

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.: 5E-1.012
 RULE TITLE: Reports and Inspection Fee Payment, Inspection Fees, Reporting, Continuous Bond, Certificate of Deposit Requirement

PURPOSE AND EFFECT: The proposed rule will provide a reference for the Application to Report Tonnage and to Pay Inspection Fee for Fertilizer and Other Materials (DACS-13241 Rev. 07/11) form, not previously referenced in rule language.

SUBJECT AREA TO BE ADDRESSED: Reference required form not currently in rule language.

RULEMAKING AUTHORITY: 576.181 FS.

LAW IMPLEMENTED: 576.041 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: Mr. Bruce Nicely, Chief of Bureau of Compliance Monitoring; 3125 Conner Boulevard, Building 8, Tallahassee, Florida 32399, (850)617-7850

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.03022
 RULE TITLE: Exceptional Student Education Eligibility for Students with Dual-Sensory Impairments

PURPOSE AND EFFECT: The purpose of the rule development is to ensure consistency with federal requirements, State Board of Education rules and current practice in the field.

SUBJECT AREA TO BE ADDRESSED: State requirements for programs for students with disabilities who are identified as dual-sensory impaired. Definitions, procedures for referral, procedures for student evaluation, criteria for eligibility, and re-evaluation will all be addressed.

RULEMAKING AUTHORITY: 1003.01, 1003.57, 1003.571 FS.

LAW IMPLEMENTED: 1003.01, 1003.57, 1003.571 FS.

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

DATE AND TIME: March 15, 2012, 10:00 a.m.

PLACE: Via conference call: 1(866)372-5781, Conference ID# 34593309; Anyone wishing to attend in person: Department of Education, 325 West Gaines Street, Room 605, Tallahassee, Florida at the time provided.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Ms. Cathy Bishop, Interim Chief, Bureau of Exceptional Education and Student Services, 325 W. Gaines Street, Suite 614, Tallahassee, Florida 32399. Written comments will be accepted through February 28, 2012.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 6A-6.03022 follows. See Florida Administrative Code for current text).

6A-6.03022 Exceptional Student Education Eligibility for Students with Dual-Sensory Impairments Special Programs for Students who are Dual-Sensory Impaired.

(1) Definitions.

(a) Dual-sensory impairment is defined to mean concomitant hearing and visual impairments, or an etiology or diagnosed medical condition that indicates a potential dual-sensory loss, the combination of which impacts communication, independence, and other developmental and educational needs.

(b) Functional blindness is defined to mean that the physical structures of the eye may be functioning, but the student does not attend to, examine, or utilize visual information. This may include cortical visual impairment.

(c) Functional hearing loss is defined to mean that parts of the auditory system may be functioning but the student does not attend to, respond, localize, or utilize auditory information. This may include cortical hearing impairment or auditory neuropathy/dyssynchrony.

(2) General education interventions and activities. Prior to referral for evaluation the requirements in subsection 6A-6.0331(1), F.A.C., must be met.

(3) Evaluation. In addition to the procedures identified in subsection 6A-6.0331(5), F.A.C., the minimum evaluation procedures for determining eligibility shall include all of the following:

(a) If available, a medical report from a licensed physician describing the etiology or diagnosis of the student's medical condition that does, or has the potential to, result in dual-sensory loss;

(b) A medical eye examination by a licensed ophthalmologist or optometrist describing: etiology, diagnosis, treatment regimen, prognosis, near/distance, corrected/uncorrected acuity measures for left eye, right eye, and both eyes, measure of field of vision, and recommendations for lighting levels, physical activity, aids, or use of glasses, as appropriate;

(c) An audiological evaluation; and

(d) A comprehensive assessment of skills known to be impacted by hearing and vision impairments, to include: functional hearing assessment, an assessment of social development, evaluation of receptive and expressive communication by a speech and language pathologist; functional vision evaluation; learning media assessment; and, if appropriate, orientation and mobility assessment.

(4) Criteria for eligibility. A student with a dual-sensory impairment is eligible for exceptional student education if either of the following criteria are met:

(a) In the circumstance when the student has a diagnosed medical condition with potential for dual-sensory loss:

1. A medical report from a licensed physician confirming the existence of such an etiology or diagnosis, its prognosis, and the potential for dual-sensory loss; and

2. The student needs special education as defined in Rules 6A-6.0331 and 6A-6.03411, F.A.C.;

(b) Vision and Hearing Impairment

1. The student meets criteria listed in Rule 6A-6.0314(4), F.A.C., or has functional blindness; and

2. The student meets criteria listed in Rule 6A-6.0313(4), F.A.C., or has functional hearing loss; and

3. The student needs special education as defined in Rules 6A-6.0331 and 6A-6.03411, F.A.C.

(5) Reevaluation shall occur at least every three (3) years and shall include at a minimum a comprehensive assessment of skills known to be impacted by hearing and vision impairments, to include: functional hearing assessment, an assessment of social development, evaluation of receptive and expressive communication by a speech and language pathologist; functional vision evaluation; learning media assessment; and, if appropriate, orientation and mobility assessment.

Rulemaking Authority 1003.01, 1003.57, 1003.571 FS. Law Implemented 1003.01, 1003.57, 1003.571 FS. History—New 7-2-79, Formerly 6A-6.3022, Amended 10-3-91, 12-15-09,_____.

DEPARTMENT OF CITRUS

RULE NO.: 20-13.0011
RULE TITLE: Oranges: 2004-2005 Anhydrous Acid Maturity Standards

PURPOSE AND EFFECT: Amendment adjusting the percentage of Anhydrous Citric Acid requirement for oranges from .40 to .36 through the citrus season, ending July 31, 2012.

SUBJECT AREA TO BE ADDRESSED: adjusting anhydrous citric acid requirements for the 2011-12 citrus season.

RULEMAKING AUTHORITY: 601.10(1),(7), 601.11, 601.19 FS.

LAW IMPLEMENTED: 601.111, 601.19 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: Alice Wiggins, (863)537-3956, awiggins@citrus.state.fl.us
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.226
RULE TITLE: Youthful Offender Program Participation

PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to define “successful completion” of the youthful offender program for the purpose of a Departmental recommendation for sentence modification, to set forth the process by which a modification is recommended, and to generally clarify the youthful offender program protocol.

SUBJECT AREA TO BE ADDRESSED: Youthful Offender Program.

RULEMAKING AUTHORITY: 944.09, 958.04, 958.11 FS.

LAW IMPLEMENTED: 944.09, 958.04, 958.11, 958.12 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: Laura Gallagher, 501 S. Calhoun Street, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.226 Youthful Offender Program Participation.

(1) Each youthful offender institution shall provide a programmatically diversified extended day of 16 hours of required inmate participation six days a week, contingent upon available resources.

(2) The schedule of events shall be developed by each warden and approved by the regional director and the Office of Institutions.

(3) ~~Definitions Successful participation in all phases of the youthful offender extended day program and successful completion of the offender management plan and reclassification to minimum or community custody will result in an evaluation by the ICT to determine the inmate's eligibility for a recommendation to the court for a modification of sentence at any time prior to the scheduled expiration of sentence as provided in Section 958.04(2)(d), F.S. Requests for sentence modification will not be made before successful completion of the extended day program.~~

~~(a) Bureau of Classification Management – the bureau in the central office responsible for the overall classification system in the department, including reception, facility, work, program, and custody assignments, disciplinary processes, population management, maintaining active and inactive inmate records, overseeing and auditing all the processes involved with sentencing documents received from the courts, and controlling inmates' prison commitment as well as the coordination of release processes After the youthful offender has successfully participated in the youthful offender program and completed the IMP as developed, a complete evaluation of the case shall be initiated. The evaluations shall include a review and summary of the following areas:~~

- ~~1. Disciplinary record;~~
- ~~2. Gain time earned, forfeited or withheld and reasons for the action taken;~~
- ~~3. Academic and vocational accomplishments;~~
- ~~4. Work assignments which would assist the youthful offender in obtaining future employment;~~
- ~~5. Counseling programs;~~
- ~~6. Substance abuse programs;~~
- ~~7. Other programs and objectives specifically recommended for the youthful offender; and~~
- ~~8. Release placement plan prepared by probation and parole office staff which will include proposed residence, employment, family ties or support systems, financial resources, other resources available to the inmate and any recommendation for continued treatment;~~
- ~~9. Nature of offense and length of sentence.~~

~~(b) Extended Day Program – a 16-hour per day, multi-phase program at designated youthful offender institutions designed to reduce inmate idleness and improve a youthful offender's chance of successful re-entry into the community. The evaluation of the youthful offender's eligibility for a recommendation for a modification of sentence shall be coordinated by the institutional classification staff and incorporated into a complete progress report. The completed progress report shall be reviewed and, once approved, signed by the ICT and a representative of the SCO.~~

~~(c) Institutional Classification Team (ICT) – the team consisting of the warden or assistant warden, classification supervisor, chief of security, and other members as necessary when appointed by the warden or designated by rule. The ICT is responsible for making work, program, housing, and inmate status decisions at a facility and for making other recommendations to the state classification office. Prior to making a recommendation for sentence modification, the inmate's classification officer shall send a Victim Input Statement, Form DC1 701B, to the victim(s) or the victims' family for comments regarding the release of the inmate. Form DC1 701B is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Research, Planning and Support Services, 501 South Calhoun Street, Tallahassee, Florida 32399 2500. The effective date of this form is 2-19-03.~~

~~(d) Review Board – the team consisting of extended day program staff, to include at least one officer of the rank of sergeant or above and a staff member directly involved in the training and instruction of youthful offenders, responsible for determining advancement through the phases of extended day program. Once the inmate has been approved by the ICT and the SCO for a recommendation for sentence modification, a request for initiation of a Youthful Offender's Release Placement Plan, Form DC6 121, shall be made to the community corrections office in the county where the inmate plans to reside. The community corrections office in the county where the inmate plans to reside shall complete the placement release plan and return it to the requesting institution. Form DC6 121 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 501 South Calhoun Street, Tallahassee, Florida 32399 2500. The effective date of this form is 2-19-03.~~

~~(e) State Classification Office (SCO) – the office or office staff at the central office level that is responsible for the review of inmate classification decisions. Duties include approving, disapproving, or modifying institutional classification team recommendations. The sentence modification package shall include at a minimum the following:~~

- ~~1. The completed release placement plan that has been verified by community corrections field staff;~~
- ~~2. The completed victim input statement forms;~~
- ~~3. A progress report with justification for sentence modification;~~
- ~~4. An order of modification of sentence placing defendant on probation prepared by the classification officer for the judge's signature;~~
- ~~5. A completed Defendant's Waiver of Rights to Modify Sentence and Place Defendant on Probation, Form DC3-235. Form DC3-235 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator;~~

Office of Research, Planning and Support Services, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of this form is 2-19-03.

(f) The completed sentence modification package shall be forwarded to the Bureau of Classification and Central Records for review by the central office screening committee.

(g) The central office screening committee shall review the sentence modification request for completeness and shall make a written recommendation to the Deputy Director of the Office of Institutions (classification) to approve or disapprove the request.

1. If the Deputy Director concurs with the recommendation for sentence modification, the Chief of the Bureau of Classification shall transmit a written request to the sentencing judge to consider modifying the inmate's sentence.

2. If the Deputy Director does not concur with the recommendation for sentence modification, the Chief of Classification will notify the ICT at the facility where the inmate is housed. The ICT will notify the inmate of the decision.

(h) One or more of the following will render the inmate ineligible for consideration of a sentence modification to the court:

1. Conviction for murder, attempted murder, or an offense resulting in a death;

2. Conviction for sexual battery pursuant to Section 794.011, F.S.;

3. Conviction for kidnapping pursuant to Section 787.01, F.S.;

4. Conviction for carjacking pursuant to Section 812.133, F.S.;

5. Conviction for domestic violence pursuant to Section 741.28, F.S.;

6. Conviction for home invasion robbery pursuant to Section 812.135, F.S.;

7. Sentenced as a habitual offender pursuant to Section 775.084, F.S.; or

8. Currently serving mandatory portion of a sentence pursuant to Section 775.082, F.S.

(i) If the recommendation is approved by the sentencing judge, the community corrections office shall send the certified court order to the Bureau of Sentence Structure and Population Management for the inmate to be released through the department's release procedures.

(j) If the judge disapproves the modification request, the community corrections office that handled the modification request shall notify the chief of the Bureau of Classification and Central Records and the ICT. The ICT shall notify the inmate.

(4) Extended Day Program Phases. Extended day program phases are consecutive. An inmate must participate in Phase I before advancement to Phase II and Phase II before advancement to Phase III.

