Offense	No change.	<u>Two (2) years</u> pProbation with conditions and \$8,000 fine.	No change.	No change.
Second Offense	<u>Two (2) years</u> pProbation with conditions and \$3,000 fine.	<u>One (1) year</u> sSuspension and \$10,000 fine.	No change.	No change.
Third Offense	No change.	No change.	No change.	No change.
(ccc) No change.				
(ddd) No change.				
(eee) Failing to remit the sum owed to the state for any overpayment from the Medicaid program pursuant to a final order, judgement, or stipulation or settlement. (Section 456.072(1)(j), F.S.)				

First Offense	No change.	\$7,500 10,000 fine and one (1) year suspension.	No change.	No change.
Second Offense	No change.	No change.	No change.	No change.
(fff) Being terminated from the state Medicaid program pursuant to section 409.913, F.S., any other state Medicaid program, or the federal Medicare program, unless eligibility to participate in the program from which the practitioner was terminated has been restored. (Section 456.072(1)(kk), F.S.				
First Offense	\$1,000 fine and a letter of concern.	\$5,000 10,000 fine, one (1) year suspension followed by two (2) years probation.	No change.	No change.
Second Offense	\$5,000 7,500 fine and a reprimand.	\$10,000 fine and two (2) year's suspension followed by three (3) years probation.	No change.	No change.

Third Offense	\$10,000 fine, five (5) year suspension followed by five (5) years probation.	\$10,000 fine and revocation.	Revocation.	Revocation.
(ggg) No change.				
(hhh) No change.				
(iii) No change.				
(jjj) No change.				
(kkk) Failure to comply with the parental consent requirements of s. 1014.06. (Section 456.072(1)(rr), F.S.)				
First Offense	No change.	No change.	No change.	No change.
Second Offense	No change.	No change.	No change.	No change.
Third or Subsequent Offense				
First Offense	No change.	No change.	No change.	No change.
(lll) No change.				

(2) Based upon consideration of aggravating or mitigating factors, present in an individual case, except for explicit statutory maximum and minimum penalty requirements, the Board may deviate from the penalties recommended in subsection (1), above, and subsection (3), below. The Board

shall consider as aggravating or mitigating factors the following:

(a) through (j) No change.

(k) Degree of contrition and acceptance of responsibility by Respondent ~~Any other relevant mitigating or aggravating factor under the circumstances.~~

(3) through (5) No change.

Rulemaking Authority 456.079(1) 456.47(7), FS. Law Implemented 456.072(2), 456.079(1), 456.47(4), 466.028 FS. History--New 12-31-86, Amended 2-21-88, 1-18-89, 12-24-91, Formerly 21G-13.005, 61F5-13.005, 59Q-13.005, Amended 4-2-02, 8-25-03, 2-27-06, 12-25-06, 6-11-07, 9-15-10, 12-2-10, 1-24-12, 4-25-17, 11-14-18, _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica Sapp, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258; Jessica.Sapp@myflhealth.gov

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

NONE

Section VI
Notice of Meetings, Workshops and Public
Hearings

DEPARTMENT OF STATE
Division of Library and Information Services
The Department of State announces a public meeting to which all persons are invited.
DATE AND TIME: May 18, 2022, 2:00 p.m. – 4:00 p.m. Eastern
PLACE: This is being held via webinar. To attend, register at <https://register.gotowebinar.com/register/4404380119563702798>.
GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors of the Friends of the State Library and Archives of Florida Inc. will meet to discuss and plan fundraising.

A copy of the agenda may be obtained by contacting: The Division of Library and Information Services at dlinfinfo@dos.myflorida.com or (850)245-6614.

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 five (5) days prior to the workshop/meeting by contacting the Division of Library and Information Services at (850)245-6614 or dlinfinfo@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service at 1(800)955-8771 (TDD) or 800.955.8770 (Voice).

