

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.0955
RULE TITLE: Education Records of Pupils and Adult Students

PURPOSE AND EFFECT: The 2009 Legislature revised Florida’s student records law in order to ensure that it aligns with federal requirements. Section 1002.22, Florida Statutes, now directs the Department of Education to review the provisions of the Family Education Rights and Privacy Act (FERPA) to ensure that it complies with certain protections and notices and adopts rules to administer Florida’s student record laws provision. The purpose of this rule development is to revise the rule on student records to reflect recent revisions to Section 1002.22, Florida Statutes, and 34 C.F.R. 99.1, et seq. in order to ensure that Florida’s student records law is compliant with FERPA. The revisions will update statutory references, delete obsolete references and provisions, amend definitions, revise record keeping and notice requirements, and make other revisions necessary to ensure compliance with FERPA and establish the obligations of public schools and agencies when managing these records. The effect will be a rule that reflects the current requirements of FERPA and provides public schools with a framework for complying with student records requirements.

SUBJECT AREA TO BE ADDRESSED: Requirements for the creation and maintenance of student records and the rights of access, challenge, waiver, privacy and notice related to student records.

RULEMAKING AUTHORITY: 1001.02, 1002.22(3), 1003.23(5) FS.

LAW IMPLEMENTED: 1001.51(12), 1001.52(2), 1002.22, 1003.25, 1008.386, 1008.405 FS.

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

DATE AND TIME: September 25, 2009, 9:00 a.m.

PLACE: Via conference call at (888)808-6959, Conference Code 6351196864; Anyone wishing to attend in person: Department of Education, 325 West Gaines Street, Room 1706, Tallahassee, Florida at the time provided above.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Margaret O’Sullivan Parker, Office of the General Counsel, 325 West Gaines Street, Suite 1244, Tallahassee, FL 32399; (850)245-0442. To request a rule development workshop,

please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: 12A-1.0115	RULE TITLE: Sales of Food Products Served, Prepared, or Sold in or by Restaurants, Lunch Counters, Cafeterias, Caterers, Hotels, Taverns, or Other Like Places of Business and by Transportation Companies
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PURPOSE AND EFFECT: The purpose of this rule development is to establish provisions regarding the application of tax to charges by a caterer, or any other person, for planning, designing, coordinating, or supervising an event where food or drinks are furnished, cooked, prepared, or served. This rule development will also establish the application of tax to items purchased or leased by caterers, or any other person, in planning, designing, coordinating, or supervising such an event.

SUBJECT AREA TO BE ADDRESSED: The subject area addressed is the application of sales tax to charges by, and to items purchased or leased by, caterers or any other person for planning, designing, coordinating, or supervising an event where food or drinks are furnished, cooked, prepared, or served.

RULEMAKING AUTHORITY: 212.17(6), 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 212.02(14)(c), (10)(g), (12), (14), (15)(a), (16), (19), (20), 212.05(1)(a)1.a., 212.06(1)(a), 212.07(1)(b), (2), 212.08(1), (4)(a)1., (6), (7), 212.18(3)(c) FS.

THE AGENCY ANTICIPATES CONDUCTING A RULE DEVELOPMENT WORKSHOP AT A FUTURE DATE. THE WORKSHOP WILL BE NOTICED IN THE FLORIDA ADMINISTRATIVE WEEKLY AND WILL INCLUDE, IF AVAILABLE, A PRELIMINARY DRAFT OF ANY PROPOSED RULE TEXT.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Gary Gray, Revenue Program Administrator, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4729, e-mail grayg@dor.state.fl.us.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least 48 hours before such proceeding by contacting: Larry Green at (850)922-4830. Persons with

hearing or speech impairments may contact the Department by using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Florida Highway Patrol

RULE NO.: RULE TITLE:

15B-2.013 Approved Speed Measuring Devices

PURPOSE AND EFFECT: The purpose of the proposed rule action is to amend the current rule to incorporate those speed measuring devices that have been approved since the last revision to Rule 15B-2.013, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The proposed rule action revises the current Rule 15B-2.013, F.A.C., by incorporating those speed measuring devices that have been approved since the last revision.

RULEMAKING AUTHORITY: 316.1906 FS.

LAW IMPLEMENTED: 316.1906 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: September 28, 2009, 10:00 a.m.

PLACE: Neil Kirkman Building, Executive Conference Room A436, 2900 Apalachee Parkway, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lt. Ronald W. Castleberry, Special Operations Command, Division of Florida Highway Patrol, Department of Highway Safety and Motor Vehicles, Room A315, Neil Kirkman Building, Tallahassee, Florida 32399-0500, (850)617- 2303

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-601.202 Use of Inmates in Public Works

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the eligibility criteria of non-department supervisors.

SUBJECT AREA TO BE ADDRESSED: Use of Inmates in Public Works.

RULEMAKING AUTHORITY: 944.09, 946.40 FS.

LAW IMPLEMENTED: 944.09, 944.10, 946.002, 946.40 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.202 Use of Inmates in Public Works.

(1) The Department is authorized to enter into agreements for the use of prisoners in public works with the following:

(a) Any political subdivision of the State, including counties, municipalities, and special districts;

(b) Any State agency or institution;

(c) Any nonprofit corporation incorporated under Chapter 617, F.S.;

(d) Any Federal entities or subdivisions.

(2) All agreements initiated by the preceding entities for the use of inmates under this rule shall be in writing and shall specify:

(a) Whether supervision will be provided by the Department or by the contracting body or organization.

(b) What out-of-pocket expenses, including but not limited to, special clothing, tools, equipment, and transportation, shall be reimbursed to the Department by the contracting body or organization. A payment schedule for any reimbursements shall be included.

(3) If the inmates are to be supervised by persons other than Department of Corrections employees, the written agreement shall include a provision requiring all non-Department of Corrections employees to complete a course of training in the supervision of inmates to be provided by the Department. The written agreement shall specify that initial training and annual refresher training is required for non-department personnel to supervise inmates.

(4) Inmates in the following categories shall be supervised by Department of Corrections employees only:

(a) Those who are classified as close or medium custody;

(b) Those who, after review by classification staff are determined by the warden, in the exercise of his judgment, to pose a threat of violence to the community;

(c) Those who are sufficiently well-known that their presence in the community might result in undue public attention.

(5)(a) Except for the offenses listed below, any inmate who is convicted or has been previously convicted or adjudicated delinquent for any crime where a sex act was intended, attempted or completed shall not be eligible for assignment to a public works program.

1. Acts relating to prostitution;
2. Urinating in public;
3. Nude sunbathing or swimming;
4. Nude or semi-nude adult entertainment;
5. Exposure of buttocks (mooning);
6. Streaking.

(b) Classification staff shall obtain information as to the circumstances of the offense for inmates with an arrest history for a sex offense where there is no conviction and no inmate shall be permitted to participate in the public works program unless the circumstances of the offense clearly indicate that the inmate did not commit a crime. If information as to the circumstances cannot be obtained, the inmate shall not be assigned to public works.

~~(6) For each person not an employee of the Department of Corrections, who is to supervise inmates under this rule, the assistant warden or designee shall conduct a National Crime Information Center/Florida Crime Information Center (NCIC/FCIC) system criminal history background check.~~

~~(6)(7) Non-department supervisors.~~

(a) Individuals ~~Persons~~ other than Department of Corrections employees may supervise minimum and community custody inmates under this rule only upon the approval of the warden or his designee. In making this determination, the warden or designee shall consider the following:

1. The individual's criminal history as determined by an initial NCIC/FCIC background check;
2. Whether the individual is a relative, friend, or victim of any inmate at the institution;
3. The individual's ability to understand and communicate in English;
4. Any other factor that may impact the individual's ability to safely and effectively supervise inmates participating in a public works program.

(b) Upon approval by the warden or designee, a non-department supervisor shall be required to complete a 32-hour orientation and training course before being assigned to supervise inmates.

(c) Non-department supervisors shall be required to submit annually to an NCIC/FCIC background check, upon which the warden or designee shall reevaluate the individual's eligibility to supervise based on the criteria set forth in paragraph (a) of this subsection.