(a) Phase I shall consist of a two-week orientation period, including a broad, extensive training program including physical fitness, work assignments, regimented application of discipline, and personal development programs. To advance to Phase II, the inmate must pass an evaluation on orientation materials.

(b) Phase II shall consist of continued demonstration of skills learned in Phase I, adherence to the structure of the extended day program, and positive consistency and participation in vocational, academic, and betterment programs.

(c) Phase III shall consist of:

1. Continued demonstration of capability in the areas of personal responsibility, discipline, job assignments, and academic and vocational programs, as well as all other areas of daily living and activities;

3. Maintenance of high proficiency in achievements;

4. Providing assistance to staff with designated activities; and

5. Evaluation by the review board and ICT in all areas on a continual basis to ensure that the inmate should remain in Phase III.

(d) Remedial Phase. The remedial phase is designed for inmates who pose disciplinary and management problems or have basic needs for additional behavior modification measures based on poor institutional adjustment or behavior. The remedial phase shall consist of a period of behavior modification emphasizing compliance with rules, proper institutional adjustment, and appropriate social behavior.

(5) Advancement to Phase III.

(a) A Phase II inmate wishing to participate in Phase III must apply for advancement using Form DC6-188, Inmate Promotional Request, and an evaluation by the ICT will be conducted to determine whether the inmate is eligible for advancement to Phase III. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The form became effective on July 30, 2008.

(b) If approved by the ICT for advancement, the inmate shall be eligible for recommendation for modification of sentence pursuant to subsection (6) of this rule. No inmate has a right to recommendation for modification of sentence. Institutional classification staff are authorized to notify the Bureau of Classification Management or designee of an inmate who meets the criteria for recommendation for modification of sentence.

(6) Recommendations for Modification of Sentence.

(a) The following will result in an evaluation by the Bureau of Classification Management or designee of the inmate's eligibility for recommendation to the court for a modification of sentence at any time prior to the scheduled expiration of sentence as provided in Section 958.04(2)(d), F.S.:

1. Successful participation in all phases of the youthful offender extended day program, to include participation in Phase III of the extended day program for a minimum of 180 consecutive days; and

2. Reclassification to minimum or community custody.

(b) Successful participation in the extended day program is defined as:

1. Satisfactory gain time ratings in Phase III for a minimum of 180 days;

2. Participation in recommended programs;

3. No disciplinary reports for the previous four months; and

4. No more than four corrective consultations for the previous four months.

(c) Evaluation of the inmate's eligibility will include, but will not be limited to:

1. Review of circumstances of offense;

2. Institutional adjustment; and

3. Achievements.

(d) One or more of the following will render the inmate ineligible for recommendation of a sentence modification to the court:

1. Conviction for murder, attempted murder, or an offense resulting in a death;

2. Conviction for sexual battery pursuant to Section 794.011, F.S.;

3. Conviction for kidnapping pursuant to Section 787.01, F.S.;

4. Conviction for domestic violence pursuant to Section 741.28, F.S.;

5. Sentenced as a habitual offender pursuant to Section 775.084, F.S.;

6. Currently serving the minimum mandatory portion of a sentence; or

7. The inmate has previously been granted modification of sentence under the provisions of this rule.

(7) Extended Day Program Assessment. Each inmate shall be required to participate in Phase III in a satisfactory manner for a minimum of 180 consecutive days in order to be considered for recommendation to the court for modification of sentence.

(a) The review board shall continually assess the inmate's participation in the program and recommend status assignments. Should an inmate fail to successfully perform as set forth in subparagraphs (6)(b)2. through 4. of this rule at any

time during Phase III, days served successfully will not be counted toward the minimum 180 day successful participation requirement.

(b) Inmates who have successfully participated for the required time period shall remain subject to the rules of the department and the extended day program. Failure to adhere to the administrative rules of the department shall be grounds for removal from consideration for recommendation for modification of sentence, withdrawal of the department's request to the court for modification of the inmate's sentence, or a request by the department to rescind modification of sentence. Form DC6-194, Order Rescinding Order Modifying Sentence, will be completed by the Bureau of Classification Management or designee and provided to the court with the request to rescind modification of sentence. Form DC6-194 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of this form is _____.

(8) Removal from Consideration for Recommendation.

(a) An inmate shall be removed from the program when such removal is in the best interest of the inmate or the security of the institution and in accordance with Section 958.11, F.S. However, if the inmate has completed the minimum requirements prior to removal, and such removal is not due to the inmate's receipt of a disciplinary report or corrective consultation, the inmate shall still be considered for recommendation for modification of sentence.

(b) An inmate shall be removed from consideration for recommendation for modification of sentence for behavioral performance, or disciplinary reasons.

(9) Sentence Modification Process.

(a) Inmates who have satisfactorily participated in the extended day program and who meet the eligibility criteria in subsection (6) of this rule will be recommended for sentence modification.

(b) If determined eligible, institutional classification staff shall forward a completed Form DC6-195, Defendant's Waiver of Rights in Modification of Sentence, to the Bureau of Classification Management or designee. The waiver shall be forwarded no earlier than five days prior to the expected completion of the 180-day requirement. Form DC6-195 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of this form is _____.

(c) The Bureau of Classification Management or designee shall approve the ICT's recommendation, disapprove the recommendation, or refer the matter back to the ICT for additional information within 5 working days from receipt of the ICT's recommendation.

(d) If approved by the Bureau of Classification Management or designee, a cover letter reporting that the inmate is participating satisfactorily in the program will be sent to the community corrections intake office within the circuit of the sentencing court by the Bureau of Classification Management or designee within 5 working days from approval of the ICT's recommendation.

(e) The community corrections intake office shall complete Form DC6-193, Order Modifying Sentence, and submit it to the court for approval or disapproval within 5 working days from receipt of the request. Form DC6-193 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of this form is _____.

(f) The community corrections intake office shall ensure that Form DC6-193 is received from the sentencing court and shall route the form to the appropriate staff in the Bureau of Classification Management.

(g) The appropriate staff in the Bureau of Classification Management or designee will be notified as to the receipt of Form DC6-193.

(h) Upon receipt of the court's written action, the appropriate staff in the Bureau of Classification Management shall make the necessary sentence structure adjustments and, if applicable, initiate release processes.

(i) If the sentence modification order is not received within 35 working days after the request is made, the Bureau of Classification Management or designee shall notify by email or by telephone the community corrections intake office that submitted the sentence modification packet to the court. The community corrections intake office staff shall contact the sentencing judge to determine the status of the request for sentence modification. Community corrections intake staff shall notify the Bureau of Classification Management or designee of the status of the request for sentence modification. If the community corrections intake office staff member obtains the approved DC6-193, the staff member shall forward the form to the appropriate staff in the Bureau of Classification Management, and the processes enumerated in paragraphs (9)(g) through (9)(h) of this rule shall be followed.

(j) If the sentencing court disapproves the sentencing modification, the community corrections intake office shall notify the Bureau of Classification Management or designee. The Bureau of Classification Management or designee shall notify the ICT at the institution housing the inmate. The ICT shall notify the inmate of the court's denial.

(10) Nothing in this rule is intended to prohibit an inmate from petitioning the court if the inmate believes he or she has successfully participated in the program on the basis set forth in this rule or on the basis of other facts he or she believes are relevant.

Rulemaking Authority 944.09, 958.04, 958.11 FS. Law Implemented 944.09, 958.11, 958.12 FS. History—New 10-11-95, Amended 9-11-97, Formerly 33-33.013, Amended 3-13-01, Formerly 33-506.106, Amended 4-2-02, 2-19-03, 9-16-04, _____.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-602.201
 RULE TITLE: Inmate Property

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to delete lighters and post-type earrings from the authorized property list but allow female inmates already in possession of post type earrings to retain them until they are no longer serviceable.

SUBJECT AREA TO BE ADDRESSED: Inmate Property.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 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: Laura Gallagher, 501 S. Calhoun Street, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 33-602.201 Inmate Property.
- (1) through (17) No change.

APPENDIX ONE
 PROPERTY LIST

This list incorporates all property authorized to be possessed by inmates in all department institutions and facilities except community correctional centers. Except for items specified below as "exemptions," property received must be in compliance with this list. Inmates in possession of property previously approved by the Department of Corrections which meets the description of property on the list shall be allowed to retain the property. Inmates transferring to department facilities from private correctional facilities shall be allowed to retain only those items that are in compliance with the list of authorized property. As items sold in canteens at private facilities may differ from those sold in department canteens, items purchased in canteens at private facilities will not always be admissible in department facilities.

Definitions.

The "quantity" establishes a maximum possession limit. This does not mean that all state issue items will be issued to each inmate, or that the maximum number of items will be issued. All canteen items are subject to availability and may not be available for purchase. Items found in the possession of an inmate that are in excess of the established "quantity" shall

be treated as contraband in accordance with Rule 33-602.203, F.A.C. Where there is a “value” indicated, the authorized item shall not exceed that value. The terms “canteen” and “state issue” refer to the sources from which property can be obtained after January 1, 1996. All items with the “canteen” designation shall be available in all institutional canteens or through canteen order. All canteen items are transferable between department institutions. “State issue” means that the institution has the authority to issue this item to inmates based upon the character of the institution, the location of the institution, the housing or work assignment of the inmate, or other factors related to institution or inmate needs. Institutions housing death row inmates shall make adjustments to this property list when possession of listed items by death row inmates would create a threat to the security of the institution.

Exemptions.

Inmates already in possession of the following previously approved items shall be allowed to retain the items until they are no longer serviceable, but shall not be allowed to replace them with like items.

- Clothing items of a different color than specified on the property list.
- Locks other than V68 series
- Plastic bowls, tumblers, cups and lids
- Pantyhose
- Nail clippers larger than 2-1/2"
- Earrings, post type (female only)

AUTHORIZED PROPERTY LIST

CLOTHING			
Quantity	Unit	Value	Articles
1	each		Athletic Bra (canteen – female only)
1	each		Belt (state issue)
4	each		Bras (state issue or canteen – female only)
1	each		Coat (state issue)
1	pair		Gloves, work (state issue)
4	each		Handkerchief, cotton, white only (canteen)
1	each		Hats (state issue)
2	pair		Pajamas – long (state issue or canteen) Light blue or white – female only
			Light blue – male
7	each		Panties (state issue or canteen – female only)
3	each		Pants (state issue)
1	each		Raincoat or Poncho – clear (state issue or canteen)
1	each		Robe (state issue – female only)
3	each		Shirt, outer (state issue)
4	each		Shirt, T-Shirt (state issue or canteen order – gray for female, white for male) *inmates may possess both state-issue and canteen-purchased shirts, but the total combined number cannot exceed 4.
1	pair		Shoes, Athletic (canteen)
1	pair		Shoes, Work (canteen or state issue)
2	each		Shorts, athletic (navy blue) (canteen)
1	each		Shower cap, clear only (female only) (canteen)
1	pair		Shower slides (canteen)
6	pair		Socks (state issue or canteen)
1	each		Supporter, athletic (male only) (canteen)
2	each		Sweatshirts (gray only) (canteen order)
4	each		Undershorts (male only) (state issue or canteen)
2	each		Underwear, thermal (state issue or canteen)
PERSONAL ARTICLES			
Quantity	Unit	Value	Articles
Number in use			Batteries (canteen)
25	each		Roller clips – plastic only (females only), (canteen)
*			Books (legal, educational, religious, fiction) – * Quantity as specified by Rule 33-501.401, F.A.C.
1	each		Bowl – plastic (canteen)
1	package		Breath tablets (canteen)
1	each		Calendar, as specified by Rule 33-501.401, F.A.C.
*			Canteen purchases – * limited by approved storage space;
1	each		Canteen bag (canteen)
1	set		Checkers (light wood or plastic, standard checkers)