For the procedure on making a public comment during the meeting, please refer to the Division’s Public Comment Policy. For more information, you may contact: The Division of Library and Information Services at dlinfinfo@dos.myflorida.com or (850)245-6614.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration
The Florida Agricultural Museum Board of Trustees announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 21, 2022, 10:00 a.m.
PLACE: Princess Place Preserve, 2500 Princess Place Rd, Palm Coast, FL 32137

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Agricultural Museum Board of Trustees will conduct a regular meeting to discuss general business.

A copy of the agenda may be obtained by contacting: Kara Hoblick at (386)446-7630 or kara.hoblick@floridaagmuseum.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Kara Hoblick at (386)446-7630 or kara.hoblick@floridaagmuseum.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: Kara Hoblick at (386)446-7630 or kara.hoblick@floridaagmuseum.com.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration
The Florida Farmworkers Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: April 21, 2022, 1:00 p.m.
PLACE: Zoom at <https://us06web.zoom.us/j/84187621299?pwd=Rk1MekZaT09>

lbnJmS1ZHQWZ0c1NqdZ09; Meeting ID: 841 8762 1299, Passcode: 037284, Dial-in: (929)205-6099

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Farmworkers Advisory Council will conduct a meeting to discuss general business.

A copy of the agenda may be obtained by contacting: Ricardo Alvarez at (850)766-8583 or Ricardo.Alvarez@FDACS.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 2 days before the workshop/meeting by contacting: Ricardo Alvarez at (850)766-8583 or Ricardo.Alvarez@FDACS.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).

For more information, you may contact: Ricardo Alvarez at (850)766-8583 or Ricardo.Alvarez@FDACS.gov.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agricultural Museum Board of Trustees Finance Committee announces a public meeting to which all persons are invited.

DATE AND TIME: April 12, 2022, 2:00 p.m.

PLACE: Princess Place Preserve, 2500 Princess Place Rd, Palm Coast, FL 32137

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Agricultural Museum Board of Trustees Finance Committee will conduct a meeting to discuss general business.

A copy of the agenda may be obtained by contacting: Kara Hoblick at (386)446-7630 or kara.hoblick@floridaagmuseum.org.

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: Kara Hoblick at (386)446-7630 or kara.hoblick@floridaagmuseum.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kara Hoblick at (386)446-7630 or kara.hoblick@floridaagmuseum.org.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agricultural Museum Board of Trustees Membership Committee announces a public meeting to which all persons are invited.

DATE AND TIME: April 12, 2022, 4:00 p.m.

PLACE: Zoom at [https://us02web.zoom.us/j/86142514703?pwd=NWw0azUxQmhLT3V2MzhEQzhVUGpwUT09](https://us02web.zoom.us/j/86142514703?pwd=NWw0azUxQmhLT3V2MzhEQzhVUGpwUT09;); Meeting ID: 861 4251 4703, Passcode: 439456

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Agricultural Museum Board of Trustees Membership Committee will conduct a meeting to discuss general business.

A copy of the agenda may be obtained by contacting: Kara Hoblick at (386)446-7630 or kara.hoblick@floridaagmuseum.org.

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: Kara Hoblick at (386)446-7630 or kara.hoblick@floridaagmuseum.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kara Hoblick at (386)446-7630 or kara.hoblick@floridaagmuseum.org.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Licensing

The Private Investigation, Recovery and Security Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 13, 2022, 9:00 a.m.

PLACE: Hyatt Regency Grand Cypress, Regency Hall, One Grand Cypress Blvd., Orlando, FL 32836, Phone: (407)239-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Council pursuant to the requirement of subsection 493.6104(4), Florida Statutes. The Council will conduct a general business meeting.

A copy of the agenda may be obtained by contacting: Stefannie.Corbett@FDACS.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 5 days before the workshop/meeting by contacting: Stefannie Corbett, Division of Licensing, P.O. Box 5647, Tallahassee, Florida 32314, Phone: (850)245-5443, Email: Stefannie.Corbett@FDACS.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).

For more information, you may contact: Stefannie.Corbett@FDACS.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission's Hurricane Research Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: April 14, 2022, 9:00 a.m.