(d) Upon re-approval by the warden subsequent to the annual background check and evaluation, a non-department supervisor shall be required to complete an annual refresher training course.

(e) The warden may suspend or revoke a non-department supervisor's authorization to supervise when an incident occurs or when the warden receives information indicating that the individual is unable or unwilling to safely and effectively supervise inmates participating in a public works program.

~~(7)(8)~~ All inmates will be expected to carry out instructions as given by the non-Department of Corrections employee.

~~(8)(9)~~ The Department of Corrections is authorized to enter into agreements with any political subdivision to utilize medium and close custody inmates:

(a) When there are unmet labor needs existing for political subdivisions and the institution is not able to provide minimum or community custody inmates and the type of work and work location is conducive to armed supervision of inmates;

(b) When there exists an emergency which requires more inmates than available from the minimum or community custody inmate institutional complement.

Rulemaking Specific Authority 944.09, 946.40(1) FS. Law Implemented 944.09, 944.10(7), 946.002, 946.40(1) FS. History—New 6-20-84, Formerly 33-3.17, Amended 2-26-86, 10-31-86, 1-29-98, 8-13-98, Formerly 33-3.017, Amended 2-7-02, 12-28-04, _____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.:	RULE TITLE:
40D-4.091	Publications, Forms and Agreements Incorporated by Reference

PURPOSE AND EFFECT: Amendments are proposed to Rule 40D-4.091, Florida Administrative Code (F.A.C.), Publications and Agreements Incorporated by Reference, and the District's Environmental Resource Permit Information Manual, Part B, Basis of Review (BOR). Conditions for permit issuance in Rule 40D-4.301, F.A.C., are intended to prevent adverse impacts. Criteria in the BOR provide the basis for meeting the conditions for permit issuance. The BOR identifies the 100 year, 24 hour storm event as the basis for determining the 100 year floodplain and the 25 year, 24 hour storm event for comparing pre- and post-development discharge rates. In certain circumstances, higher flood elevations can occur following more frequent storm events than those specified in the Basis of Review. In those cases, it is desirable to consider other storm events of different frequency or duration to provide reasonable assurance of compliance with the conditions of issuance. The proposed amendments to the Basis of Review are intended to provide the flexibility to meet the conditions for permit issuance and prevent adverse impacts. Additionally, the proposed amendments to the Basis of Review provided are

intended to be consistent with the methods used to establish the 100 year flood elevations in the updated floodplain maps developed for FEMA by the District.

SUBJECT AREA TO BE ADDRESSED: Environmental Resource Permitting.

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

LAW IMPLEMENTED: 373.0361, 373.114, 373.171, 373.403, 373.413, 373.4135, 373.4136, 373.414, 373.4144, 373.416, 373.429, 373.441 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Karen.West@watermatters.org or 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-8.041
 RULE TITLE: Minimum Flows

PURPOSE AND EFFECT: To amend Rule 40D-8.041, F.A.C., to establish Minimum Flows for the Lower Alafia River System pursuant to Section 373.042, Florida Statutes. For purposes of this rule the Lower Alafia River System includes the watercourse downstream of the USGS Gage No. 02301500 Alafia River at Lithia, FL including Lithia Springs, Buckhorn Spring, and their associated spring runs

SUBJECT AREA TO BE ADDRESSED: Establishment of a minimum flow for the Lower Alafia River System and identification of five and ten year mean and median moving averages for use in periodic evaluation of maintenance of the minimum flow.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Annette

Zielinski, Senior Administrative Assistant, 2379 Broad Street, Brooksville, FL 34604, (352)796-7211, extension 4651, or Annette.Zielinski@watermatters.org

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-80.075
 RULE TITLE: Recovery Strategy for the Lower Alafia River System

PURPOSE AND EFFECT: To adopt rules describing the recovery strategy for minimum flows for the Lower Alafia River System which minimum flows are being adopted simultaneously with these rules. The actual flows are below the minimum flows being proposed for the Lower Alafia River System, so pursuant to Section 373.0421, F.S., the District must develop a recovery strategy to achieve the minimum flows. The proposed rules will establish a recovery strategy for the minimum flows for the Lower Alafia River System.

SUBJECT AREA TO BE ADDRESSED: Establishment of a recovery strategy for the minimum flows for the Lower Alafia River System.

RULEMAKING AUTHORITY: 120.54, 373.0421, 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.016, 373.023, 373.036, 373.0395, 373.042, 373.0421, 373.171 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Annette Zielinski, Senior Administrative Assistant, 2379 Broad Street, Brooksville, FL 34604, (352)796-7211, extension 4651, or Annette.Zielinski@watermatters.org

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-6.045
 RULE TITLE: Payment Methodology for Services in Facilities Not Publicly Owned and Publicly Operated (Facilities Formerly Known as ICF/DD Facilities)

PURPOSE AND EFFECT: to incorporate changes to the Florida Title XIX Intermediate Care Facilities (ICF) for the Mentally Retarded and the Developmentally Disabled Facilities not Publicly Owned and not Publicly Operated Reimbursement Plan (the Plan) in accordance with the 2009-10 General Appropriations Act, Senate Bill 2600, Specific Appropriation 218 and Senate Bill 1658, Section 8, creating Section 409.9083, Florida Statutes.

1. Effective October 1, 2009, the Agency shall implement a recurring methodology for the privately operated intermediate care facilities for the developmentally disabled to achieve a \$17,373,303 reduction.

2. Effective October 1, 2009, the Agency may implement a buy back provision for privately operated intermediate care facilities for the developmentally disabled rate reductions.

3. Effective October 1, 2009, a quality assessment is to be imposed upon privately operated intermediate care facility providers for the developmentally disabled.

SUBJECT AREA TO BE ADDRESSED: Florida Medicaid Title XIX Intermediate Care Facilities (ICF) for the Mentally Retarded and the Developmentally Disabled Facilities not publicly owned and not publicly operated reimbursement methodology.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 FS.

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

DATE AND TIME: September 29, 2009, 1:30 p.m. – 2:30 p.m.

PLACE: 2727 Mahan Drive, Conference Room C, Building 3, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Edwin Stephens, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2149-A, Tallahassee, Florida 32308, (850)414-2759 or stephene@ahca.myflorida.com

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NOS.:	RULE TITLES:
59G-13.032	Aged and Disabled Adult Waiver Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule
59G-13.052	Assisted Living for the Elderly Waiver Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule

59G-13.086	Developmental Disabilities Waivers Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule
59G-13.102	Familial Dysautonomia Waiver Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule
59G-13.112	Project AIDS Care Waiver Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule
59G-13.132	Traumatic Brain and Spinal Cord Injury Waiver Disposable Incontinence Medical Supplies Procedure Codes and Fee Schedule

PURPOSE AND EFFECT: The purpose is to adopt rules under Rules 59G-13.032, 59G-13.052, 59G-13.086, 59G-13.102, 59G-13.112, and 59G-13.132, F.A.C., that will incorporate by reference the following: the Aged and Disabled Adult Waiver Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule, November 2009, and Quality Standards, November 2009; the Assisted Living for the Elderly Waiver Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule, November 2009, and Quality Standards, November 2009; the Developmental Disabilities Waivers Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule, November 2009, and Quality Standards, November 2009; the Familial Dysautonomia Waiver Disposable Incontinence Medical Supplies Procedure Codes and Fee Schedule, November 2009, and Quality Standards, November 2009; the Project AIDS Care Waiver Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule, November 2009, and Quality Standards, November 2009; and the Traumatic Brain and Spinal Cord Injury Waiver Disposable Incontinence Medical Supplies Procedure Codes and Fee Schedule, November 2009, and Quality Standards, November 2009. The effect will be to require providers enrolled in the Medicaid program to be in compliance with the aforementioned incorporated materials.