1	set	only) (canteen order) Chess (light wood or plastic, 2 inches max. height) (canteen order)
1	each	Coffee mug – plastic (canteen)
1	each	Comb-pocket type, no handles (non-metal) (state issue or canteen)
*		Correspondence – * limited by storage space limitations
1	pack	Cotton swabs (plastic or paper stems only) (canteen)
2	each	Crème rinse and conditioner (canteen)
1	each	Cup, drinking – plastic (canteen)
1	package	Dental floss, (floss loops only), unwaxed (canteen)
1	each	Denture adhesive (state issue or canteen)
1	each	Denture cup (canteen order)
2	each	Deodorant and antiperspirant (no aerosols) (canteen)
1	set	Domino (light wood or plastic, standard size) (canteen order)
1	Set	Earbuds (canteen)
1	pair	Earphone pads (replacement) (canteen order)
1	pair	Ear rings, post type (female only) (canteen order)
*		Educational supplies (items must be pre-approved for vocational education or correspondence study programs. Items are authorized only for the duration of the course)
1	pack	Emery board – cardboard (canteen)
25	each	Envelopes – legal (#10 size) (canteen)
5	each	Envelopes – oversized (10" x 13") (canteen)
*		Envelopes, self-addressed stamped – * the total in the inmate’s possession shall not exceed the limit of 1 pack.
2	each	Eyeglasses, case, contact lens and solutions (state issue or personal; “personal” means that inmates already in possession of these items will be allowed to retain them, but any future items will be provided by the institution if needed.) Contact lenses will only be provided if medically indicated
1	each	Eye shadow, eyeliner, mascara, eyebrow pencil, blemish preparation, lipstick, blemish and spot cover-up, lip coloring (female only) (canteen)
1	box	Feminine hygiene products (internal and external) (female only) (state issue or canteen)
*		File folders (*limited by storage space)
20		Greeting cards and accompanying envelopes
1	each	Hairbrush – nonmetal, handles for females only (canteen)
2	each	Hairdressing (styling gel, pink oil, cholesterol, perm kit – female only) (no aerosols) (canteen)
1	each	Hair net (female only) (canteen)
25	each	Hair rollers (female only) (canteen)
2	each	Handballs or racketballs (canteen)
1	each	Headphones for use with radio (canteen)
Maximum weekly dosage		Health aids – headache and cold remedies, antacids, antifungal preparations, cough drops, nasal spray, etc. No imidazoline, tetrahydrozoline, or hydrochloride compounds (canteen – as approved by health services)
2	each	Hearing aid (state issue or personal)
*		Hobby craft – at locations where program exists and subject to storage space limitations
1	each	Insect repellant (canteen)
1	each	Jigsaw puzzle (canteen order)
1	Each	Keyboard (canteen)
1	each	Laundry bag (state issue or canteen)

1	each		Lighter, disposable (approved type) (canteen)
1	each		Lip balm (canteen)
1	each		Locks, combination (V68 series) (canteen)
1	each		Make-up bag, clear only (female only) (canteen)
1	each		Mirror – plastic, nonbreakable, 5" × 7" max. (canteen)
1	each		Moisturizer – no mineral oils, no vaseline (canteen)
1	each		Mouthwash (canteen)
1	each		MP3 Player (canteen)
1	Each		MP3 Player arm band holder (canteen)
1	each		Nail clippers, not to exceed 2 1/2" (canteen)
2	pack		Notebook paper (canteen)
4	each		Pens, ballpoint, flair-type, pencils with erasers, or security Pens, no markers (canteen)
*			Periodicals – * as specified by Rule 33-501.401, F.A.C., and storage space limitations
1	each		Photo album, non-metal (canteen)
50	each		Photographs (personal)
2	decks		Playing cards (standard) (canteen)
5	each		Pony tail holder (fabric) or hair claws (plastic) (female only)
1	each		P.R.I.D.E. service pin (issued to inmate from P.R.I.D.E.)
*			Prosthesis – * as approved by health services
1	each	50.00	Radio, DC/AM/FM only, “Walkman” type, maximum 4" × 5" (canteen)
1	each		Razor, disposable (state issue)
1	each	50.00	Razor, battery operated, non-rechargeable (canteen order)
*			Religious requirements – as approved by chaplaincy services, (examples: head covering, prayer rug)
1	each	50.00	Religious medallion with chain (personal or provided by Chaplain)
1	each	100.00	Ring, engagement (personal, female only)
1	each	100.00	Ring, wedding (personal)
1	each		Roller cap, clear only (female only) (canteen)
1	set		Scrabble (canteen order)
1	each		Screen protector (canteen)
2	each		Shampoo (canteen)
1	each		Shaving cream (canteen)
1	each		Shaving powder (canteen)
1	pair		Shoe laces (canteen)
1	each		Shoe wax (Liquid only, non flammable, no nitrobenzene; canteen)
2	each		Soap, bath (state issue or canteen)
1	each		Soap dish (canteen)
1	each		Soap, laundry (female only) (canteen)
*			Special needs – * special devices as approved for compliance with medical needs
1	each		Spoon, plastic (canteen)
40	each		Stamps (the equivalent of 40 1-ounce 1st class) (canteen)
1	each		Sunglasses, no mirror type (canteen)
1	each		Sunscreen lotion (canteen)
1	each		Talcum powder (canteen)

1	each		Toilet Paper (state issue or canteen)
1	each		Toothbrush (state issue or canteen)
1	each		Toothbrush holder (canteen)
2	each		Toothpaste and Toothpaste with mouthwash (state issue or canteen)
2	each		Towels (state issue)
1	each		Wallet (canteen)
1	each	50.00	Watch (personal or canteen)
1	each		Watch band (nylon and Velcro only) (canteen)
2	each		Washcloths (state issue or canteen)

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 6-4-81, Formerly 33-3.025, Amended 11-3-87, 11-13-95, 5-20-96, 1-8-97, 6-1-97, 7-6-97, 10-15-97, 2-15-98, 3-16-98, 8-4-98, 12-7-98, Formerly 33-3.0025, Amended 11-21-00, 9-12-01, 5-16-02, 7-8-03, 8-18-04, 1-25-05, 10-23-06, 2-27-08, 12-25-08, 1-25-10, 7-4-10, 10-26-11, _____.

DEPARTMENT OF ELDER AFFAIRS

Background Screening

RULE NO.: 58-2.001 **RULE TITLE:** Background Screening
PURPOSE AND EFFECT: The Department proposes to adopt a rule establishing the criteria for compliance with a level 2 background screening for direct service providers.
SUBJECT AREA TO BE ADDRESSED: The proposed rule addresses the criteria for complying with the level 2 background screening for individuals that meet the definition of a direct service provider in Section 430.0402, F.S.
RULEMAKING AUTHORITY: 430.08, 435.01(2) FS.
LAW IMPLEMENTED: 430.01, 430.02(1), 430.0402 FS.
A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
DATE AND TIME: April 3, 2012, 9:00 a.m. – 11:00 a.m.
PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conference Room 225F, Tallahassee, Florida 32399-7000
 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 72 hours before the workshop/meeting by contacting: Demetria Ross at rossd@elderaffairs.org or (850)414-2114. 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: Susan Rice, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, Telephone Number: (850)414-2113, Email address: rices@elderaffairs.org

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

58-2.001 Background Screening.
Unless the statutory exemption in Section 430.0402(2), F.S., applies, level 2 background screening must be conducted through the Department of Elder Affairs for persons meeting the definition of a direct service provider.

Rulemaking Authority 430.08, 435.01(2) FS. Law Implemented 430.01, 430.02(1), 430.0402 FS. History—New _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-5.007 **RULE TITLE:** Certificates of Competency and License Registrations, Initial, Renewal, General Liability Insurance Coverage
PURPOSE AND EFFECT: The purpose and effect of the rule development is to address comments submitted by the Office of Fiscal Accountability and Regulatory Reform.
SUBJECT AREA TO BE ADDRESSED: The rule development will address elevator personnel and elevator company registration requirements and the terms used to identify the registrations.
RULEMAKING AUTHORITY: 399.01, 399.10 FS.
LAW IMPLEMENTED: 399.001, 399.01(13), 399.01(14), 399.01(15), 399.01(17), 399.02, 399.049, 399.105 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: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1012, Michelle.Comingore@dbpr.state.fl.us, Telephone: (850)488-1133

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61C-5.007 Certificates of Competency and License Registrations, Initial, Renewal; General Liability Insurance Coverage.

~~(1)(a) Each initial certificate of competency and each initial registration for a certified elevator technician, certified elevator inspector, or elevator company license shall be valid for the remainder of the calendar year.~~

~~(b) Except as otherwise specified in this rule, renewal certificates of competency and annual licenses shall be valid January 1 through December 31. All certificates and licenses, as specified in this section, expire on December 31 at 11:59 p.m. of each year unless renewed by the division.~~

~~(b)(e)~~ A renewal application for a certificate of competency, including fee payment, or an annual license registration postmarked on or after January 1 will be deemed delinquent. A certificate of competency or annual license registration resulting from a delinquent submission shall be valid from the date renewed or issued by the division through December 31 each year.

~~(c)(d)~~ Expired certificates and licenses are not valid and the certificate holder or licensee is not authorized to perform any work under an expired certificate or license until the division approves and completes a renewal.

(2) No change.

(3) Certified Elevator Technician. ~~Each natural person desiring to perform the duties of a certified elevator technician must annually register with and be licensed by the division before constructing, installing, maintaining, or repairing an elevator.~~

(a) through (b) No change.

(4) Certified Elevator Inspectors. ~~Each person desiring to perform the duties of a certified elevator inspector must annually register with and be licensed by the division before constructing, installing, inspecting, maintaining, or repairing an elevator.~~

(a) through (d) No change.

(5) Registered Elevator Companies. ~~Each elevator company employing a person or persons to construct, install, inspect, maintain, or repair any vertical conveyance regulated by the bureau, must annually register with and be licensed by the division.~~

(a) through (c) No change.

(6) through (7) No change.

Rulemaking Authority 399.01, 399.02, 399.10, FS. Law Implemented 399.01(12), 399.01(13), 399.01(14), 399.01(16), 399.17 FS. History—New 10-8-81, Amended 11-27-83, 2-19-84, Formerly 7C-5.07, Amended 4-11-91, Formerly 7C-5.007, Amended 2-2-94, 8-21-06, 1-3-12,_____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-621.500
 RULE TITLE: Permits

PURPOSE AND EFFECT: The Department is initiating rulemaking to revise subsection 62-621.500(1), F.A.C., the existing Generic Permit for Discharges from Fresh Citrus Fruit Packinghouses to Percolation Ponds, providing permit requirements that meet a level of protection commensurate with potential environmental impacts, based on long-term monitoring data from existing citrus packinghouse facilities under individual permits. The Department proposes to accomplish this by standardizing ground water monitoring, reducing the number of parameters and frequency of effluent and ground water sampling and development of standardized Best Management Practices (BMPs) that can be implemented at all facilities covered under the generic permit.

SUBJECT AREA TO BE ADDRESSED: Department is developing amendments to the Generic Permit for Discharges from Fresh Citrus Fruit Packinghouses to Percolation Ponds under Rule 62-621.500, F.A.C.

RULEMAKING AUTHORITY: 403.061, 403.087, 403.088, 403.0885, 403.814 FS.

LAW IMPLEMENTED: 403.061, 403.087, 403.088, 403.0877, 403.814 FS.

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

DATE AND TIME: March 14, 2012, 1:30 p.m. – 3:00 p.m.

PLACE: DEP Tallahassee, Bob Martinez Center, 6th Floor, Room 609, 2600 Blair Stone Road, Tallahassee, Florida 32399 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Shirley Shields, Department of Environmental Protection, MS 3545, 2600 Blair Stone Rd., Tallahassee, FL 32399-2400, (850)245-8589, shirley.shields@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hubbard, Department of Environmental Protection, MS 3545, 2600 Blair Stone Rd, Tallahassee, FL 32399-2400, (850)245-8589, allen.hubbard@dep.state.fl.us. Copies of the agenda and preliminary drafts will be available seven days before the workshop by contacting Allen Hubbard, or visiting http://www.dep.state.fl.us/water/rules_dr.htm

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

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-12.0155
RULE TITLE: Fee for Registered Chiropractic Assistants

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate an updated version of the application form.

SUBJECT AREA TO BE ADDRESSED: Fee for Registered Chiropractic Assistants.

RULEMAKING AUTHORITY: 460.405, 460.4166 FS.

LAW IMPLEMENTED: 460.4166 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: Bruce Deterding, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE NOS.: 64B19-11.010, 64B19-11.011, 64B19-11.012
RULE TITLES: Limited Licensure, Provisional License; Supervision of Provisional Licensees, Application Forms

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to incorporate the revised licensure application, limited licensure application, and provisional licensure application in the respective rules.

SUBJECT AREA TO BE ADDRESSED: Incorporation of the revised forms for application, limited licensure and provisional licensure into the Board’s respective rules.

RULEMAKING AUTHORITY: 456.013, 456.015(1), (4), 490.003(6), 490.004(4), 490.0051 FS.

LAW IMPLEMENTED: 456.013, 456.015, 490.003(6), 490.004(4), 490.005, 490.0051, 490.006(1)(b), 490.007(1) 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, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NO.: 68-1.010
RULE TITLE: General Regulations Relating to Licenses, Permits and Other Authorizations

PURPOSE AND EFFECT: The purpose and effect of this rule amendment would be to move the text of Rule 68A-5.004 to 68-1.010 F.A.C., in order to clarify that the subject matter addressed in the rule applies to Title 68, F.A.C. The text will be edited for clarity, but the purpose and effect of the rules are the same.