PLACE: The meeting will be conducted using communications media technology, specifically teleconference and webinar: Join the meeting at <https://global.gotomeeting.com/join/533378925>. Join the conference call: United States (toll-free): 1(866)899-4679, Meeting ID/Access Code: 533-378-925; public point of access 2601 Blair Stone Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To Approve Regular Procedural Topics (Agenda and Minutes).

To Make Determination Regarding Which Research Topics Meet the Criteria for Funding.

To Hear Public, HRAC Member, and Staff Comments.

Other Committee business as stated on the agenda.

A copy of the agenda may be obtained by contacting: Thomas Campbell, as set forth below or on the Commission website.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. 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: Thomas Campbell, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-0772, call (850)487-1824 or access the Commission website: <https://floridabuilding.org/c/>.

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

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

DATE AND TIME: September 13, 2022, 2:00 p.m.

PLACE: 1(888)585-9008, 136-103-141#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel

A copy of the agenda may be obtained by contacting: <https://floridaschiropracticmedicine.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 7 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: MQA.Chiropractic@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

The Board of Clinical Laboratory Personnel announces a public meeting to which all persons are invited.

DATE AND TIME: May 6, 2022, 9:00 a.m.

PLACE: Hilton Garden Inn; 11400 Marbella Palm court; Orlando, FL 32836

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business to include licensure

A copy of the agenda may be obtained by contacting: <https://floridasclinicallabs.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 7 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: MQA.ClinicalLab@flhealth.gov.

FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation announces a workshop to which all persons are invited.

DATE AND TIME: April 13, 2022, 2:00 p.m. Eastern Time.

PLACE: The workshop will take place in person at: Florida Housing Finance Corporation, 227 N. Bronough Street, Suite 5000, Tallahassee, Florida 32301

The workshop will also be available by telephone and webinar. The registration information is posted to the following website: <https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/2022-2023-rfa-cycle-information>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workshop will provide an overview and solicit comments for upcoming 2022/2023 RFA's.

A copy of the agenda may be obtained by contacting: Rita Guzman, (850)488-4197.

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: Rita Guzman, (850)488-4197. 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 FINANCIAL SERVICES

OIR – Insurance Regulation

The Florida Health Insurance Advisory Board (Board) announces a public meeting to which all persons are invited.

DATE AND TIME: April 13, 2022, 2:30 p.m.

PLACE: The meeting will be by teleconference. Members of the public who wish to listen in to the conference call are invited to listen in by calling 1(866)299-7949 and using Participant Code: 1433866#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will conduct the regular and general business of the organization, including a report/recommendation from the Executive Director Selection Committee.

A copy of the agenda may be obtained by contacting: Amy Hardee at Amy.Hardee@flair.com or may be obtained on the OIR website.

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: Amy.Hardee@flair.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: Amy.Hardee@flair.com.

MRGMIAMI

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

DATE AND TIME: Tuesday, April 12, 2022, 5:30 p.m. The Public Meeting will be offered in two different formats: virtual and in-person.

PLACE: To participate in the virtual (online) Public Meeting from your computer, tablet or smartphone please register using the link below:

<https://attendee.gotowebinar.com/register/1273934175466339341>

Participants can also use their phone by dialing in to (415)655-0060, Access code: 779-243-241.

The in-person Public Meeting will take place at the Jensen Beach Chamber of Commerce Community Center located at 1912 NE Jensen Beach Boulevard, Jensen Beach, Florida 34957. The latest social distancing guidelines will be followed.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Four will hold a Public Meeting for a roadway improvement project along State Road (SR) 732/Jensen Beach Causeway from NE Indian River Drive to SR A1A, in Martin County. The project identification number is 440473-1-52-01.

Both formats will consist of a formal presentation followed by an open discussion. Staff will be available to answer questions and provide assistance. Comments and questions will be responded to in the order received. If your question is not responded to during the event, a response will be provided in writing following the public meeting. Questions and comments may also be submitted prior to the public meeting by emailing the Project Manager.