SUBJECT AREA TO BE ADDRESSED: The rules will address the following subject areas: the Aged and Disabled Adult Waiver Disposable Incontinence Medical Supplies, Procedure Codes, Fee Schedule, and Quality Standards; the Assisted Living for the Elderly Waiver Disposable Incontinence Medical Supplies, Procedure Codes, Fee Schedule, and Quality Standards; the Developmental Disabilities Waivers Disposable Incontinence Medical Supplies, Procedure Codes, Fee Schedule, and Quality Standards; the Familial Dysautonomia Waiver Disposable Incontinence Medical Supplies, Procedure Codes, Fee Schedule, and Quality Standards; the Project AIDS Care Waiver Disposable Incontinence Medical Supplies, Procedure

Codes, Fee Schedule, and Quality Standards; and the Traumatic Brain and Spinal Cord Injury Waiver Disposable Incontinence Medical Supplies, Procedure Codes, Fee Schedule, and Quality Standards.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.907, 409.908, 409.912 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: October 2, 2009, 9:00 a.m. – 12:00 noon

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: John Loar, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, e-mail: loarj@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-13.032 Aged and Disabled Adult Waiver Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule.

(1) This rule applies to all aged and disabled adult waiver services providers enrolled in the Medicaid program.

(2) All aged and disabled adult waiver services providers enrolled in the Medicaid program must be in compliance with the Aged and Disabled Adult Waiver Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule, November 2009, and Quality Standards, November 2009, which are incorporated by reference. The Aged and Disabled Adult Waiver Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule and Quality Standards are available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Fee Schedules. Paper copies may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.

Rulemaking Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History–New _____.

59G-13.052 Assisted Living for the Elderly Waiver Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule.

(1) This rule applies to all Assisted Living for the Elderly waiver services providers enrolled in the Medicaid program.

(2) All Assisted Living for the Elderly waiver services providers enrolled in the Medicaid program must be in compliance with the Assisted Living for the Elderly Waiver Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule, November 2009, and Quality Standards, November 2009, which are incorporated by reference. The Assisted Living for the Elderly Waiver Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule and Quality Standards are available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Fee Schedules. Paper copies may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.

Rulemaking Authority 409.919 FS. Law Implemented 409.906, 409.908, 409.912 FS. History–New _____.

59G-13.086 Developmental Disabilities Waivers Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule.

(1) This rule applies to all Developmental Disabilities waiver services providers enrolled in the Medicaid program.

(2) All Developmental Disabilities waiver services providers enrolled in the Medicaid program must be in compliance with the Developmental Disabilities Waivers Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule, November 2009, and Quality Standards, November 2009, which are incorporated by reference. The Developmental Disabilities Waivers Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule and Quality Standards are available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Fee Schedules. Paper copies may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.

Rulemaking Authority 409.919 FS. Law Implemented 409.906, 409.908, 409.912 FS. History–New _____.

59G-13.102 Familial Dysautonomia Waiver Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule.

(1) This rule applies to all Familial Dysautonomia waiver services providers enrolled in the Medicaid program.

(2) All Familial Dysautonomia waiver services providers enrolled in the Medicaid program must be in compliance with the Familial Dysautonomia Waiver Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule, November 2009, and Quality Standards, November 2009, which are incorporated by reference. The Familial Dysautonomia Waiver Disposable Incontinence Medical

Supplies, Procedure Codes, and Fee Schedule and Quality Standards are available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Fee Schedules. Paper copies may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.

Rulemaking Authority 409.919 FS. Law Implemented 409.906, 409.908, 409.912 FS. History–New _____.

59G-13.112 Project AIDS Care Waiver Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule.

(1) This rule applies to all Project AIDS Care waiver services providers enrolled in the Medicaid program.

(2) All Project AIDS Care waiver services providers enrolled in the Medicaid program must be in compliance with the Project AIDS Care Waiver Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule, November 2009, and Quality Standards, November 2009, which are incorporated by reference. The Project AIDS Care Waiver Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule and Quality Standards are available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Fee Schedules. Paper copies may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.

Rulemaking Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History–New _____.

59G-13.132 Traumatic Brain and Spinal Cord Injury Waiver Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule.

(1) This rule applies to all traumatic brain and spinal cord injury waiver services providers enrolled in the Medicaid program.

(2) All traumatic brain and spinal cord injury waiver services providers enrolled in the Medicaid program must be in compliance with the Traumatic Brain and Spinal Cord Injury Waiver Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule, November 2009, and Quality Standards, November 2009, which are incorporated by reference. The Traumatic Brain and Spinal Cord Injury Waiver Disposable Incontinence Medical Supplies, Procedure Codes, and Fee Schedule and Quality Standards are available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Fee

Schedules. Paper copies may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.

Rulemaking Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History–New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-14.004
 RULE TITLE: Florida KidCare Dispute Review Process

PURPOSE AND EFFECT: The proposed amendment to Rule 59G-14.004, F.A.C., incorporates a statutory provision requiring a request for a dispute review and continuation of coverage to be filed within ten (10) working days, as opposed to calendar days, of notification of adverse action. This will permit the enrollee to continue receiving the same category of coverage or services during the course of the dispute review determination process and will give families additional time to address adverse actions affecting program eligibility.

SUBJECT AREA TO BE ADDRESSED: Florida KidCare Dispute Review Process.

RULEMAKING AUTHORITY: 409.818(3)(f) FS.

LAW IMPLEMENTED: 409.814(10) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: September 30, 2009, 3:00 p.m. – 5:00 p.m.
 PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida 32308-5407

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Any persons requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Angela Wiggins at the Bureau of Medicaid Services, (850)922-7313, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Angela Wiggins, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)922-7373, e-mail: wigginsa@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-14.004 Florida Kidcare Dispute Review Process.

(1) through (3) No change

(4) The Florida Kidcare Dispute Review Process is comprised of four review levels addressing the denial of eligibility, failure to make a timely determination of eligibility and suspension or termination of enrollment, including disenrollment for failure to pay the family premium. The Florida Healthy Kids Corporation shall provide information regarding the dispute review process in correspondence to families, making them aware of the existence and availability of the Florida Kidcare Dispute Review Process.

(a) through (d) No change.

(e) If the complainant requests continuation of enrollment pending the completion of the review, the Florida Healthy Kids Corporation Dispute Resolution staff shall take the following steps:

1. Determine whether the complainant requested the continuation of enrollment within ten (10) ~~working calendar~~ days of the date of the letter indicating the suspension or termination of his or her child(ren)'s enrollment.

2. If the request was not made within ten (10) ~~working calendar~~ days of the date of the letter the complainant received informing him or her of suspension or termination of his or her children's enrollment, the Florida Healthy Kids Corporation Dispute Resolution staff shall inform the complainant in writing of the denial of continuation of enrollment.

3. If the request was made within ten (10) ~~working calendar~~ days of the date of the letter the complainant received informing him or her of suspension or termination of his or her child(ren)'s enrollment, the Florida Healthy Kids Corporation Dispute Resolution staff shall take the following action to ensure continuation of enrollment, if the child(ren) meets all other Florida Kidcare Program qualifications:

a. through b. No change.

(f) through (r) No change.

Rulemaking Specific Authority 409.818(3)(f) FS. Law Implemented 409.814(10) ~~818~~ FS. History--New 2-27-08, Amended.

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NOS.:	RULE TITLES:
60BB-3.0261	Definitions Relating to Extended Benefits
60BB-3.0262	Eligibility for Extended Benefits
60BB-3.0263	How to Apply for Extended Benefits

PURPOSE AND EFFECT: The new rules set forth in this Notice of Development of Rulemaking implement the program for payment of extended unemployment compensation benefits authorized by Section 443.1117, Florida Statutes, and funded in accordance with the Federal-State Extended Unemployment Compensation Act of 1970 and the Assistance for Unemployed Workers and Struggling Families Act of 2009.

SUBJECT AREA TO BE ADDRESSED: Unemployment Compensation Claims and Benefits; Extended Unemployment Compensation.

RULEMAKING AUTHORITY: 443.1317(1)(b) FS.