SUBJECT AREA TO BE ADDRESSED: License issuance and revocation.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Fla. Const., 379.1025 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const., 379.408 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: Bud Vielhauer, General Counsel, 620 S. Meridian Street, Tallahassee, Florida 32399

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-5.006
RULE TITLE: Designation of Free-Freshwater Fishing Weekend; License Requirements and Regulation Compliance

PURPOSE AND EFFECT: The purpose and effect of this rule amendment would be to provide a greater opportunity for individuals and families to enjoy a free Saturday fishing, without the requirement of a license, in Florida’s fresh waters. This also enables partners to put on outreach events that adults

can participate in without the need to purchase a license. The net effect that we hope to achieve is enhanced recruitment, retention and engagement of anglers that ultimately will lead to a greater commitment to conservation stewardship, more time spent fishing, and a positive local economic impact.

SUBJECT AREA TO BE ADDRESSED: Two day exemption from freshwater fishing license requirement.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Fla. Const., 379.354(15) FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const., 379.354 (15) 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: Tom Champeau, Director-Division of Freshwater Fisheries Management, 620 S. Meridian Street, Tallahassee, Florida 32399

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NO.: 69B-211.004 **RULE TITLE:** Appointment Renewal Procedure

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise the existing rule to reflect certain provisions of the Florida Insurance Code that have been amended since the rule was last amended. The effect of the proposed rule amendment is to provide clear and concise information to appointing entities of the appointment renewal process and the fees for noncompliance with the law.

SUBJECT AREA TO BE ADDRESSED: The appointment renewal procedure.

RULEMAKING AUTHORITY: 624.308(1), 626.016, 626.381(9) FS.

LAW IMPLEMENTED: 624.307(1), 624.308, 624.501, 626.015, 626.112, 626.371, 626.381, 626.7492(3), (8), (9), 648.279, 648.31, 648.382, 648.383 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: Thursday, March 8, 2012, 9:30 a.m.

PLACE: 116 Larson Building, 200 East Gaines Street, 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 5 days before the workshop/meeting by contacting: Matt Tamplin, (850)413-5460 or Matt.Tamplin@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Matt Tamplin, Bureau Chief, Bureau of Licensing, Division of Insurance Agent & Agency Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0320, (850)413-5460 or Matt.Tamplin@myfloridacfo.com

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NO.: 69J-10.001 **RULE TITLE:** Governmental Efficiency Program

PURPOSE AND EFFECT: Chapter 2010-102, Laws of Florida, amended Section 17.325, F.S., to delete the requirement that the Chief Financial Officer (CFO) provide monthly reports to the appropriations committee of the House and Senate with the information or suggestions received through the Get Lean hotline or website.

SUBJECT AREA TO BE ADDRESSED: Deletion of the CFO's monthly reports to the Legislature regarding the information or suggestions from the Get Lean hotline or website.

RULEMAKING AUTHORITY: 17.29, 17.325(5) FS.

LAW IMPLEMENTED: 17.001, 17.30, 17.325 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: March 7, 2012, 10:00 a.m.

PLACE: Room 142, Larson Building, 200 E. Gaines Street, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tasha Carter at (850)413-5800 or Tasha.Carter@MyFloridaCFO.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tasha Carter, Director, Division of Consumer Services, 200 E. Gaines Street, Tallahassee, FL 32399, (850)413-5800. The text of the proposed rule is also available on the Department's website <http://www.MyFloridaCFO.com/LegalServices/ruleHearing/>. THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

FINANCIAL SERVICES COMMISSION

Finance

RULE NOS.:	RULE TITLES:
69V-40.177	Mortgage Brokerage and Lending Transaction Journal
69V-40.265	Mortgage Brokerage and Lending Transaction Journal

PURPOSE AND EFFECT: The proposed rule amendments streamline regulations pertaining to recordkeeping requirements for mortgage loan transactions. Rule 69V-40.177, F.A.C., requires mortgage brokers, and mortgage lenders acting as mortgage brokers, to maintain certain information about each mortgage loan transaction. Rule 69V-40.265, F.A.C., requires the same information for mortgage lenders. To streamline regulations, Rule 69V-40.177, F.A.C., is being repealed and Rule 69V-40.265, F.A.C., is being amended to include mortgage brokers. These rules were identified for amendment as the result of the comprehensive rule review that the Office of Financial Regulation undertook pursuant to Sections 120.74 and 120.745, F.S.

SUBJECT AREA TO BE ADDRESSED: Mortgage Brokerage and Lending Transaction Journal.

RULEMAKING AUTHORITY: 120.695, 494.0016(4) FS.

LAW IMPLEMENTED: 120.695, 494.0016, 494.00255 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: Andy Grosmaire, Chief, Bureau of Finance Regulation, (850)410-9848, andy.grosmaire@flofr.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69V-40.177 Mortgage Brokerage and Lending Transaction Journal.

~~(1) Each mortgage brokerage business and lender acting in the capacity of a mortgage brokerage business shall maintain a journal of mortgage brokerage transactions, which shall include, at least, the following information:~~

- ~~(a) Name of applicant;~~
- ~~(b) Date applicant applied for the mortgage loan;~~
- ~~(c) Disposition of the mortgage loan application. The Mortgage Brokerage and Lending Transaction Journal shall indicate the result of the brokerage transaction. The disposition of the case shall be categorized as one of the following: loan funded, loan denied, application withdrawn, or other (with explanation);~~
- ~~(d) Name of lender, if applicable.~~

~~(2) The journal shall be maintained in a format which is substantially similar to Form OFR 494-10, Mortgage Brokerage and Lending Transaction Journal.~~

~~(3) The Mortgage Brokerage and Lending Transaction Journal shall be maintained in the principal office or in each branch office where mortgage brokerage transactions are originated. The Mortgage Brokerage and Lending Transaction Journal shall be kept current. The failure to initiate an entry to the Mortgage Brokerage and Lending Transaction Journal within seven (7) business days from the date the brokerage transaction is entered into, shall be deemed to be a failure to keep the Mortgage Brokerage and Lending Transaction Journal current.~~

~~(4) The penalty for failure to maintain the Mortgage Brokerage and Lending Transaction Journal or to keep the same current (incidental and isolated clerical errors or omissions shall not be considered a violation) shall be the issuance of a "notice of noncompliance" for a first offense. Any subsequent finding of a violation of this rule during an examination or investigation shall be a fine of \$500. The penalty for any intentional violation of this rule shall be a fine of \$500 and suspension of the license.~~

~~(5) Form OFR 494-10 is incorporated by reference in subsection 69V 40.002(1), F.A.C.~~

Rulemaking Specific Authority 494.0011(2), 494.0016(4) FS. Law Implemented 120.695, 494.0016, 494.0041 FS. History—New 2-16-92, Amended 7-25-96, 12-12-99, Formerly 3D-40.177, Amended 3-23-08, Repealed.

69V-40.265 Mortgage Brokerage and Lending Transaction Journal.

(1) Each mortgage broker and mortgage lender shall maintain a Mortgage Brokerage and Lending Transaction Journal, which shall include, at least, the following information:

- (a) Name of applicant;
- (b) Date applicant applied for the mortgage loan;

(c) Disposition of the mortgage loan application. The journal shall indicate the result of the lending transaction. The disposition of the transaction shall be categorized as one of the following: loan funded, loan denied, or application withdrawn.

(d) Name of lender, if applicable.

(2) The journal shall be maintained on Form OFR-494-10, Mortgage Brokerage and Lending Transaction Journal, or a form substantially similar.

(3) In lieu of maintaining Form OFR-494-10, a ~~each~~ mortgage lender or mortgage broker may maintain the Home Mortgage Disclosure Act loan/application register, Form FR HMDA-LAR, found at 12 C.F.R., part 203, Appendix A (2010) if all lending transactions are recorded on this form. The form is hereby incorporated by reference and may be accessed through the Government Printing Office website <http://www.gpoaccess.gov/cfr/>.

(4) The Mortgage Brokerage and Lending Transaction Journal shall be maintained in the principal office or in each branch office where ~~the mortgage lender~~ transactions are originated. The Mortgage Brokerage and Lending Journal shall be kept current. The failure to initiate an entry to the Mortgage Brokerage and Lending Transaction Journal within 7 business days from the date the transaction was entered into, shall be deemed to be a failure to keep the Mortgage Brokerage and Lending Transaction Journal current.

(5) through (6) No change.

Rulemaking Authority 494.0016(4) FS. Law Implemented 120.695, 494.0016, 494.00255 FS. History—New 1-10-93, Amended 7-25-96, 12-12-99, Formerly 3D-40.265, Amended 3-23-08, 10-1-10,_____.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) no requirement for SERC was triggered under Section 120.541(1), F.S., and; 2) based on past experiences with charter school rules and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 1002.33(27) FS.

LAW IMPLEMENTED: 1002.33(6) FS.

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

DATE AND TIME: March 27, 2012, 9:00 a.m.

PLACE: Terra Environmental Research Institute, 11005 S.W. 84 Street, Miami, FL 33173

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mike Kooi, Executive Director, Office of Independent Education and Parental Choice, Department of Education, (850)245-0878, mike.kooi@fldoe.org

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0781 Procedures for Appealing a District School Board Decision Denying Application for Charter School or High-Performing Charter School.

The procedures for filing and reviewing all appeals to the State Board of Education under provisions of Section 1002.33(6), Florida Statutes, Chapter 96-186, Laws of Florida, shall be as follows:

(1) Appealing a Charter School Application Denial. The district school board letter of denial required by Section 1002.33(6)(b)3.a., Florida Statutes, shall be provided to the charter applicant by the district school board via certified mail. Within thirty (30) days after receipt by certified mail the date of a decision of a district school board denying which denies an application for a Charter School, the charter applicant may file a written notice of appeal the decision by submitting ten (10) hard copies of the appeal to with the Agency Clerk for the Department of Education, 325 West Gaines Street, Room 1520, in Room 1702, The Capitol, Tallahassee, Florida 32399-0400. A copy Copy of the notice of appeal shall be sent via regular mail or hand delivery to the district school board, via the

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-6.0781	Procedures for Appealing a District School Board Decision Denying Application for Charter School or High-Performing Charter School

PURPOSE AND EFFECT: The purpose of this amendment is to revise the current rule to reflect changes in statute and to provide clarification of charter school appeal requirements.

SUMMARY: The amendment provides details regarding the timelines for charter school application denial appeals and the process for high performing charter replication application denial appeals.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

~~Superintendent, and to each member of the State Board of Education by the appealing party by the applicant on date of filing with the Agency Clerk. The appealing party shall certify that it has provided the district school board a copy of the appeal as provided herein. The State Board of Education does not have jurisdiction to hear late-filed appeals.~~

(a) ~~The notice of appeal must include: name and address of appealing party applicant; name and address of the district school board; date of the district school board decision; name and address of appealing party's applicant's attorney, if any; precise identification of alleged errors of the district school board in rejecting the Charter School application; and written argument limited to the reasons for denial identified in the district school board's notice of denial specific alleged errors of the school board.~~

(b) ~~The Charter School application, Form IEPC-M2 Florida Charter School Application Evaluation Instrument as incorporated by reference in Rule 6A-6.0786, F.A.C., together with available transcripts of all meetings before the district school board in which the decision application was considered, and all documents considered by the district school board in making its decision shall constitute the record on appeal and shall be filed as exhibits to each party's written argument the notice of appeal.~~

(c) ~~Within thirty (30) ten (10) days after receipt of the filing notice of appeal the district school board shall file twelve (12) hard copies of its written arguments with the Agency Clerk for the Department of Education, and submit to each member of the State Board of Education it The written arguments are limited to the reasons for denial identified in the district school board's notice of denial specific alleged errors of the school board as identified in the notice of appeal.~~

(d) ~~Such written arguments required from both parties shall not exceed twenty (20) pages exclusive of any exhibit addendum. Information provided beyond the twenty (20) page maximum will not be discussed nor considered by the Charter School Appeal Commission in an addendum shall be limited to the actual Charter School application presented to the local board and the transcripts of meetings of the local boards' actions. Written arguments may be produced by any duplicating or copying process which produces a clear black image on white paper. All written arguments shall be on 8 1/2 x 11 inch paper, double spaced, except quoted material and footnotes, and bound at the top left corner. Typewritten text, including footnotes must be no smaller than ten (10) pitch spacing, and there must be no more than twenty-six (26) lines of text per paper. Margins shall be no less than one inch at the top, bottom, left and right. All written arguments and exhibits must be bound with tabs for each exhibit with a table of contents detailing each section.~~