A copy of the agenda may be obtained by contacting: FDOT Project Manager, Mr. Adham Naiem, P.E. at (954)777-4440 or via email at Adham.Naiem@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: FDOT Project Manager, Mr. Adham Naiem, P.E. at (954)777-4440 or via email at Adham.Naiem@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: FDOT Project Manager, Mr. Adham Naiem, P.E. at (954)777-4440 or via email at Adham.Naiem@dot.state.fl.us.

GHYABI & ASSOCIATES

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

DATE AND TIME: April 14, 2022, 5:30 p.m.

PLACE: Virtually on GoTo Webinar; By phone at 1(866)901-6455 with passcode 180-815-852; In-Person at Schnebly Recreation Center, 1101 N Atlantic Avenue, Daytona Beach, FL 32118

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting will be held regarding project plans on Atlantic

Avenue (State Road (S.R.) A1A) from Seabreeze Boulevard (S.R. 430) to Milsap Road in the City of Daytona Beach, Florida. (FPID no. 449490-1).

The purpose of this project is to evaluate proposed transportation solutions for the mentioned segment.

The study is considering capacity, safety, and multi-modal enhancements along the subject corridor, while minimizing potential impacts to the natural and human environments. The public meeting is being held to present alternatives and receive community feedback.

The Department is offering multiple ways for the community to participate in the meeting. All participants, regardless of platform they choose, will receive the same information on the proposed project.

Virtual Option: Interested persons may join the Virtual Public Meeting (VPM) from a computer, tablet, or mobile device. A VPM is a free live presentation or webinar over the internet. For this option, advance registration is required by visiting <https://bit.ly/3JcePth>. Once registered, participants will receive a confirmation email containing information about joining the meeting online. Please note, Internet Explorer cannot be used to register or attend this webinar. If joining online, please allow adequate log-in time to view the presentation in its entirety.

Phone Option (Listen Only): Participants may join the meeting in listen-only mode by dialing 1(866)901-6455 and entering the passcode 180-815-852 when prompted.

In-Person Open House Option: Participants may attend in person by going to Schnebly Recreation Center, 1101 N Atlantic Avenue, Daytona Beach, FL 32118 anytime between 5:30 p.m. – 7:00 p.m. to view a presentation and project displays, speak with project team members, and submit comments or questions. If attending in person, please remember to follow all safety and sanitation guidelines. If you are feeling unwell, please consider attending the meeting virtually or by phone.

The virtual and in-person meeting location will open at 5:30 p.m. on Thursday, April 14, 2022. If joining online, please allow adequate log-in time to view the presentation in its entirety.

All meeting materials, including the presentation, will be available on the project website at project website <https://www.cflroads.com/project/449490-1> prior to the meeting.

FDOT is sending notices to all property owners, business owners, interested persons and organizations to provide the opportunity to offer comments and express their views regarding this project and the proposed improvements.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting Jennifer

Smith, FDOT District Five Title VI Coordinator, at Jennifer.Smith2@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: Not applicable.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least seven (7) days before the workshop/meeting by contacting: FDOT Project Manager, Steven Buck, at (386)943-5171 or by email at steven.buck@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: FDOT Project Manager Steven Buck by phone at (386)943-5171, by email at steven.buck@dot.state.fl.us or by mail at the Florida Department of Transportation, 719 S. Woodland Blvd., DeLand, FL 32720. Information about this project is also available online at www.cflroads.com. Simply type FPID No. 449490-1 in the search box, click “go” and then select the project. We encourage you to participate in the North Daytona Beach Area Coalition public meeting.

QCAUSA

The Florida Department of Transportation, District 7 announces a workshop to which all persons are invited.