LAW IMPLEMENTED: 443.091, 443.101, 443.111, 443.1116, 443.1117, 443.151, 443.171, 443.221 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Friday, October 2, 2009, 10:00 a.m., EDT
PLACE: Agency for Workforce Innovation, Room 114, 107 E. Madison Street, Tallahassee, Florida 32399-4128

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John R. Perry, Assistant General Counsel, Agency for Workforce Innovation, Office of General Counsel, 107 East Madison Street, MSC #110, Tallahassee, Florida 32399-4128, (850)245-7150

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Regulatory Council of Community Association Managers

RULE NO.:	RULE TITLE:
61E14-4.001	Continuing Education Renewal Requirements

PURPOSE AND EFFECT: The proposed rule modifies licensee biennial continuing education renewal requirements to require 10 of a licensee's continuing education hours to be in an approved classroom setting, requires that licensees take an approved legal update course annually, and limits the amount of continuing education credit a course instructor may receive for teaching a class more than once during two consecutive biennial renewal periods.

SUBJECT AREA TO BE ADDRESSED: Education Requirements.

RULEMAKING AUTHORITY: 455.2123, 455.2124, 468.4315(2), 468.4336, 468.4337 FS.

LAW IMPLEMENTED: 455.2123, 455.2124, 468.4336, 468.4337 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony

Spivey, Executive Director, Regulatory Council of Community Managers, 1940 North Monroe Street, Tallahassee, Florida 32399-0762

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.0022
 RULE TITLE: Qualification of Joint Ventures
 PURPOSE AND EFFECT: The Board proposes to review the rule to amend the time limit to qualify a joint venture.
 SUBJECT AREA TO BE ADDRESSED: Qualifications of joint ventures.

RULEMAKING AUTHORITY: 489.115, 489.119, 489.129(3) FS.

LAW IMPLEMENTED: 489.105(3), (6), 489.119, 189.129(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32399-5257

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-21.003
 RULE TITLE: Commissions or Referral Fees
 PURPOSE AND EFFECT: The Board proposes the rule amendment in order to clarify language concerning the certified public accountant.

SUBJECT AREA TO BE ADDRESSED: Commissions or Referral Fees.

RULEMAKING AUTHORITY: 473.304, 473.3205 FS.

LAW IMPLEMENTED: 473.3205 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-21.003 Commissions or Referral Fees.

(1) A certified public accountant CPA shall not pay or accept a commission or referral fee in connection with the sale of a product or referral of any services as defined in Section 473.302(7)(a), F.S., or prohibited to non-certified public accountants CPAs as listed in Section 473.322, F.S. These services include:

(a) Audit, review or compilation services.

(b) Services for any prospective financial data including forecasts or projections.

(c) Any special procedures engagement resulting in an expression of an opinion when the services fall within the definitions as set forth in Section 473.302(7)(a) and Section 473.322, F.S.

(2) The certified public accountant CPA must have an engagement letter signed by the client prior to beginning any engagement for which the certified public accountant CPA will receive a commission. The letter must include complete details of the financial arrangements involving compensation for the services rendered.

(3) The certified public accountant CPA must hold appropriate licenses as required.

(4) If the certified public accountant CPA is not independent as described in Rule 61H1-21.001, F.A.C., it must be disclosed in the engagement letter. However, if the only reason for not being independent is the fact that the certified public accountant CPA is being compensated by a commission or contingent fee then the lack of independence does not have to be disclosed.

Rulemaking Specific Authority 473.304, 473.3205 FS. Law Implemented 473.3205 FS. History--New 12-4-79, Formerly 21A-21.03, Amended 3-28-89, Formerly 21A-21.003, Amended 2-23-98, 8-16-99, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-22.001
 RULE TITLE: Competence (General Standards)
 PURPOSE AND EFFECT: The Board proposes the rule amendment in order to clarify language concerning the certified public accountant.

SUBJECT AREA TO BE ADDRESSED: Competence (General Standards).

RULEMAKING AUTHORITY: 473.304, 473.315 FS.

LAW IMPLEMENTED: 473.315 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-22.001 Competence (General Standards).

A certified public accountant licensee shall comply with the following general standards and must justify any departures therefrom:

(1) Professional competence. A certified public accountant licensee shall undertake only those engagements which he or his firm can reasonably expect to complete with professional competence. A certified public accountant CPA must be in charge of all public accounting services performed by the firm.

(2) Due professional care. A certified public accountant licensee shall exercise due professional care in the performance of an engagement.

(3) Planning and supervision. A certified public accountant licensee shall adequately plan and supervise an engagement.

(4) Sufficient relevant data. A certified public accountant licensee shall obtain sufficient relevant data to afford a reasonable basis for conclusions or recommendations in relation to an engagement.

Rulemaking Specific Authority 473.304, 473.315 FS. Law Implemented 473.315 FS. History—New 12-4-79, Amended 2-3-81, Formerly 21A-22.01, 21A-22.001, Amended 12-30-97,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-26.001 RULE TITLE: Form of Practice and Name-Shared Office Space

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to clarify language concerning the certified public accountant.

SUBJECT AREA TO BE ADDRESSED: Form of Practice and Name-Shared Office Space.

RULEMAKING AUTHORITY: 473.304, 473.3101, 473.321 FS.

LAW IMPLEMENTED: 473.3101, 473.321 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-26.001 Form of Practice and Name-Shared Office Space.

(1) A Florida certified public accountant may practice public accounting, whether as an owner or employee, only in the form of a proprietorship, a partnership or a corporation, or a limited liability company. A Florida certified public accountant shall not allow any person to practice in his name that is not a partner or shareholder with him or in his employ. A Florida certified public accountant shall not practice under a name which is misleading or deceptive as to the legal form of the firm or as to persons who are partners, or shareholders of the firm or as to any other matter. In this regard:

(a) A Florida certified public accountant licensee may practice public accounting under a fictitious name which is not misleading or deceptive as to the persons who are sole proprietors, partners, or shareholders; and

(b) A firm name may include the names of retired or deceased partners or shareholders or members who were active partners or shareholders or members of the entity. This provision permits a firm, in the same line of succession, to change from one form of business to another and continue to use the names of retired or deceased partners, shareholders or members.

(c) Use of the term “and Company” or “and Associates” requires at least one other fully employed Florida certified public accountant licensee or non certified public accountant CPA owner other than those named in the firm name; however, this rule does not preclude a Florida certified public accountant licensee initially meeting this requirement from using the above-mentioned terms if the Florida certified public accountant licensee subsequently does not fully employ at least one Florida certified public accountant licensee other than those named in the firm name.

(d) A firm may use the term “Certified Public Accountants” in the firm’s name if all owners are certified public accountants CPAs. If there are non certified public accountants CPA owners, the firm may use the terms “CPA Firm” “CPAs and Associates” or “Certified Public Accountants and Associates” provided the firm has more than one certified public accountant CPA. Further, a certified public accountant

CPA firm with non certified public accountant CPA owners may not use the term Certified Public Accountants without indicating there are other owners such as Associates or Consultants.

(2) The term “certified public accountant(s)” or the abbreviation “CPAs” must appear with the name of a certified public accountant when used in connection with an expression of opinion.

(3) Florida certified public accountants may share office facilities provided there is adequate disclosure that would enable a reasonable person to determine the practice is not associated with the profession or occupation not regulated by the Board, such as written agreements, signs, etc.

Rulemaking ~~Specific~~ Authority 473.304, 473.3101, 473.321 FS. Law Implemented 473.3101, 473.321 FS. History—New 12-4-79, Amended 11-7-84, 10-28-85, Formerly 21A-26.01, Amended 10-20-86, 12-28-89, 7-1-91, 1-7-93, Formerly 21A-26.001, Amended 11-30-93, 12-30-97, 8-16-99, 9-20-00, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-26.002
 RULE TITLE: Minimum Capitalization or Adequate Public Liability Insurance for Florida Firms with the Exception of a Sole Proprietorship

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to clarify language concerning the certified public accountant and Florida CPA firms.

SUBJECT AREA TO BE ADDRESSED: Minimum Capitalization or Adequate Public Liability Insurance for Florida Firms with the Exception of a Sole Proprietorship.

RULEMAKING AUTHORITY: 473.304, 473.309 FS.