~~(e)(4) Failure to meet the requirements herein specified may cause rejection of the submission by the Chair of the Charter School Appeal Commission State Board.~~

~~(e) The Charter School application, transcripts of meetings before the district school board, and written arguments of the parties shall constitute the record on appeal.~~

(2) ~~Procedures for Charter School Appeals. Upon receipt of a timely filed notice of appeal by a Charter School applicant, in accordance with accelerated appeal time constraints as set forth in Chapter 96-186, Laws of Florida, the Commissioner of Education or designee, Agency Clerk shall convene a immediately schedule the matter on the next public meeting agenda of the Charter School Appeal Commission State Board of Education to be considered within thirty (30) days after filing notice of the appeal, with notice to the appealing party applicant and the district school board of that hearing date.~~

(a) ~~At the hearing before the Charter School Appeal Commission, State Board of Education, each party will be given a maximum of ten (10) thirty (30) minutes to allow representative(s) to summarize the written arguments previously submitted to the State Board. Each party will also be given additional time, as determined by the Chair of the Charter School Appeal Commission, to individually address each of the reasons for denial. No evidence or testimony, only oral argument, will be heard by the Charter School Appeal Commission State Board at this time.~~

(b) ~~The Charter School Appeal Commission may question the parties. During these questions, the Charter School Appeal Commission may, in its discretion, gather other applicable information regarding the appeal and request information to clarify the documentation presented it.~~

~~(c)(3) Upon reviewing the record on appeal and hearing oral summaries of written arguments, if presented, and consideration of the answers to questions, if asked, the Charter School Appeal Commission the State Board shall then proceed by majority vote to either accept or reject the decision of the district school board and shall then remand the application to the district school board with its written recommendation that the district board approve or deny the application consistent with the State Board's decision.~~

~~(d) The Charter School Appeal Commission's recommendation, record on appeal, written arguments of the parties, and a copy of the Charter School Appeal Commission transcripts will be forwarded to the State Board of Education.~~

~~(e) The State Board of Education shall consider the appeal and the Charter School Appeal Commission's recommendation at the next scheduled State Board of Education meeting and no later than ninety (90) calendar days after an appeal is filed. Each party shall have five (5) minutes to summarize their arguments. The State Board of Education shall approve or deny the appeal.~~

~~(3) Appealing a High-Performing Charter School Application Denial.~~

~~(a) The district school board letter of denial required by Section 1002.33(6)(b)3.a., Florida Statutes, shall be provided to the charter applicant by the district school board via certified~~

mail. Within thirty (30) days after the date of a decision of a district school board denying an application for a replication of a High-Performing Charter School pursuant to Section 1002.331, Florida Statutes, the charter applicant may file a written appeal by submitting ten (10) hard copies of the appeal to the Agency Clerk in the same manner and format described in paragraphs (1)(a)-(d) of this rule. A copy of the appeal shall be sent via regular mail or hand delivery to the district school board, via the Superintendent, by the appealing party by the date of filing with the Agency Clerk. High-performing charter school appeal submissions shall be considered directly by the State Board of Education pursuant to Section 1002.33(6)(c)3.b., Florida Statutes. The appealing party shall certify that it has provided the district school board a copy of the appeal as provided herein. The State Board of Education does not have jurisdiction to hear late-filed appeals.

(b) Within thirty (30) days after receipt of the appeal, the district school board shall file ten (10) hard copies of its written arguments to the Agency Clerk for the Department of Education in the same manner and format described in paragraphs (1)(a)-(d) of this rule. The written arguments are limited to the reasons for denial identified in the district school board's notice of denial.

(c) Failure to meet the requirements herein specified may cause rejection of the submission by the Agency Clerk for the Department of Education.

(d) The State Board of Education shall consider the high-performing charter school appeal at a State Board of Education meeting no later than ninety (90) calendar days after an appeal is filed. Each party shall have fifteen (15) minutes to summarize their arguments. The State Board of Education shall approve or deny the appeal.

(4) Motions.

(a) Motions before the Charter School Appeal Commission or State Board of Education shall be filed with the Agency Clerk in the same format as required in paragraph (1)(d) of this rule, except that they are limited to three (3) pages. Motions shall include a statement that the movant has conferred with the other party, shall state whether such party has any objection to the motion, and shall certify that the other party has been served with a copy of the motion. If there is an objection, the other party may file a response, subject to the same filing requirements as the motion, within three (3) business days of receipt of the motion, or the day before the hearing, whichever occurs first. Oral arguments shall not be requested, but may be scheduled at the discretion of the ruling entity.

(b) The Chair of the Charter School Appeal Commission shall rule upon motions for a continuance of the hearing, motions to relinquish jurisdiction on the grounds of an untimely filed appeal by the appealing party or on the grounds of settlement/voluntary dismissal of the appeal filed prior to the hearing date.

(c) The Commissioner of Education shall rule upon motions for a continuance of the appeal before the State Board of Education and motions to relinquish jurisdiction on the grounds of an untimely filed appeal by the appealing party or on the grounds of settlement/voluntary dismissal of the appeal.

Rulemaking Specific Authority 1002.33(27) 229.053(1) FS., Chapter 96-186, Laws of Florida; Law Implemented 1002.33(6) FS., Chapter 96-186, Laws of Florida; History--New 2-2-97, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mike Kooi, Executive Director, Office of Independent Education and Parental Choice

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Gerard Robinson, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 7, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 22, 2011

DEPARTMENT OF CORRECTIONS

RULE NOS.:	RULE TITLES:
33-103.001	Inmate Grievances – General Policy
33-103.002	Inmate Grievances – Terminology and Definitions
33-103.003	Inmate Grievances – Training Requirements
33-103.004	Inmate Grievances -- Staff and Inmate Participation
33-103.005	Informal Grievance
33-103.006	Formal Grievance – Institution or Facility Level
33-103.007	Appeals and Direct Grievances to the Office of the Secretary
33-103.008	Grievances of Medical Nature
33-103.011	Time Frames for Inmate Grievances
33-103.014	Reasons for Return of Grievance or Appeal Without Processing
33-103.015	Inmate Grievances – Miscellaneous Provisions
33-103.016	Follow Through on Approved Grievances
33-103.018	Evaluation of the Grievance Procedure
33-103.019	Inmate Grievances – Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to update titles, bureau names and address issues in the grievance process that will enhance efficiency.

SUMMARY: The proposed rule is amended to update titles and bureau names, amend the types of grievances and timeframes, and specify grievance procedures.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

Based on analysis from the Bureau of Classification and Central Records indicating that the rule change only affects internal operations of the Department by permitting more flexibility in where a youthful offender program will be located and would not have an impact on small business or the private sector, the rule is not expected to require legislative ratification.

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: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Laura Gallagher, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULES IS:

33-103.001 Inmate Grievances – General Policy.

(1) through (4) No change.

(5) Staff in the Bureau of Policy Management and Inmate Grievance Appeals shall have unlimited access to information required to respond to inmate grievances and appeals. All department employees are required to cooperate with staff in the inmate grievance office by providing accurate and timely information.

Rulemaking Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, Formerly 33-29.001, Amended 10-11-00, 10-28-07.

33-103.002 Inmate Grievances – Terminology and Definitions.

The following terms, as defined, shall be standard usage throughout the department:

(1) Amendment: Wwhere used herein, refers to an addition or change to a previously filed grievance.

(2) Bureau of Policy Management and Inmate Grievance Appeals: The bureau authorized by the Secretary to receive, review, investigate, evaluate, and respond to grievance appeals and direct grievances as defined in subsection (7)(8). The Bureau of Policy Management and Inmate Grievance Appeals

is located in the Office of the General Counsel Research, Planning and Support Services and is managed by the Chief of Policy Management and Inmate Grievance Appeals.

(3) No change.

(4) Emergency Grievance: A grievance ~~Grievance~~ of those matters which, if disposed of according to the regular time frames, would subject the inmate to substantial risk of personal injury or cause other serious and irreparable harm to the inmate.

(5) Formal Grievance: A This is a statement of complaint filed at the institutional or facility level with the warden, assistant warden, or deputy warden, through the use of Form DC1-303, the Request for Administrative Remedy or Appeal, Form DC1-303. Form DC1-303 is incorporated by reference in Rule 33-103.019, F.A.C. Formal grievances are addressed in Rule 33-103.006, F.A.C. The effective date of the form is 2-9-05.

~~(6) General Procedure and Practice: Subject matter of a grievance which has a substantial impact on the general inmate population.~~

~~(6)(7)~~ Grievance: A written complaint or petition, either informal or formal, by an inmate concerning an incident, ~~procedure~~, or condition within an institution, facility, or the Department which affects the inmate complainant personally.

~~(7)(8)~~ Grievance Appeal or, Direct Grievance Grievances, or Central Office Review: A This is a statement of complaint filed with the Secretary of the Department of Corrections through the use of Form DC1-303, the Request for Administrative Remedy or Appeal, Form DC1-303. Appeals and direct grievances are addressed in Rule 33-103.007, F.A.C.

~~(8)(9)~~ Grievance Coordinator: The Refers to the institutional staff member designated by the warden or the Chief bureau chief of the Bureau of Policy Management and Inmate Grievance Appeals to receive, review, investigate, evaluate, and respond to inmate grievances at an institution or facility.

~~(9)(10)~~ Grievance of Reprisal: A Refers to a grievance submitted by an inmate alleging that staff have taken or are threatening to take retaliatory action against the inmate for good faith participation in the inmate grievance procedure.

~~(10)(11)~~ HIPAA: The Refers to the Health Insurance Portability and Accountability Act of 1996.

~~(11)(12)~~ Informal Grievance: This is an initial statement of complaint filed on Form DC6-236, an Inmate Request, DC6-236, with the staff member who is responsible in the particular area of the problem. Form DC6-236 is incorporated by reference in Rule 33-103.005, F.A.C. The effective date of the form is _____.

~~(12)(13)~~ Literature Review Committee: The final reviewing authority for appeals regarding rejected reading material. The committee is composed of the Bureau Chief of Security Operations or his or her representative, the Bureau Chief of Policy Management and Inmate Grievance Appeals or

his or her representative, the Bureau Chief of Classification or his or her representative, and the Library Services Administrator or his or her representative.

~~(13)~~(14) Recipient: A person or office receiving an inmate grievance for processing.

~~(14)~~(15) Reviewing Authority: A staff member ~~Staff who are~~ authorized to sign grievances or appeals as the final authority for review, e.g., warden, assistant warden, deputy warden, or the Secretary's representative.

(a) No change.

(b) Formal Grievance:

1. No change.

2. Private Correctional Facilities – warden ~~or~~; deputy warden, ~~or, when determined by staff in the Bureau of Inmate Grievance Appeals that further review is required, the warden, deputy warden, or the Executive Director of the Privatization Commission;~~

3. No change.

(c) Grievance Appeals: Chief of Policy Management and Inmate Appeals Bureau chief inmate grievance administrator, or correctional services administrator designated by the Secretary to serve as his representative.

(d) Direct grievances:

1. A direct grievance which is to be reviewed by the warden: The warden is authorized to designate the assistant warden or deputy warden (deputy warden applicable to private facilities only) to grant and implement relief as approved by the warden, except as to grievances involving discipline, grievances alleging violation of the Americans with Disabilities Act, grievances challenging placement in close management and subsequent reviews, grievances of an emergency nature, or grievances of reprisal ~~or grievances of a sensitive nature.~~

2. A direct grievance which is to be reviewed by the Bureau of Policy Management and Inmate Grievance Appeals: The Bureau Chief, or other designated those staff may serve as designated by the Secretary's representative in responding to these issues to serve as his representative.

~~(15)~~(16) Response: The information provided to the inmate relative to the decision to approve, deny, or return the grievance and the reasons for the approval, denial, or return.

Rulemaking Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, Formerly 33-29.002, Amended 10-11-00, 1-2-03, 9-16-03, 2-9-05, 3-25-08, _____.

33-103.003 Inmate Grievances – Training Requirements.

(1) Staff Training. The Bureau of Policy Management and Inmate Grievance Appeals shall develop a standardized plan to be implemented by the Bureau of Staff Development in order to train staff in the use of the inmate grievance procedure. The

training shall be designed to familiarize staff with the provisions of Chapter 33-103, F.A.C., and the standardized forms utilized in the grievance procedure.

(a) through (b) No change.

(c) The provision of training shall be documented on Form DC2-901, Training Attendance Report. Form DC2-901 is hereby incorporated by reference ~~in Rule 33-103.019, F.A.C.~~ Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is 6-18-07.