DATES AND TIMES: Tuesday, April 19, 2022, 5:30 p.m., In-Person with option to attend virtually on Thursday, April 21, 2022, 5:30 p.m. Virtual

PLACE: April 19 - In-person location, C. Blythe Andrews, Jr Public Library. 2607 E. Dr. Martin Luther King Jr. Blvd, Tampa, FL 33610 - April 21 - Virtual - register at www.TampaBayNext.com

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Seven is hosting a community conversation with FDOT and the East Tampa community. The meeting is an open dialogue roundtable discussion on FDOT and City of Tampa arterial roadway projects, FDOT interstate projects, and aesthetic enhancements in the East Tampa community. Residents will have the opportunity to share feedback with FDOT and the City of Tampa staff and ask questions on transportation improvements. The meeting will be held in-person on Tuesday, April 19, 2022, with an option to participate virtually on Thursday, April 21, 2022 (registration is required to attend online). At the meeting, a short presentation will be given. Following the presentation, a discussion will be held with participants on multiple topics to provide FDOT and City of Tampa staff with input on current and planned projects to better enhance improvements for the surrounding community.

The information presented will be identical at both meeting dates. FDOT staff will be available on both dates to facilitate the conversations, hear from community members on projects and ideas, and to answer questions. We ask that you only participate in one of the two sessions.

In-Person Location: April 19, 2022, 5:30 p.m., C. Blythe Andrews, Jr. Public Library, 2607 E. Dr. Martin Luther King Jr. Boulevard, Tampa, FL 33610

Virtual/Online: April 21, 2022, 5:30 p.m.

Those who cannot attend in person, may participate virtually by registering at www.TampaBayNext.com

Comuníquese Con Nosotros: Nos importa mucho la opinión del público sobre el proyecto. Si usted tiene preguntas o comentarios, o si simplemente desea más información, por favor comuníquese con nuestro representante, Manuel Flores, 1(813)975-4248, Manuel.Flores@dot.state.fl.us, Departamento de Transporte de Florida, 11201 North McKinley Drive, Tampa, FL 33612.

A copy of the agenda may be obtained by contacting: Craig Fox, P.E., Office of Environmental Management, Florida Department of Transportation by email Craig.Fox@dot.state.fl.us or by phone at 1(813)975-6082.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least Seven(7) days before the workshop/meeting by contacting: Roger Roscoe, FDOT Title VI Coordinator, at 1(813)975-6411 or 1(800)226-7220, or Roger.Roscoe@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Craig Fox, P.E., Office of Environmental Management, Florida Department of Transportation by email Craig.Fox@dot.state.fl.us or by phone at 1(813)975-6082.

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

NOTICE IS HEREBY GIVEN that Department of Business and Professional Regulation has received the petition for declaratory statement from City of Miramar. The petition seeks the agency's opinion as to the applicability of FSS subsection 561.14(3) - FAC 61A-3.017 as it applies to the petitioner.

The Petition seeks the agency's opinion as to the applicability of subsection 561.14(3), F.S., and pursuant to Florida

Administrative Code, FAC 61A-3.017 as it applies to the petitioner.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Department of Business and Professional Regulation, Agency Clerk's Office, 2601 Blair Stone Road, Tallahassee, FL 32399-2202, (850)717-1183, AGC.Filing@MyFloridaLicense.com.

Please refer all comments to: Jerry Hosey, Senior Attorney, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 2601 Blair Stone Road, Tallahassee, FL 32399-2202, Jerry.Hosey.myfloridalicense.com, (850)717-1229, DS 2022-015. DBPR Ref # 2022-015703.

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 TRANSPORTATION

FDOT Asphalt Paving

Florida Department of Transportation requires the services of a contractor to construct new site asphalt paving at the Panama City Operations Headquarters, located at 3633 Hwy 390, Panama City Florida 32405. A mandatory pre bid meeting is being held on 4-13-22 at 10:00 a.m. local time. Please contact Roland Ybarra at (850)330-1364 for information. Please click on the link to view advertisement: <https://www.fdot.gov/contracts/district-offices/d3/lettings/fco-contracts>.

STATE BOARD OF ADMINISTRATION

**AMENDED Notice of Bid/Request for Proposal
INVITATION TO NEGOTIATE**

The State Board of Administration (SBA) announces an Invitation to Negotiate (ITN) to solicit responses from qualified banking institutions with sufficient resources to provide treasury/banking and/or custody services.