LAW IMPLEMENTED: 473.309 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-26.002 Minimum Capitalization or Adequate Public Liability Insurance for ~~Public Accounting Corporations, Limited Liability Companies (LLCs) and Partnerships (LLPs)~~ Florida Firms with the Exception of a Sole Proprietorship.

A Florida firm, with the exception of a sole proprietorship, public accounting corporation, LLC, or LLP shall not engage in the practice of public accounting in this state unless:

(1) Assets in excess of liabilities and professional liability insurance combined are at least equal to \$50,000 per shareholder, officer, member, or partner and any Florida licensed certified public accountant CPA to a maximum of \$2,000,000 or

(2) It has an irrevocable letter of credit which meets the following criteria:

(a) The responsibility for repayment of any sums disbursed under the letter of credit is not an obligation of the Florida CPA firm, its owners, or any entity affiliated with the Florida CPA firm;

(b) The letter of credit contains an “evergreen clause,” which automatically renews the letter of credit unless the issuer of the letter of credit notifies the Florida CPA firm and the Board within sixty (60) days of the decision not to renew; and

(c) The letter of credit is issued by a financial institution authorized to do so under applicable state or federal banking laws; or

(3) The corporation, each shareholder, and each officer who has authority over the practice of public accountancy, the LLC or the limited liability company and each member of the LLC, or the LLP and each partner have executed the waiver of limitation on liability approved by the Board which must be set forth as follows:

WAIVER ON LIMITATION OF LIABILITY

The shareholders, officers, members, or partners of _____ (Name of Firm), do jointly and severally covenant and agree that they will pay any award or judgment arising out of any claim the basis of which is grounded upon an allegation of negligence, incompetence, misconduct, fraud or deceit in the firm’s or its owners’, officers’, members’, or employees’ practice of public accounting as soon as the same shall become payable regardless of any limitation on liability provided by Chapter 621 and Chapter 608, and Chapter 620, F.S. (2009 1985).

Unless executed by a partnership and its partners, the members intend this agreement as a mutual covenant of assumption and not as a partnership, but should any court of competent jurisdiction construe same to be a partnership then it is the intention of the parties that such partnership be limited in scope to the uses for which this contract is executed and no other.

Any individual who, subsequent to the date of this instrument, becomes a shareholder, officer, member, or partner in _____ (Name of Firm), shall immediately become a party to this waiver and be bound to the conditions thereof. Said shareholder, officer, member, or partner shall execute an amended Waiver on Limitation of Liability which shall become a part of the original Waiver on Limitation of Liability. We the undersigned shareholders, officers, members, or partners in _____ (Name of Firm), do hereunto set our hands and seals to certify our acceptance of the Waiver on Limitation of Liability dated this ____ day of ____, 2019.

(Signatures of all shareholders, officers, members, or partners)
(4) No change.

Rulemaking Specific Authority 473.304, 473.309 FS. Law Implemented 473.309 FS. History–New 12-4-79, Formerly 21A-26.02, Amended 10-20-86, Formerly 21A-26.002, Amended 11-30-93, 5-23-94, 6-10-96, 10-6-96, 12-30-97, 9-21-00,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-26.003
RULE TITLE: Licensure of Florida Certified Public Accountant Firms

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to clarify language concerning the certified public accountant and to clarify the requirements for licensure of Florida CPA firms.

SUBJECT AREA TO BE ADDRESSED: Licensure of Florida Certified Public Accountant Firms.

RULEMAKING AUTHORITY: 473.304, 473.3101 FS.

LAW IMPLEMENTED: 473.3101 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-26.003 Licensure of Florida Certified Public Accountant Firms Names.

Every firm practicing public accounting in Florida firm and non-Florida firm required to be licensed pursuant to Section 473.3101(1)(a), F.S. shall be certified for licensure by the Board on a biennial basis, and shall furnish its firm name, addresses and telephone numbers of main office and any branch offices in Florida as well as the names of all licensed professional staff and all non-licensed owners. Said The firms must also disclose whether any non-certified public accountant CPA owners have convictions or findings of guilt, regardless of adjudication, of a crime in any jurisdiction and judgment or settlements of civil lawsuits (excluding domestic matters), or having been acted against including denial of licensure by any regulatory agency by a court or regulatory agency and any other matters which show a lack of good moral character. (gGood moral cCharacter is defined in Section 473.306(4)(a), F.S.)

Rulemaking Specific Authority 473.304, 473.3101 FS. Law Implemented 473.3101 FS. History–New 12-4-79, Amended 2-3-81, Formerly 21A-26.03, Amended 6-4-86, Formerly 21A-26.003, Amended 2-3-94, 12-30-97,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-26.004
RULE TITLE: Changes by Firms

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to clarify language written notifications by the firm concerning civil lawsuits.

SUBJECT AREA TO BE ADDRESSED: Changes by Firms.

RULEMAKING AUTHORITY: 473.304, 473.3101 FS.

LAW IMPLEMENTED: 473.3101 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-26.004 Licensure of Changes by Firms.

(1) A firm licensed pursuant to Rule 61H1-26.003, F.A.C., shall file a written notification with the Department within thirty (30) days after the occurrence of any of the following events:

(a) The admission or addition of a non-CPA co-partner, shareholder or member in any Florida office, including whether any non-CPA co-partners, shareholders or members have convictions or findings of guilt, regardless of adjudication, of a crime in any jurisdiction; judgement or settlements or civil lawsuits (~~excluding domestic matters~~); having been acted against, including denial of licensure, by any regulatory agency or by a court; and any other matters which show a lack of good moral character as defined in Section 473.306(4)(a), F.S.;

(b) through (f) No change.

(2) No change.

Rulemaking Specific Authority 473.304, 473.3101 FS. Law Implemented 473.3101 FS. History–New 12-4-79, Amended 2-3-81, Formerly 21A-26.04, Amended 6-4-86, Formerly 21A-26.004, Amended 11-3-97, 7-16-98, 8-17-98, 1-31-05, 8-28-06,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-27.002
 RULE TITLE: Concentrations in Accounting and Business

PURPOSE AND EFFECT: The Board proposes the rule amendment due to a statutory change, in order to clarify language concerning the requirements for concentrations in accounting and business.

SUBJECT AREA TO BE ADDRESSED: Concentrations in Accounting and Business.

RULEMAKING AUTHORITY: 473.304 FS.

LAW IMPLEMENTED: 473.306 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-27.002 Concentrations in Accounting and Business.

(1) No change.

(2) For purposes of Section 473.3086, F.S., if application for licensure is made after August 1, 1983, an applicant must have at least 150 semester hours or 200 quarter hours of college education, including a baccalaureate degree or higher conferred by, or its equivalent, from an accredited college or university with a major in accounting, or its equivalent, plus at

~~least 30 semester hours or 45 quarter hours, or the equivalent from an accredited college or university. These additional hours shall be in excess of those required for the baccalaureate degree such that~~ The applicant's total education program shall include at least 150 total semester hours or 200 quarter hours or their equivalent with a concentration in accounting and business as follows:

(a) through (b) No change.

(3) through (8) No change.

Rulemaking Specific Authority 473.304 FS. Law Implemented 473.306 FS. History–New 12-4-79, Amended 2-3-81, 8-1-83, 3-21-84, 6-10-84, 6-5-85, 10-28-85, Formerly 21A-27.02, Amended 5-22-88, 3-21-89, 5-20-91, 12-2-92, Formerly 21A-27.002, Amended 11-2-95, 11-3-97, 1-31-05, 5-24-07, 11-30-08,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-28.0052
 RULE TITLE: Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to clarify the language concerning certification of examination scores.

SUBJECT AREA TO BE ADDRESSED: Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules.

RULEMAKING AUTHORITY: 455.217(1), 473.304, 473.306 FS.

LAW IMPLEMENTED: 455.217(1), 473.306 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-28.0052 Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules.

(1) No change.