(2) Inmate Orientation. Through the use of a standardized lesson plan, inmates will receive training in the use of the inmate grievance procedure by institution or facility staff. Inmates shall sign a statement acknowledging receipt of training on the inmate grievance procedure. A copy of this statement shall be placed in the inmate file. Form DC1-307, Acknowledgement of Receipt of Grievance Orientation, shall be used for this purpose. Form DC1-307 is hereby incorporated by reference ~~in Rule 33-103.019, F.A.C.~~ Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is 10-11-00.

(a) through (b) No change.

(c) The orientation program shall include the following:

1. No change.

2. Availability of the ~~The~~ written procedure ~~shall be available~~ in any language spoken by a significant proportion of the institution's population, and appropriate provisions ~~shall be made~~ for those speaking other languages and, as well as for the impaired and disabled;

3. No change.

4. Provisions ~~shall be made~~ for the impaired and disabled to participate in an orientation program.

Rulemaking Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–New 10-12-89, Amended 1-15-92, 4-10-95, 12-7-97, Formerly 33-29.003, Amended 8-1-00, 10-11-00, 2-13-03, 10-9-05, _____.

33-103.004 Inmate Grievances – Staff and Inmate Participation.

(1) Inmate and employee participation in the grievance process will take the form of solicitation of written comments by inmates and employees on selected formal inmate grievances that staff determine will significantly impact the inmate population and which challenge general procedures and practices prior to the initial adjudication of the grievance. Each institution shall within 5 calendar days of receipt, post copies of this type of formal grievance on inmate and employee bulletin boards, circulate among all inmates in all disciplinary, administrative, and close management areas, including all inmates under sentence of death. These grievances shall be posted and circulated without identification of individual names or identifying facts. Written comments must be received

in the office of the reviewing authority as defined in Rule 33-103.002 paragraph 33-103.002(15)(b), F.A.C., within 5 calendar days from the date of posting in order to receive consideration. With the exception of submitting written comments, no inmate or employee who appears to be involved in the matter shall participate in any capacity in the final resolution of a grievance.

(2) Inmates and employees have the opportunity to review the effectiveness and credibility of the department’s grievance procedure through the submission of written comments to the reviewing authority as defined in Rule 33-103.002 paragraphs 33-103.002(15)(a) through (e), F.A.C. The reviewing authority shall review and respond to written comments received and institute procedural changes as appropriate. Comments received relating to this rule that are outside the decision making authority of the reviewing authority as defined in Rule 33-103.002 paragraphs 33-103.002(15)(a) through (e), F.A.C., shall be forwarded to the Office of the General Counsel for review and appropriate action. If the comments or complaint focuses on the implementation of the rule at a particular institution, the reviewing authority as defined in Rule 33-103.002 paragraphs 33-103.002(15)(b) through (e), F.A.C., has the authority to make necessary changes in this implementation consistent with the rule. If the comments or complaint deal with the content of the rule itself and the only way a change could be effected would be to change the rule, then it needs to be forwarded to the Office of the General Counsel. The Office of the General Counsel shall review the complaint to see if there appears to be a problem with the rule itself. If changes are necessary, the Office of the General Counsel coordinates the rule promulgation process. The warden shall receive a response and in turn advise the employee or inmate.

(3) through (4) No change.

Rulemaking Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 4-10-95, 12-7-97, Formerly 33-29.004, Amended 10-11-00, 2-9-05, 3-25-08,

33-103.005 Informal Grievance.

(1) Inmates shall utilize the informal grievance process prior to initiating a formal grievance. In the case of an emergency grievance, a grievance of reprisal, ~~a grievance of a sensitive nature~~, a grievance alleging violation of the Americans with Disabilities Act, a medical grievance, a grievance involving admissible reading material, a grievance involving gain time governed by Rule 33-601.101, F.A.C., Incentive Gain Time, a grievance challenging placement in close management and subsequent reviews, grievances regarding the return of incoming mail governed by subsection 33-210.101(14), F.A.C., or a grievance involving disciplinary action (does not include corrective consultations) governed by Rules 33-601.301-314, F.A.C., an inmate may utilize the formal grievance process governed by Rule 33-103.006,

F.A.C., directly, bypassing the informal grievance process. An inmate shall utilize the direct grievance process governed by subsection 33-103.007(6), F.A.C., for grievances alleging a violation of the Health Insurance Portability and Accountability Act (HIPAA) rather than initiating an informal or formal grievance.

(a) No change.

(b) After being logged, informal grievances shall be forwarded to the staff member who is responsible in the particular area of the problem, the classification team, the appropriate section head, or other institutional staff. When an informal grievance is received by the reviewing authority as defined in Rule 33-103.002 paragraph 33-103.002(15)(a), F.A.C., the reviewing authority shall respond to the grievance, refer the grievance to a staff member for response, or shall advise the inmate to re-file with a specific staff member.

(c) No change.

(2) When submitting an informal grievance, the inmate shall use Form DC6-236, Inmate Request, and shall:

(a) Check the appropriate box indicating to whom he is submitting the informal grievance. If the inmate checks the box designated “other,” he or she shall print the name or title of the person the form is going to in the space underneath the box; and complete the other sections of the heading;

(b) On the line reading “Request,” the inmate shall check the box to indicate that Form DC6-236 is being used as an “Informal Grievance.” Failure to do this will cause the request to be handled routinely and it will not be considered an informal grievance. This will also cause the form to be unacceptable as documentation of having met the informal step if it is attached to a formal grievance submitted at the next step.

1. The act of asking questions or seeking information, guidance, or assistance is not considered to be a grievance. Answers to inmate requests of this nature shall not be considered as documentation of having met the informal step if they are ~~it is~~ attached to a formal grievance submitted at the next step. Inmate requests improperly submitted as informal grievances shall be treated as inmate requests and the inmate shall be advised that he cannot appeal the response.

2. When completing the inmate request form for submission as an informal grievance, the inmate shall ensure that the form is legible, that included facts are accurately stated, and that only one issue or complaint is addressed. The inmate must limit all grievance narrative to Form DC6-236, and only two additional pages of narrative will be allowed. If additional space is needed, the inmate shall use attachments and not multiple copies of Form DC6-236. The inmate shall sign and date the form and write in his Department of Corrections number and forward the informal grievance to the designated staff person. If an inmate fails to sign his grievance, it shall result in a delay in addressing the grievance until it can be verified that it is that inmate’s grievance. Form DC6-236 is hereby incorporated by reference. Copies of this form are

available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is 5-6-11.

(3) Upon receipt of the informal grievance, the recipient shall note the date on the form.

(4) The informal grievance shall be responded to within 10 days of the initial receipt date as noted on the informal grievance log. The recipient shall respond to the inmate following investigation and evaluation of the complaint within 10 days as required by paragraph 33-103.011(3)(a), F.A.C.

(a) through (c) No change.

(d) The response to the informal grievance shall include the following statement, or one similar in content and intent if the grievance is denied: You may obtain further administrative review of your complaint by obtaining form DC1-303, Request for Administrative Remedy or Appeal, completing the form as required by Rule 33-103.006, F.A.C., attaching a copy of your informal grievance and response, and forwarding your complaint to the warden or assistant warden no later than 15 days after the grievance is responded to. If the 15th day falls on a weekend or holiday, the due date shall be the next regular work day. Form DC1-303 is incorporated by reference in Rule 33-103.006, F.A.C.

(5) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 3-30-94, 4-17-94, 4-10-95, 8-10-97, 12-7-97, 2-17-99, Formerly 33-29.005, Amended 8-1-00, 2-9-05, 3-25-08, 1-31-10, _____.

33-103.006 Formal Grievance – Institution or Facility Level.

(1) When an inmate decides to file a formal grievance, he or she shall do so by completing Form DC1-303, Request for Administrative Remedy or Appeal, and filing within the time limits set forth in Rule 33-103.011, F.A.C. Form DC1-303 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

(a) In institutions and private correctional facilities, inmates shall direct this form to the warden or assistant warden or deputy warden as defined in paragraph 33-103.002(17)(b) ~~33-103.002(15)(b)~~, F.A.C.

(b) In road prisons, vocational centers, work camps, community correctional centers, and contract facilities the form shall be sent to the warden or assistant warden of the supervising institution.

(2) Procedural Requirements.

(a) The inmate shall fill out the identifying data at the top of the form, printing his committed name, Department of Corrections number, and institution or facility name and checking the appropriate box.

(b) No change.

(c) The inmate shall state his grievance in Part A. Only 2 additional pages of narrative will be allowed. If additional space is needed, the inmate shall use only 2 additional attachment pages and not multiple copies of Form DC1-303. If the inmate writes his complaint anywhere other than within the boundaries of Part A or on the 2 allowable attachment pages, his grievance shall be returned for non-compliance.

(d) through (f) No change.

(g) The inmate shall attach a copy of the informal grievance and the response to the informal grievance to Form DC1-303 ~~form~~, unless the grievance is a direct formal grievance of the following: an emergency grievance; a grievance of reprisal; ~~a grievance of a sensitive nature~~; a medical grievance; a grievance alleging violation of the Americans with Disabilities Act; a grievance involving gain time governed by Rule 33-601.101, F.A.C., Incentive Gain Time; a grievance challenging placement in close management and subsequent reviews; a grievance regarding the return of incoming mail governed by subsection 33-210.101(14), F.A.C.; or a grievance of disciplinary action (excluding corrective consultations). Any other pertinent documentation shall be attached also. Informal grievances as described in subparagraph 33-103.005(2)(b)1., F.A.C., shall not be accepted as documentation of having met the requirements of the informal grievance step.

(h) The inmate shall submit the grievance or appeal to designated staff by ~~personally~~ placing the grievance or appeal in a locked grievance box. Locked boxes shall be available to inmates in open population and special housing units. A staff person from classification, the grievance coordinator's office, or the assistant warden's office shall be responsible for the key. If the staff member collecting the grievances is from classification or the assistant warden's office, he or she shall retrieve the grievances and appeals and deliver them to the institutional grievance coordinator. The institutional grievance coordinator shall log all formal grievances and provide the inmates with receipts. The appeals will be forwarded to the Bureau of Policy Management and Inmate Grievance Appeals after being processed for mailing in accordance with paragraphs 33-103.006(8)(b) and (c), F.A.C. The Bureau of Policy Management and Inmate Grievance Appeals shall log all appeals and forward receipts to the inmates. Grievances and appeals shall be picked up and forwarded by the institutions daily Monday through Friday.

(i) If the inmate is filing an amendment to a previously filed grievance or appeal, the inmate shall clearly state this at the beginning of PART A of Form DC1-303, ~~the Request for Administrative Remedy or Appeal, Form DC1-303~~. Amendments are to be filed only regarding issues unknown or unavailable to the inmate at the time of filing the original grievance and must be submitted within a reasonable time frame of knowledge of the new information.

(3) The following types of grievances may be filed directly with the reviewing authority as defined in paragraph ~~33-103.002(14)(b)~~ ~~33-103.002(15)(b)~~, F.A.C., by-passing the informal grievance step, and may be sent in a sealed envelope through routine institutional mail channels:

(a) Emergency Grievance – Upon receipt, the reviewing authority as defined in paragraph ~~33-103.002(14)(b)~~ ~~33-103.002(15)(b)~~, F.A.C., shall take the following action as soon as possible, but no later than two calendar days following receipt:

1. Review complaint and contact staff for additional information if necessary;
2. If an emergency is found to exist, initiate action to alleviate condition giving rise to the emergency;
3. Provide formal response to the inmate within 15 calendar days as required by paragraph 33-103.011(3)(d), F.A.C.; and
4. If an emergency is not found to exist, a response will be provided to the inmate indicating that the complaint is “not an emergency” with instructions to resubmit at the proper level, signed and dated by the responding employee, and returned to the inmate within 72 hours of receipt.

(b) Grievance of Disciplinary Action – If additional mitigating factors not presented during the disciplinary hearing are provided, a review shall be conducted and applicable modifications made, if necessary.

(c) Grievance of Reprisal.

(d) ~~Grievances involving inmate bank issues. Grievance of a Sensitive Nature.~~

(e) Medical Grievance.

(f) Grievance involving gain time governed by Rule 33-601.101, F.A.C., Incentive Gain Time.

(g) Grievance involving sentence structure.

~~(h)(e)~~ (h) Grievance challenging placement in close management or subsequent review.

~~(i)(h)~~ (i) Grievance alleging violation of the Americans with Disabilities Act.

~~(j)(i)~~ (j) Grievance regarding the return of incoming mail governed by subsection 33-210.101(14), F.A.C.

(4) Inmates filing the types of grievances identified in paragraphs (3)(a), (c), and (d) above shall clearly state their reasons for by-passing the informal grievance step and shall state at the beginning of Part A of Form DC1-303, Request for Administrative Remedy or Appeal, the subject of the grievance. Failure to do so and failure to justify filing directly shall result in the formal grievance being returned without action to the inmate with the reasons for the return specified.