The ITN can found on the SBA’s website at www.sbafla.com under “Doing Business with the SBA.” Responses will be due no later than 5:00 p.m., ET, on Friday, April 9, 2022. The SBA reserves the right to reject any and all responses and to cancel the above ITN at any time. The SBA announces the following meeting dates, times, and locations with respect to this ITN, and all meetings are open to the public.

DATE AND TIME: Tuesday, April 19, 2022, 10:00 a.m. until the conclusion of business

LOCATION: 1801 Hermitage Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the responses received concerning the above ITN, and to designate short-listed respondents for interviews, if necessary, and further consideration.

DATE AND TIME: Wednesday, May 4, 2022, 10:00 a.m. until conclusion of business

LOCATION: 1801 Hermitage Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss responses received and all other information gathered concerning the above ITN to determine a final ranking of short-listed respondents and to recommend to the SBA Interim Executive Director that the SBA enter into an agreement with a respondent to provide treasury/banking and/or custody services covered in the above ITN.

Any changes to the above meeting dates and/or times (including the cancellation of any meeting) will be posted on the SBA’s

website at <http://www.sbafla.com> at least 7 days prior to the meeting.

Anyone requiring special accommodations to participate in any meeting or anyone wishing further information should contact Jennifer Williams at (850)413-1281 or by mail at 1801 Hermitage Blvd., Suite 100, Tallahassee, Florida 32308.

INDIAN RIVER STATE COLLEGE FOUNDATION, INC.

Notice of Proposal

Indian River State College Foundation, Inc. (IRSCF) has received an unsolicited proposal to develop, build, and deliver a 400-student capable, workforce-centric comprehensive high school facility in Indiantown, Florida (Proposed Project). IRSCF will accept other interested parties’ proposals for the Proposed Project. The Proposer shall pay an application fee to IRSCF of \$15,000 to cover the costs of processing, reviewing, and evaluating the proposal. The application fee is non-refundable and shall be delivered to IRSCF via certified check with the proposal. Submissions without the accompanying fee will be returned immediately without review or consideration. If extraordinary expenses associated with IRSCF’s preliminary evaluation are encountered, IRSCF may require additional fees from the Proposer. IRSCF reserves the right to reject any or all proposals, and the IRSC Board of Directors must authorize any agreement for the Proposed Project. Please contact Susan O’Brien (sobrien@irsc.edu), IRSCF Assistant Director, with any questions. Telephone calls are not accepted.

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., Wednesday, March 30, 2022 and 3:00 p.m., Tuesday, April 5, 2022.

Rule No.	File Date	Effective Date
12CER22-1	3/31/2022	3/31/2022
12ER21-17	4/1/2022	4/1/2022
12ER21-18	4/1/2022	4/1/2022
12ER21-19	4/1/2022	4/1/2022
12ER21-20	4/1/2022	4/1/2022
64B18-17.005	3/31/2022	4/20/2022
65C-9.004	3/31/2022	**/**/****

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
5K-4.020	12/10/2021	**/**/****
5K-4.035	12/10/2021	**/**/****
5K-4.045	12/10/2021	**/**/****
60FF1-5.009	7/21/2016	**/**/****
60P-1.003	12/8/2021	**/**/****
60P2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
62-600.405	11/16/2021	**/**/****
62-600.705	11/16/2021	**/**/****
62-600.720	11/16/2021	**/**/****
64B8-10.003	12/9/2015	**/**/****
65C-9.004	3/31/2022	**/**/****
69L-7.020	10/22/2021	**/**/****

AGENCY FOR HEALTH CARE ADMINISTRATION
 Certificate of Need
 NOTICE OF BATCHED APPLICATION RECEIPT AND
 NOTICE OF TENTATIVE PUBLIC HEARINGS

The Agency for Health Care Administration has received and accepted the following Certificate of Need applications for review in the batched Hospice review cycle with an application due date of March 30, 2022.