(2) A candidate shall be deemed to have passed the CPA Examination when the candidate has been granted credit for all sections of the CPA Examination. Upon certification of

examination scores by the Board to the Department that the applicant has met all licensure requirements as imposed by Chapters 455 and 473, F.S., and the rules promulgated pursuant thereto, the Department shall issue a license to practice public accounting to such individual. However, in no event shall an initial license be issued if the initial licensure fees and all required documents are not received within 36 months of the date of certification of examination scores by the Board; in such case, the certification expires and the applicant may reapply for licensure by endorsement, pursuant to Section 473.308(7)(a), F.S.

Rulemaking Specific Authority 455.217(1), 473.304, 473.306 FS. Law Implemented 455.217(1), 473.306 FS. History–New 1-1-04, Amended 2-24-08,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-29.002 RULE TITLE: Temporary License

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to clarify the language concerning certified public accountants and to clarify language concerning temporary licenses due to a statutory change.

SUBJECT AREA TO BE ADDRESSED: Temporary License.

RULEMAKING AUTHORITY: 473.304, 473.305, 413.314 FS.

LAW IMPLEMENTED: 473.314, 473.315 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Voloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-29.002 Temporary License.

(1) ~~Temporary licenses will be required of out of state certified public accountants or firms~~ In each instance in which ~~such~~ out-of-state certified public accountants or firms, not authorized to practice public accounting pursuant to the practice privileges granted in Section 473.3141, F.S., send out-of-state personnel into the state to perform a specific engagement, a temporary license will be required. Applications for temporary licenses must be filed prior to commencement of the engagement. A temporary license shall not be required of a person entering this state solely for the purpose of preparing federal tax returns or advising as to federal tax matters.

(2) through (6) No change.

(7) An out-of-state certified public accountant who is a resident of Florida may not practice as a certified public account in Florida through the use of temporary licenses or the practice privileges granted in Section 473.3141, F.S., nor may he assume or use the titles or designations “certified public accountant,” or “public accountant” or the abbreviation “CPA,” or any other title, designation, words, letters, abbreviations, sign, card, or device tending to indicate that he holds an active license under Chapter 473, F.S., nor shall such person attest as an expert in accountancy to the reliability or fairness of presentation of financial information or utilize any form of disclaimer of opinion which is intended or conventionally understood to convey an assurance of reliability as to matters not specifically disclaimed unless such person holds an active license under Chapter 473, F.S. This rule shall not prohibit the performance by such persons of other services involving the use of accounting skills, including the preparation of tax returns and the preparation of financial statements without expression of opinion thereon.

(8) A temporary license may be denied for any one of the following:

(a) The applicant has failed to fully complete required application;

(b) The applicant has committed any of the acts specified by Rule 61H1-36.001, F.A.C., which constitutes grounds for disciplinary action against a certified public accountant licensee.

Rulemaking Specific Authority 473.304, 473.305, 473.314 FS. Law Implemented 473.314, 473.315 FS. History–New 12-4-79, Amended 2-3-81, 10-19-83, Formerly 21A-29.02, Amended 5-3-88, 12-3-89, 6-13-90, 3-29-92, 12-2-92, Formerly 21A-29.002, Amended 6-28-94, 1-11-95, 8-28-06,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-29.0025 RULE TITLE: Temporary License – Electronic Practice

PURPOSE AND EFFECT: The Board proposes the rule amendment due to a statutory change in order to clarify language concerning temporary licenses for electronic practice.

SUBJECT AREA TO BE ADDRESSED: Temporary License.

RULEMAKING AUTHORITY: 473.304, 413.314 FS.

LAW IMPLEMENTED: 473.314 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-29.0025 Temporary License – Electronic Practice.

(1) Temporary licenses will be required of out-of-state certified public accountants or firms not authorized to practice public accounting pursuant to the practice privileges granted in Section 473.3141, F.S., who wish to practice public accountancy in this state via electronic means (other than for federal tax matters as provided by Section 473.314, F.S.).

(2) through (5) No change.

Rulemaking Specific Authority 473.304, 473.314 FS. Law Implemented 473.314 FS. History–New 2-12-98, Amended 8-28-06,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-29.003
 RULE TITLE: Experience for Licensure by Endorsement

PURPOSE AND EFFECT: The Board proposes the rule amendment due to statutory changes.

SUBJECT AREA TO BE ADDRESSED: Experience for Licensure by Endorsement.

RULEMAKING AUTHORITY: 473.304, 473.306, 473.308 FS.

LAW IMPLEMENTED: 455.217(7), 473.308 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-29.003 Experience for Licensure by Endorsement.

(1) Any applicant seeking licensure by endorsement under Section 473.308~~(7)(3)~~(a), F.S., and having not been licensed in another state, shall have completed continuing education meeting the requirements of Rule 61H1-33.003, F.A.C., for the two (2) years immediately preceding the filing of the application.

(2) Any applicant seeking licensure by endorsement under Section 473.308~~(7)(3)~~(b), F.S., and having been licensed in another state, shall have completed whatever continuing education is required by that state to maintain an active license to practice public accounting in that state, so long as such requirements are equivalent to those required by Rule 61H1-33.003, F.A.C., for the two (2) years immediately preceding the filing of the application.

(3) Any applicant seeking licensure by endorsement under Section 473.308~~(8)(4)~~, F.S., must have experience that includes at least five years experience in the practice of public accounting while licensed as a Certified Public Accountant or Chartered Accountant in the practice of public accounting or as an auditor or accountant in a unit of federal, state, or local government provided that the position held meets the activity and supervision requirements set forth in Section 473.308~~(8)(4)~~, F.S.

(4) No change.

Rulemaking Specific Authority 473.304, 473.306, 473.308 FS. Law Implemented 455.217(7), 473.308 FS. History–New 4-24-88, Amended 6-12-88, Formerly 21A-29.003, Amended 2-12-98, 5-19-03, 1-31-05, 2-22-07, 11-18-07,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-31.001
 RULE TITLE: Fees

PURPOSE AND EFFECT: The Board proposes the rule amendment due to statutory changes.

SUBJECT AREA TO BE ADDRESSED: Fees.

RULEMAKING AUTHORITY: 455.213(2), 455.219(4), 455.271, 473.305, 473.312 FS.

LAW IMPLEMENTED: 455.219(4), 455.271, 473.305, 473.312, 473.313 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-31.001 Fees.

(1) Applicants to sit for the ~~Uniform~~ CPA Examination, as a first time candidate or for candidates transferring partial credits from another state, a fifty dollar (\$50.00) application fee will be owed prior to processing the application. Once the

applicant has been approved to sit for the exam as a Florida candidate, it is the applicant's responsibility to complete the examination process with the national vendor and pay any examination fee required by the vendor.

(2) through (3) No change.

(4) For change of status other than during the renewal period, fifty dollars (\$50.00); for reactivation of an inactive status license to active status; two hundred and fifty dollars (\$250.00); for reactivation of a delinquent status license to active, two hundred and fifty dollars (\$250.00); changing a delinquent status license to inactive status, fifty dollars (\$50.00). In all cases completion of the requirements of Rule 61H1-33.006, F.A.C., and ~~passage of the examination on Chapters 455 and 473, F.S., and related rules~~ shall be required for reactivation.

(5) through (7) No change.

(8) For fees relating to the Foreign Language Examination refer to Section 455.11, F.S.

(9) Duplicate licensee fee – If a Florida certified public accountant licensee requests a duplicate license or wall certificate, the Board will issue the duplicate if the request is made in writing and is accompanied by a payment of \$25.00.

(10) through (13) No change.

Rulemaking Specific Authority 455.213(2), 455.219(4), 455.271, 473.305, 473.312 FS. Law Implemented 455.219(4), 455.271, 473.305, 473.312, 473.313 FS. History–New 12-4-79, Amended 2-3-81, 3-4-82, 11-6-83, 3-29-84, Formerly 21A-31.01, Amended 6-4-86, 9-16-87, 2-1-88, 8-30-88, 2-6-89, 12-18-89, 12-28-89, 8-16-90, 4-8-92, 12-2-92, Formerly 21A-31.001, Amended 11-4-93, 2-14-95, 11-3-97, 6-22-98, 10-28-98, 7-15-99, 4-3-02, 1-27-04, 1-31-05, 7-14-05, 4-9-06, 12-3-06, 4-29-07, 9-24-07, 2-24-08,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-33.0035
RULE TITLE: Continuing Professional Education/ Governmental Auditing

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to clarify language concerning the certified public accountant.