(5) Upon receipt of the formal grievance, the recipient [reviewing authority as defined in paragraph ~~33-103.002(14)(b)~~ ~~33-103.002(15)(b)~~, F.A.C.] shall cause the following to occur:

(a) The grievance and related attachments shall be examined for compliance with Chapter 33-103, F.A.C.;

(b) through (d) No change.

(6) Following investigation and evaluation by the reviewing authority as defined in paragraph ~~33-103.002(14)(b)~~ ~~33-103.002(15)(b)~~, F.A.C., a response shall be provided to the inmate within 20 calendar days of receipt of the grievance as required by paragraph 33-103.011(3)(b), F.A.C. The degree of investigation is determined by the complexity of the issue and the content of the grievance. The response shall state whether the grievance is approved, denied, or being returned and shall also state the reasons for the approval, denial or return.

(a) The original grievance and one copy shall be returned to the inmate, with the request for interview form (informal grievance) attached. The date the grievance is returned to the inmate (the date the grievance leaves the recipient's ~~recipients~~ office) shall be noted on the form. This is the date that will be used to determine whether or not the inmate has met the fifteen day time limitation in filing his or her appeal to the Office of the Secretary.

(b) The second copy shall be forwarded to the correctional sentence specialist for placement in the inmate's file.

(c) The reviewing authority as defined in paragraph ~~33-103.002(14)(b)~~ ~~33-103.002(15)(b)~~, F.A.C., shall retain a complete copy of the grievance on file.

(d) No change.

(7) The response to the formal grievance shall include the following statement, or one similar in content and intent if the grievance is denied: You may obtain further administrative review of your complaint by obtaining form DC1-303, Request for Administrative Remedy or Appeal, completing the form, providing attachments as required by paragraphs 33-103.007(3)(a) and (b), F.A.C., and forwarding your complaint to the Bureau of Policy Management and Inmate Grievance Appeals, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

(8) Mailing Procedures. The warden or person designated in ~~Rule 33-103.002~~ ~~paragraph 33-103.002(15)(b)~~, F.A.C., shall establish a procedure in the institution or facility under his supervision for processing those grievances ~~that which~~ require mailing. Inmates who are filing grievances that require mailing shall be required to utilize the procedure set forth in this rule when processing their grievances or appeals to the reviewing authority of community facilities or the Bureau of Policy Management and Inmate Grievance Appeals in ~~the~~ central office. The institution or facility shall provide postage for grievances submitted through this process. Procedures implemented shall include, at a minimum, the following:

(a) through (b) No change.

(c) A requirement that the staff person designated to accept the grievance to be mailed shall:

1. Complete the receipt portion of ~~Form the DC1-303 form~~ for appeals being forwarded to central office by entering a log/tracking number ~~and~~, date of receipt, and sign as the recipient.

2. through 3. No change.

(d) through (e) No change.

(f) Upon receipt of a mailed grievance by the reviewing authority as defined in paragraph ~~33-103.002(14)(b)~~ ~~33-103.002(15)(d)~~, F.A.C., the following shall occur:

1. No change.

a. In the case of a formal grievance being filed, by comparing the receipt date on ~~Form the DC1-303 form~~ to the response date of the informal grievance.

b. In the case of a grievance being filed directly at the institutional level, by comparing the receipt date on ~~Form the DC1-303 form~~ to the date of the incident or situation giving rise to the complaint.

2. through 3. No change.

(9) If an inmate is in a special housing unit and wants to file a grievance, he shall submit the grievance to designated staff by placing the grievance in a locked box. The designated staff person shall deliver the box to the institutional grievance coordinator who will unlock the box, remove the grievances, log the grievances, and provide the inmates with receipts.

(10) No change.

~~Rulemaking Specific~~ Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 8-10-97, 12-7-97, 5-10-98, 2-17-99, Formerly 33-29.006, Amended 8-1-00, 10-11-00, 2-9-05, 10-28-07, 3-25-08, _____.

33-103.007 Appeals and Direct Grievances to the Office of the Secretary.

(1) In the event that an inmate feels that the grievance has not been satisfactorily resolved during the formal grievance procedure, an appeal may be submitted according to the time limits set forth in Rule 33-103.011, F.A.C., using ~~Form DC1-303, the Request for Administrative Remedy or Appeal, Form DC1-303,~~ to the Office of the Secretary without interference from staff. Form DC1-303 is incorporated by reference in Rule 33-103.006, F.A.C.

(2) Procedural Requirements.

(a) The inmate shall fill out the identifying data at the top of the form by printing his committed name, Department of Corrections number, and institution or facility name and shall check the appropriate box;

(b) The inmate shall state his grievance in Part A. If additional space is needed, the inmate may use no more than 2 attachment pages rather than multiple copies of Form DC1-303. If the inmate writes his complaint anywhere other than within the boundaries of ~~the~~ Part A Box or on attachments, ~~the~~ his grievance shall be returned for non-compliance;

(c) through (f) No change.

(3) The Office of the Secretary has designated the Bureau of Policy Management and Inmate Grievance Appeals to receive, review, investigate, evaluate and respond to appeals and direct grievances filed with the Office of the Secretary. Appeals and direct grievances to the Office of the Secretary shall be turned over that same date to the Bureau of Policy Management and Inmate Grievance Appeals which shall ensure that the grievance is date-stamped in on the date of receipt. Upon receipt of the appeal or direct grievance by the Bureau of Policy Management and Inmate Grievance Appeals, the following shall occur:

The decision of whether or not the grievance has been timely filed by the inmate shall be made based upon the following comparisons:

(a) through (b) No change.

(4) Upon receipt of the grievance appeal or direct grievance, the Chief of Policy Management and Inmate Grievance Appeals shall cause the following to occur:

(a) through (d) No change.

(e) Following appropriate investigation and evaluation by staff of the Bureau of Policy Management and Inmate Grievance Appeals, a response shall be provided to the inmate. The degree of investigation is determined by the complexity of the issue and the content of the grievance.

(f) The response shall state whether the appeal or direct grievance is approved, denied, or being returned and shall also state the reasons for the approval, denial, or return. The criteria considered in approving, denying, or returning an appeal or direct grievance will vary with the facts of the grievance.

(5) Grievance appeals – If the grievance appeal is not a direct grievance to the Office of the Secretary, the inmate shall:

(a) Attach a copy of his formal grievance and response,;

(b) Attach a copy of his informal grievance and response, except when appealing grievances on disciplinary action (excluding corrective consultations), medical issues, admissible reading material, placement in close management and subsequent reviews, violation of the Americans with Disabilities Act, grievances regarding the return of incoming mail governed by subsection 33-210.101(14), F.A.C., or grievances involving gain time governed by Rule 33-601.101, F.A.C., Incentive Gain Time,;

(c) Attach any other documentation that the inmate has that is pertinent to the review and that the inmate wants reviewed. Attachments as required by the rule that do not meet the requirements of this rule may result in the grievance being returned to the inmate,;

(d) No change.

(e) If the inmate is filing an amendment to a previously filed grievance or appeal, the inmate shall clearly state this at the beginning of PART A of Form DC1-303, the Request for Administrative Remedy or Appeal,~~Form DC1-303.~~

(6) Direct Grievances.

(a) Emergency grievances ~~and~~; grievances of reprisals, ~~or grievances of a sensitive nature~~ may be filed directly with the Office of the Secretary using the Request for Administrative Remedy or Appeal, Form DC1-303. Grievances alleging a violation of the Health Insurance Portability and Accountability Act (HIPAA) must be filed directly with the Office of the Secretary using Form DC1-303, the Request for Administrative Remedy or Appeal, Form DC1-303. The following shall apply:

1. The inmate shall state at the beginning of Part A of Form DC1-303 that the grievance concerns either an emergency; or is a grievance of a reprisal, ~~or a grievance of a sensitive nature~~. When alleging HIPAA violations, the inmate shall state that the grievance concerns HIPAA at the beginning of Part A of Form DC1-303.

2. The inmate must clearly state the reason for not initially bringing the complaint to the attention of institutional staff and by-passing the informal and formal grievance steps of the institution or facility, except in the case of a HIPAA violation grievance, which must be filed directly with the Office of the Secretary.

3. The inmate may forward grievances of these four types to the Office of the Secretary in a sealed envelope by following the procedure set out in paragraph 33-103.006(8)(d), F.A.C. When a direct grievance alleging violation of HIPAA is received at the Office of the Secretary, the Bureau of Policy Management and Inmate Grievance Appeals shall forward the grievance to the Office of the Assistant Secretary for Health Services for investigation and response. The disclosure of medical information in a grievance authorizes staff to review the information and to use and disclose the medical information necessary to investigate in order to respond. Following preparation of a response and signature of the responding employee, the grievance shall be returned to the Bureau of Policy Management and Inmate Grievance Appeals to ensure appropriate filing and routing.

(b) Emergency Grievances. An emergency grievance may be filed directly with the Secretary. Upon receipt, staff of the Bureau of Policy Management and Inmate Grievance Appeals shall take the following actions as soon as possible, but no later than two calendar days following receipt:

1. through 2. No change.
3. Provide a formal response to the inmate within 15 calendar days; and
4. If an emergency is not found to exist, the grievance will be stamped “not an emergency,” signed and dated by the responding employee, and returned to the inmate within three working days of receipt as his reasons for by-passing the previous level of review will not be valid.

(c) Grievances filed directly with the Office of the Secretary that are grievances of reprisal, ~~grievances of a sensitive nature~~, or a grievance alleging a violation of HIPAA shall be responded to according to established time frames.

(d) Upon receipt of the direct grievance and following review of the same, if it is determined that the grievance is not an emergency grievance, a grievance of reprisal, ~~or a grievance of a sensitive nature~~, or a grievance alleging a violation of HIPAA, the grievance shall be returned to the inmate with the reasons for return specified advising the inmate to resubmit his or her grievance at the appropriate level. The other applicable procedures in Rule 33-103.007, F.A.C., governing the processing of appeals to the Office of the Secretary shall apply to these four types of grievances.

- (7) No change.
- (8) Copies.

(a) The original copy of the grievance shall be returned to the inmate. The response shall be stamped “MAILED/FILED WITH AGENCY CLERK” along with the date mailed; the response shall be mailed on the same date that it is stamped. The response is deemed filed with the agency clerk on the date that it is stamped and mailed. The time period for appeal begins to run on the date that the response is stamped and mailed. If the inmate is transferred, it is his or her responsibility to notify the Bureau of Policy Management and Inmate Grievance Appeals.

(b) One copy of the grievance shall be sent to the warden of the institution or facility the inmate is assigned to for review and forwarding for inclusion in the inmate file.

(c) The second copy shall be forwarded to the Bureau of Classification and Central Records for inclusion in the inmate’s central office file.

(d) Attachments are considered a part of the grievance and shall not be returned to the inmate, except in those cases where the inmate submits sufficient copies of attachments at the time the grievance appeal is filed.

Rulemaking Specific Authority 944.09 FS. Law Implemented 944.09 FS., 45 C.F.R. Part 160, 164. History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 8-10-97, 12-7-97, 10-7-98, 2-17-99, Formerly 33-29.007, Amended 8-1-00, 6-29-03, 2-9-05, 8-21-06, 3-25-08, _____.

33-103.008 Grievances of Medical Nature.

(1)(a) If a formal grievance of a medical nature is filed at the institutional level, it shall be forwarded to the institution’s chief health officer for investigation and response. Following preparation of a response and signature of the responding employee, the grievance shall be returned to the warden or assistant warden or deputy warden to ensure appropriate filing and routing. If the chief health officer is not the responding employee, the chief health officer shall review and initial the response prior to returning the grievance. ~~In the absence of the chief health officer, the review and initialing of the grievance will be made by the Director of Regional Health Care or the acting chief health officer who is designated in writing by the Director of Regional Health Care.~~

~~(b) If a formal grievance of a medical nature is received by the reviewing authority of community facilities as defined in paragraph 33-103.002(15)(b), F.A.C., it shall be forwarded to the Office of the Director for Regional Health Services for investigation and response. However, if the medical grievance originates out of one of the drug treatment centers which have a chief health officer, it shall be forwarded to that chief health officer for investigation and response. Following preparation of a response and signature of the responding employee, the grievance shall be returned to the reviewing authority of community facilities to ensure appropriate filing and routing.~~

~~(b)(e)~~ Other procedures applicable to the processing of a formal grievance of a medical nature are as stated in Rule 33-103.006, F.A.C.