County: Pasco District: 5A
 CON #10713 Application Receipt Date: 03/30/2022
 Facility/Project: Gulfside Hospice Inpatient Facility
 Applicant: Gulfside Hospice, Inc.
 Project Description: New 24-bed inpatient hospice facility

County: Charlotte District: 8A
 CON #10714 Application Receipt Date: 03/30/2022
 Facility/Project/Applicant: Affinity Care of Charlotte and De Soto LLC
 Project Description: New hospice program

County: Charlotte District: 8A

CON #10715 Application Receipt Date: 03/30/2022
 Facility/Project/Applicant: Florida Hospice, LLC
 Project Description: New hospice program

County: Charlotte District: 8A
 CON #10716 Application Receipt Date: 03/30/2022
 Facility/Project/Applicant: VITAS Healthcare Corporation of Florida
 Project Description: New hospice program

County: Palm Beach District: 9C
 CON #10717 Application Receipt Date: 03/30/2022
 Facility/Project/Applicant: Seasons Hospice & Palliative Care of Palm Beach County, LLC
 Project Description: New hospice program

Also, IF REQUESTED, tentative public hearings have been scheduled as follows:

PROPOSAL: CON #10713 District: 5A
 DATE AND TIME: Wednesday, May 11, 2022, 9:00 a.m. – 10:30 a.m.
 PLACE: Pasco Building, Conference Room B, 805 Executive Center Drive North, St. Petersburg, Florida 33702

PROPOSAL: CON #'s 10714, 10715 & 10716 District: 8A
 DATE AND TIME: Monday, May 9, 2022, 11:00 a.m. – 1:30 p.m.
 PLACE: Shannon Staub Public Library, 4675 Career Lane, North Port, Florida 34289

PROPOSAL: CON #10717 District: 9C
 DATE AND TIME: Monday, May 9, 2022, 1:30 p.m. – 2:30 p.m.
 PLACE: Health Council of Southeast Florida, 600 Sandtree Drive, Suite 101, Palm Beach Gardens, Florida 33403

Public hearing requests must be in writing and be received at the Agency for Health Care Administration, CON Office, 2727 Mahan Drive, Mail Stop 28, Tallahassee, Florida, 32308, attention James B. McLemore, by 5:00 p.m., April 20, 2022. In lieu of requesting and attending a public hearing, written comments submitted to the department relative to the merits of these applications will become part of the official project application file. Pursuant to subsection 59C-1.010(3), F.A.C., written comments must be received by April 27, 2022.

DEPARTMENT OF FINANCIAL SERVICES
Division of Rehabilitation and Liquidation
NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND
CLAIMANTS HAVING BUSINESS WITH AVATAR
PROPERTY & CASUALTY INSURANCE COMPANY.

DEPARTMENT OF FINANCIAL SERVICES
Division of Rehabilitation and Liquidation
NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND
CLAIMANTS HAVING BUSINESS WITH AVATAR
PROPERTY & CASUALTY INSURANCE COMPANY IN
THE CIRCUIT COURT OF THE SECOND JUDICIAL
CIRCUIT,

IN AND FOR LEON COUNTY, FLORIDA

CASE NO.: 2022 CA 000366

In Re: The Receivership of Avatar Property & Casualty
Company, a Florida corporation authorized to transact
homeowners multi-peril, commercial multi-peril, fire, allied
lines, mobile home multi-peril, and mobile home physical
damage lines of business.

You are hereby notified that by order of the Circuit Court of the
Second Judicial Circuit, in and for Leon County, Florida,
entered on the 14th day of March 2022, the Department of
Financial Services of the State of Florida was appointed as
Receiver of Avatar Property & Casualty Company and was
ordered to liquidate the assets of the company.

Policyholders, claimants, creditors, and other persons having
claims against the assets of Avatar Property & Casualty
Company shall present such claims to the Department on or
before 14th Day of March, 2023, or such claims will be
considered late-filed.

Requests for forms for the presentation of such claims
concerning this Receivership should be addressed to: Special
Deputy Receiver of Avatar Property & Casualty Company, 145
N Main Street, P.O. Box 519, Stuart, VA 24171. Additional
information may be found at: www.avatar-liquidation.com and
www.myfloridacfo.com/division/receiver.

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.