SUBJECT AREA TO BE ADDRESSED: Continuing Professional Education/Governmental Auditing.

RULEMAKING AUTHORITY: 473.312(3) FS.

LAW IMPLEMENTED: 473.312(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-33.0035 Continuing Professional Education/ Governmental Auditing.

(1) Any certified public accountant licensee who is involved in governmental audits shall be required to comply with the continuing professional education (CPE) requirements imposed by Government Auditing Standards 2007 commonly referred to as the “Yellow Book,” effective July 2007, which is hereby incorporated by reference, if during the engagement:

- (a) The certified public accountant licensee is the in charge person, or
- (b) The certified public accountant licensee reviews the working papers or report or both, or
- (c) The certified public accountant licensee supervises others, or
- (d) The certified public accountant licensee is the only certified public accountant licensee performing the work.

(2) Certified public accountants licensees conducting audits controlled by either subparagraph (a) or (b) below, shall be required to take 24 hours of governmental CPE and shall be required to comply with the CPE requirements imposed by Government Auditing Standards.

- (a) through (b) No change.
- (3) No change.

Rulemaking Specific Authority 473.312(3) FS. Law Implemented 473.312(3) FS. History–New 8-22-90, Amended 7-7-92, Formerly 21A-33.0035, Amended 5-2-96, 4-13-08,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-34.002
RULE TITLE: Notice to Public by Non-Licensed Persons

PURPOSE AND EFFECT: The Board proposes the rule amendment due to a statutory change.

SUBJECT AREA TO BE ADDRESSED: Notice to Public by Non-Licensed Persons.

RULEMAKING AUTHORITY: 473.304, 473.323 FS.

LAW IMPLEMENTED: 473.322, 473.323 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-34.002 Notice to Public by Non-Licensed Persons.

A person or firm that is not a certified public accountant or authorized to practice public accounting pursuant to the practice privileges granted in Section 473.3141, F.S., licensee shall not hold itself out as engaged in or as qualified to engage in the practice of public accounting; and shall not assume or use the titles or designations “certified public accountant” or “public accountant” or, a “CPA” or any other title, designation, words, letters, abbreviations, sign, card or device tending to indicate licensure to practice public accounting. Any such person or firm that is a member of, or is associated with any association, society or other group of accountants or public accountants, shall when indicating such membership association include the words “Not registered with the Board of Accountancy,” “Not licensed by the Department of Business and Professional Regulation,” or similar words in letters of equal size and prominence to those indicating association, society or other group membership or affiliation.

Rulemaking Specific Authority 473.304, 473.323 FS. Law Implemented 473.322, 473.323 FS. History–New 12-4-79, Formerly 21A-34.02, 21A-34.002, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-35.001
 RULE TITLE: Application for Foreign Licensure Examination

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete language concerning the due date for the application.

SUBJECT AREA TO BE ADDRESSED: Application for Foreign Licensure Examination.

RULEMAKING AUTHORITY: 455.11, 473.304 FS.

LAW IMPLEMENTED: 455.11 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-35.001 Application for Foreign Licensure Examination.

The Department or the Board, if delegated by the Department, shall accept application pursuant to Section 455.11, F.S., from an individual who provides proper documentation that he/she has successfully completed, or is currently enrolled in, an approved course of study created pursuant to Section 455.11(2), F.S. ~~Such original or re application shall be delivered to the Department or the Board no later than July 1 for the November examination and January 1 for the May examination. If mailed, postmark will constitute date of delivery.~~

Rulemaking Specific Authority 455.11, 473.304 FS. Law Implemented 455.11 FS. History–New 12-4-79, Amended 2-3-81, Formerly 21A-35.01, 21A-35.001, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-35.002
 RULE TITLE: Examination to Foreign Speaking Florida Residents

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify language concerning the requirements for examination to foreign speaking Florida residents.

SUBJECT AREA TO BE ADDRESSED: Examination for Foreign Speaking Florida Residents.

RULEMAKING AUTHORITY: 455.11, 473.304, 473.306 FS.

LAW IMPLEMENTED: 455.11, 473.306 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-35.002 Examination to Foreign Speaking Florida Residents.

(+) Any person who has filed valid application pursuant to Rule 61H1-35.001, F.A.C., shall be deemed qualified for examination and reexaminations which shall be administered in the English language unless 15 or more such applicants request that said examination be administered in their native

tongue. In the event that such examination is administered in a foreign language, said examination shall be substantially equivalent to the ~~Uniform~~ CPA Examination.

~~(2) The requirements of Rules 61H1-28.001 through 61H1-28.006, shall be applicable to both examinations administered pursuant to subsection (1) above.~~

~~Rulemaking Specific Authority 455.11, 473.304, 473.306 FS. Law Implemented 455.11, 473.306 FS. History--New 12-4-79, Amended 2-3-81, Formerly 21A-35.02, 21A-35.002, Amended _____.~~

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-36.006
 RULE TITLE: Mediation

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify language concerning certified public accountant.

SUBJECT AREA TO BE ADDRESSED: Mediation.

RULEMAKING AUTHORITY: 455.2235 FS.

LAW IMPLEMENTED: 455.2235 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Voloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-36.006 Mediation.

(1) "Mediation" means a process whereby a mediator appointed by the ~~D~~department acts to encourage and facilitate resolution of a legally sufficient complaint. It is an informal and nonadversarial process with the objective of assisting the parties to reach a mutually acceptable agreement.

(2) The Board finds that mediation is an acceptable method of dispute resolution for the following violations as they are economic in nature or can be remedied by the certified public accountant ~~licensee~~:

- (a) Failure of the certified public accountant ~~licensee~~ to timely pay any assessed administrative fines or costs;
- (b) through (e) No change.
- (3) No change.

~~Rulemaking Specific Authority 455.2235 FS. Law Implemented 455.2235 FS. History--New 11-21-94, Amended 7-23-06, _____.~~

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NO.: 64B-3.008
 RULE TITLE: Board Expert or Technical Advice

PURPOSE AND EFFECT: To set forth in rule how the department uses the expert or technical advice of the boards regulating the health care professions.

SUBJECT AREA TO BE ADDRESSED: Board Expert or Technical Advice.

RULEMAKING AUTHORITY: 456.004(6) FS.

LAW IMPLEMENTED: 456.004(6) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Diane Orcutt, Deputy Director 4052 Bald Cypress Way, Bin #C75, Tallahassee, Florida 32399-3275

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

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NOS.: 64B-4.005
 RULE TITLES: Pain Management Clinic Inspection Fee

64B-4.006
 Pain Management Clinic Registration Requirements, Fees

PURPOSE AND EFFECT: The department determined that it needs to promulgate new rules related to the registration and inspection of pain management clinics.

SUBJECT AREA TO BE ADDRESSED: Pain Management Clinic Inspection Fee and Pain Management Clinic Registration Requirements, Fees.

SPECIFIC AUTHORITY: 458.309, 459.005 FS.

LAW IMPLEMENTED: 458.309, 459.005 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Larry McPherson, Executive Director, Division of Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-45.001 RULE TITLE: General Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to increase maximum number of home study hours.

SUBJECT AREA TO BE ADDRESSED: General Requirements.

RULEMAKING AUTHORITY: 456.013(7), (8), (9), 468.507 FS.

LAW IMPLEMENTED: 456.013(7), (8), (9), 468.514, 468.515 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Dietetics and Nutrition Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Dental Laboratories

RULE NO.: 64B27-1.002 RULE TITLE: Dental Laboratory Biennial Registration

PURPOSE AND EFFECT: To incorporate by reference into rule a registration form for dental labs in accordance with legislation passed during the 2009 Session.

SUBJECT AREA TO BE ADDRESSED: Dental Laboratory Biennial Registration.

RULEMAKING AUTHORITY: 466.038 FS.

LAW IMPLEMENTED: 466.032(1), 455.033 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Optical Establishments

RULE NO.: 64B29-1.001 RULE TITLE: Optical Establishment Registration

PURPOSE AND EFFECT: To update, reorganize, and add questions to the permit application in accordance with legislation passed during the 2009 Session.

SUBJECT AREA TO BE ADDRESSED: Optical Establishment Registration.

RULEMAKING AUTHORITY: 456.004, 456.037, 456.072, 484.007(3), 484.013(4), 484.014(4) FS.

LAW IMPLEMENTED: 456.004(1), (5), 456.025(7), 456.072, 484.007(3), 484.013(4), 484.014(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE NO.: 64B33-2.005 RULE TITLE: Requirements for Reactivation of an Inactive License

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address a concern of the Joint Administrative Procedures Committee with regard to the requirement for an affidavit.

SUBJECT AREA TO BE ADDRESSED: Criteria for the reactivation of an inactive license.

RULEMAKING AUTHORITY: 456.036, 468.705 FS.

LAW IMPLEMENTED: 456.036 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Susan Foster, Executive Director, Board of Athletic Training/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B33-2.005 Requirements for Reactivation of an Inactive License.

An inactive license shall be reactivated upon demonstration that the licensee has paid the reactivation fee set forth in Rule 64B33-3.001, F.A.C., and has complied with the following requirements:

(1) As a condition to the reactivation of an inactive license, an athletic trainer must submit proof of successful completion of approved continuing education for each year of inactive status and must disclose any criminal convictions or pending disciplinary or criminal charges. In addition, the athletic trainer must submit a written statement ~~an affidavit~~ which accounts for all employment activity during the period of inactive licensure.

(2) No change.

Rulemaking Authority 456.036, 468.705 FS. Law Implemented 456.036 FS. History—New 8-10-09, Amended.

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE NO.: 64F-16.006
RULE TITLE: Sliding Fee Scale

PURPOSE AND EFFECT: The Department proposes to amend the existing language in this chapter.

SUBJECT AREA TO BE ADDRESSED: The rule amendments makes substantive changes to the sliding fee scale for purposes of family planning.

RULEMAKING AUTHORITY: 154.011(5) FS.

LAW IMPLEMENTED: 154.011 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Margaret Rankin, Infant Maternal and Reproductive Health, 4052 Bald Cypress Way, Bin #A-13, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64F-16.006 Sliding Fee Scale.

(1) Persons with net family incomes between 101 and 200 percent of the Federal Office of Management and Budget poverty guidelines shall be charged a fee on a sliding scale based on the following increments. For family planning services only, persons with incomes between 101 percent ~~200~~ and 250 percent of poverty shall be charged on a sliding fee scale as described in paragraph 64F-16.006(3)(h), F.A.C., below:

(a) through (f) No change.

(2) No change.

(3) This sliding fee scale applies to recipients of integrated family health and communicable disease control services, with the following exceptions:

(a) through (e) No change.

(f) Clients served by CHDs and their subcontractors shall not be denied family planning services for failure or inability to pay a prescribed fee, regardless of their income; however certain family planning methods ~~the family planning services of inserting Norplant,~~ and including male and female sterilization, shall be limited depending on the availability of funds to pay for these services.

(g) Clients shall not be denied pregnancy testing for failure or inability to pay a fee.

(h) For family planning services only, persons with net family incomes between 101 percent and 250 ~~200~~ percent of the Federal Office of Management and Budget poverty guidelines shall charged a fee on a sliding scale based on the following increments:

1. Persons with incomes at or below 100 percent of the OMB poverty guidelines shall pay no fee. ~~Persons with incomes at 200 to 224 percent of the OMB poverty guidelines shall pay 90 percent of the full fee for family planning services.~~

2. Persons with incomes at 101 to 129 percent of the OMB poverty guidelines shall pay 17 percent of the full fee. ~~Persons with incomes at 225 to 249 percent of the OMB poverty guidelines shall pay 95 percent of the full fee for family planning services.~~

3. Persons with incomes at 130 to 159 percent of the OMB poverty guidelines shall pay 33 percent of the full fee. ~~Persons with incomes at or above 250 percent of the OMB poverty guidelines shall pay the full fee for family planning services.~~

4. Persons with incomes at 160 to 189 percent of the OMB poverty guidelines shall pay 50 percent of the full fee.

5. Persons with incomes at 190 to 219 percent of the OMB poverty guidelines shall pay 67 percent of the full fee.

6. Persons with incomes at 220 to 250 percent of the OMB poverty guidelines shall pay 83 percent of the full fee.

7. Persons with incomes at or above 251 percent of the OMB poverty guidelines shall pay the full fee.

(4) Persons with net family incomes above 200 percent of the OMB poverty guidelines shall be charged the full fee promulgated by the department or the relevant board of county commissioners, with the exception of those groups listed in paragraphs (a) through (h) above.

Rulemaking Specific Authority 154.011(5) FS. Law Implemented 154.011 FS. History—New 10-14-93, Amended 8-2-94, 4-29-96, Formerly 10D-121.007, Amended 6-24-02, 6-17-03,_____.

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

RULE NO.: RULE TITLE:

5L-1.003 Shellfish Harvesting Area Standards

PURPOSE AND EFFECT: These amendments propose to reclassify the shellfish harvesting areas #79 South Banana River and #88 South St. Johns. Sanitary surveys have been conducted that evaluated current information on pollution sources and bacteriological water quality, and recommended reclassification of the South Banana River and the South St. Johns shellfish harvesting areas.

SUMMARY: The proposed reclassification of the South Banana River shellfish harvesting area will: a) decrease the size of the Conditionally Approved area by 1,060 acres, from 14,865 acres to 13,805 acres b) increase the size of Conditionally Restricted area by 223 acres, from 9,572 acres to 9,795 acres, and c) increase the size of the Prohibited area by 3,078 acres, from 3,708 acres to 6,786.

The current management of the South Banana River shellfish harvesting area is based on local rainfall. Proposed management of the South Banana River shellfish harvesting area is based on local rainfall. The average closure frequency of South Banana River Conditionally Approved area is expected to decrease 2.5 days per month from 4.5 days per month to 2.0 days per month, and increase for the Conditionally Restricted area by 1.9 days per month from 0.0 to 1.9 days per month.

The proposed reclassification of the South St. Johns shellfish harvesting area will: a) increase the size of the Conditionally Approved area by 316 acres, from 1,225 acres to 1,541 acres b) decrease the size of Conditionally Restricted area by 361 acres, from 675 acres to 314 acres, and c) decrease the size of the Prohibited area by 6 acres, from 49 acres to 43.

The current management of the South St. Johns shellfish harvesting area is based on local rainfall. Proposed management of the South St. Johns shellfish harvesting area is

based on local rainfall. The average closure frequency of South St. Johns Conditionally Approved area is expected to decrease 4.7 days per month from 8.0 days per month to 3.3 days per month, and remain the same for the Conditionally Restricted area at 0.0 days per month.

Sanitary surveys have been conducted that evaluated current information on pollution sources and bacteriological water quality, and recommend reclassification of the South Banana River and the South St. Johns shellfish harvesting areas.

These amendments place descriptions, references to shellfish harvesting area map numbers and operating criteria for the South Banana River shellfish harvesting area #79 and the South St. Johns shellfish harvesting area #88 in the document Shellfish Harvesting Area Classification Boundaries and Management Plans. These documents are hereby incorporated in subsection 5L-1.003(1), F.A.C. Additionally, these amendments provide illustrations of the South Banana River and the South St. Johns shellfish harvesting area classification boundaries in the shellfish harvesting area maps #79 and #88. These maps are hereby incorporated by reference in subsection 5L-1.003(1), F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. 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: 597.020 FS.

LAW IMPLEMENTED: 597.020 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: October 5, 2009, 3:00 p.m. EST

PLACE: 1203 Governors Square Boulevard, 5th Floor, Tallahassee, Florida

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: Chris Brooks, Division of Aquaculture, at (850)488-4033. 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: Chris Brooks, Division of Aquaculture, 1203 Governor’s Square Boulevard, 5th Floor, Tallahassee, Florida 32301