(2) If a grievance appeal of a medical nature is received by the Office of the Secretary, the Bureau of Policy Management and Inmate Grievance Appeals shall forward the grievance to the Office of the Assistant Secretary for Health Services for investigation and response. The disclosure of medical information in a grievance authorizes staff to review the information and to use and disclose the medical information necessary to investigate in order to respond. Following preparation of a response and signature of the responding employee, the grievance shall be returned to the Bureau of Policy Management and Inmate Grievance Appeals to ensure appropriate filing and routing. Other procedures applicable to the processing of a grievance appeal of a medical nature are as stated in Rule 33-103.007, F.A.C.

~~Rulemaking Specific Authority 944.09 FS. Law Implemented 944.09 FS., 45 C.F.R. Part 160, 164. History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, Formerly 33-29.008, Amended 6-29-03, 2-9-05, 3-25-08,_____.~~

33-103.011 Time Frames for Inmate Grievances.

When determining the time frames for grievances in all cases, the specified time frame shall commence on the day following the date of the incident or response to the grievance at the previous level. For example, if an incident occurred on December 1, fifteen days from that date would be December 16.

(1) Filing of Grievances.

(a) Informal Grievances – Must be received within 20 days ~~a reasonable time~~ of when the incident or action being grieved occurred. ~~Reasonableness shall be determined on a case by case basis. Availability of witnesses and relevant documentary evidence are factors, among others, which should be looked at in determining reasonableness.~~

(b) through (d) No change.

(2) An extension of the above-stated time periods shall be granted when it is clearly demonstrated by the inmate to the satisfaction of the reviewing authority as defined in paragraphs 33-103.002(14)(b) ~~33-103.002(15)(b)~~ and (c), F.A.C., or the Secretary that it was not feasible to file the grievance within

the relevant time periods and that the inmate made a good faith effort to file in a timely manner. The granting of such an extension shall apply to the filing of an original grievance or when re-filing a grievance after correcting one or more deficiencies cited in Rule 33-103.014, F.A.C.

(3) Responding to Grievances.

(a) No change.

(b) Formal Grievances – The reviewing authority as defined in paragraph 33-103.002(14)(b) ~~33-103.002(15)(b)~~, F.A.C., shall have up to 20 calendar days from the date of receipt of the grievance to take action and respond. See Rule 33-103.006, F.A.C.

(c) through (d) No change.

(4) The time limit for responding to grievances and appeals may be extended for a reasonable period agreeable to both parties if the extension is agreed to in writing by the inmate. Unless the grievant has agreed in writing to an extension, expiration of a time limit at any step in the process shall entitle the complainant to proceed to the next step of the grievance process. If this occurs, the complainant must clearly indicate this fact when filing at the next step. If the inmate does not agree to an extension of time at the central office level of review, he shall be entitled to proceed with judicial remedies as he would have exhausted his administrative remedies. The Bureau of Policy Management and Inmate Grievance Appeals will nevertheless ensure that the grievance is investigated and responded to even though an extension has not been agreed to by the inmate.

(5) If the 15th day referenced in paragraphs 33-103.011(1)(b), (c) and (d), F.A.C., falls on a weekend or holiday, the due date shall be the next regular work day.

~~Rulemaking Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, Formerly 33-29.011, Amended 2-9-05, 3-25-08,_____.~~

33-103.014 Reasons for Return of Grievance or Appeal Without Processing.

(1) The informal grievance, formal grievance, direct ~~filed direct~~ grievance appeal, hereafter referred to as “grievance,” ~~in this section of the rule~~ may be returned to the inmate without further processing if, following a review of the grievance, one or more of the following conditions are found to exist. The reasons listed below are the only reasons for returning a grievance without a response on the merits.

(a) The grievance addresses more than one issue or complaint;

(b) The grievance is so broad, general or vague in nature that it cannot be clearly investigated, evaluated, and responded to;

(c) The grievance is not written legibly and cannot be clearly understood;

(d) The formal grievance was not received within 15 calendar days of the date of the response to the informal grievance.

(e) The formal grievance was not received within 15 calendar days of the date on which the incident or action being complained about occurred, if an informal grievance was not filed pursuant to subsection 33-103.006(3), F.A.C.

(f) through (l) No change.

(m) The inmate has used multiple copies of grievance forms rather than attachments as continuation sheets.

(n) through (o) No change.

(p) The inmate is raising allegations and charges in a grievance appeal that have not been raised below at the previous level. (Since this is an appellate review process and not a fact-finding process, it is not appropriate to raise new allegations, charges, and facts that the previous decision maker has not had an opportunity to investigate and respond to.)

(q) No change.

(r) The inmate has filed a supplement to a grievance or appeal ~~that which~~ has already been accepted. An exception will be made when the supplement contains relevant and determinative information ~~that which~~ was not accessible to or known by the inmate at the time the original grievance or appeal was filed.

(s) Complaints are raised by an inmate regarding incidents, ~~procedures, policies or rules~~ that do not affect the inmate personally.

(t) The inmate ~~had~~ filed a grievance at the institutional level that should have been filed directly with the Office of the Secretary.

(2) An inmate who has a grievance returned to him for reasons stated in subsection (1) above [excluding paragraph (1)(d), (e), (h), (i), (n), (o), (q), (r) or (s)] may refile utilizing the proper procedure or correct the stated deficiency and refile if upon receipt of this notification the filing is within time frames allowable. When a grievance is returned to an inmate for being improperly filed, the inmate shall be told why the grievance was returned and told that in order ~~for him~~ to receive administrative review of his complaint he must correct the defects and re-submit the grievance within the time frames set forth in Rule 33-103.011, F.A.C., unless instructed otherwise in the grievance response. Instructions to resubmit are not necessary if a grievance is returned for reasons stated in paragraph (1)(d), (e), (h), (i), (n), (o), (q), (r), (m) or (s).

Rulemaking Specific Authority 944.09 FS. Law Implemented 944.09 FS., ~~45 C.F.R. Part 160, 164.~~ History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, 5-10-98, Formerly 33-29.014, Amended 6-29-03, 2-9-05.

33-103.015 Inmate Grievances – Miscellaneous Provisions.

(1) Inmates shall be allowed to seek assistance from other inmates or staff members in completing the grievance forms as long as the assistance requested does not interfere with the security and order of the institution.

(2) Form DC6-236, Inmate Request, and Form DC1-303, Request for Administrative Remedy or Appeal, shall be available as a minimum from the institutional library, classification department, classification staff, and the housing officer of any living unit or confinement unit. Form DC6-236 is incorporated by reference in Rule 33-103.005, F.A.C. Form DC1-303 is incorporated by reference in Rule 33-103.006, F.A.C.

(3) The warden, assistant warden, or deputy warden (deputy warden applicable to private facilities only) is authorized to designate other staff to receive, review, and investigate any grievance of an institutional nature. The warden is authorized to designate the assistant warden or deputy warden (deputy warden applicable to private facilities only) to grant and implement relief as approved by the warden, except as to grievances involving discipline, grievances alleging violation of the Americans with Disabilities Act, grievances challenging placement in close management and subsequent reviews, grievances of an emergency nature, or grievances of reprisal ~~or grievances of a sensitive nature~~ that are filed directly with the warden. For grievances filed directly with the warden, the decision to approve, return, or deny the grievance shall be made by the warden; the assistant warden or deputy warden shall only be authorized to sign as acting warden in the warden's absence, and must indicate "Acting Warden" beside his or her signature.

(4) No change.

(5) The response to an informal grievance and a formal grievance shall include the following statement, or one similar in content and intent if the grievance is denied: You may obtain further administrative review of your complaint by obtaining Form DC1-303, Request for Administrative Remedy or Appeal, completing the form, providing attachments as required, and forwarding your complaint to the warden, assistant warden, deputy warden or the Bureau of Policy Management and Inmate Grievance Appeals.

(6) At no time will an inmate who is alleging that he was physically abused as described in Section 944.35(3), F.S., or alleging reprisal by staff, as defined in Rule 33-103.002 ~~subsection 33-103.002(10),~~ F.A.C., be directed to submit his or her grievance to the staff person who is the subject of the complaint, nor will the grievance be referred to a staff person who is the subject of the complaint.

(7) Writing paper and writing utensils shall be provided to those inmates who have insufficient funds in their accounts at the time the materials are requested if such are needed to prepare the grievance or grievance appeal. These supplies shall

be available from the institution library, classification department, classification staff, and the housing officer of any living unit or confinement unit.

(8) Copying services for documents to be included as attachments to a grievance or grievance appeal shall be handled according to Rule 33-501.302, F.A.C., except that copying services shall not be provided to make copies of Form DC6-236 or Form DC1-303, attachments, not to exceed two, that are a continuation of the request portion of Form DC6-236, or attachments that are a continuation of Part A of Form DC1-303.

(9) No change.

(10) A copy of these rules shall be available for access by inmates at a minimum in the inmate library and from the housing officer of any confinement unit.

(11) Provisions shall be made to ensure that grievances submitted by confinement inmates are collected on a daily basis, and that those grievances which require mailing are processed in accordance with Rule 33-103.006(8) ~~subsection 33-103.006(8)~~, F.A.C.

(12) Staff shall respond to inquiries made by the Bureau of Inmate Grievance Appeals by the close of business on the seventh day after the request.

Rulemaking Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-29-92, 9-3-92, 12-22-92, 7-11-93, 5-3-94, 4-10-95, 9-23-96, 8-10-97, 12-7-97, 5-10-98, 2-17-99, Formerly 33-29.015, Amended 8-1-00, 10-11-00, 2-7-01, 5-27-02, 1-2-03, 2-9-05, 9-4-05, 10-28-07, _____.

33-103.016 Follow Through on Approved Grievances.

(1) Formal Grievance – Institution or Facility Level. All formal grievances ~~that which~~ are approved at the institution or facility level shall be handled as follows:

(a) The employee approving the grievance shall complete Section I of ~~Form form~~ DC1-306, Grievance Approval Action Form. Form DC1-306 is hereby incorporated by reference ~~in~~ Rule 33-103.019, F.A.C. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is 08-01-00.

(b) The approving employee shall then send ~~Form form~~ DC1-306 and a copy of the approved formal grievance to the grievance coordinator in the event they are not one and the same.

(c) The grievance coordinator shall complete Sections II, III, and IV of ~~Form form~~ DC1-306. The grievance coordinator shall then provide the form ~~DC1-306~~ and a copy of the approved grievance to the staff member(s) assigned responsibility for implementing the approved action. The grievance coordinator shall monitor this process.

(d) The assigned staff member(s) shall complete Section V of ~~Form form~~ DC1-306, stating what steps were taken to implement the approved action. This shall not be done until

after the steps have been taken. The assigned staff member(s) shall have 30 calendar days from the date the grievance was approved within which to implement the approved action. In the event that actual implementation cannot be completed within the 30 day period due to circumstances beyond the control of department staff, the assigned staff member(s) shall indicate this and the reasons therefor in Section V within the 30 day period. The form shall be held by the assigned staff member until the corrective action has been taken.

(e) No change.

(f) The grievance coordinator shall complete Section VII of ~~Form form~~ DC1-306, place a copy of the form in the grievance record log, and attach a copy of the form ~~DC1-306~~ to the copy of the approved grievance in the inmate's file. A copy of the form shall not be sent to central office.

(2) Appeals and direct grievances to the Office of the Secretary. All grievances ~~that which~~ are approved by the ~~Office of the Secretary/Bureau of Policy Management and Inmate Grievance Appeals~~ shall be handled as follows:

(a) The employee approving the grievance shall complete Section I of ~~Form form~~ DC1-306.

(b) The approving employee shall then mail ~~Form form~~ DC1-306, along with a copy of the approved grievance or appeal, to the appropriate warden's office.

(c) The warden shall forward the DC1-306 to the institutional grievance coordinator who shall complete Sections II, III, and IV of the form ~~DC1-306~~. The grievance coordinator shall then provide the form ~~DC1-306~~ and a copy of the approved grievance to the staff member(s) assigned responsibility for implementing the approved action. The grievance coordinator shall monitor this process.

(d) The assigned staff member(s) shall complete Section V of ~~Form form~~ DC1-306 stating what action was taken to carry out the approval. This shall not be done until after the action has actually been taken. The assigned staff member(s) shall have 35 calendar days from the date the grievance or appeal was approved within which to implement the approved action. In the event that actual implementation cannot be completed within the 35 day period due to circumstances beyond the control of department staff, the assigned staff member(s) shall indicate this and the reasons therefor in Section V. The form shall be held by the assigned staff member until the corrective action has been taken.

(e) No change.

(f) The grievance coordinator shall place a copy of the completed form in the inmate's institutional file, retain a copy for his record, and forward the original and canary copy of the form ~~DC1-306~~ to the Chief of Policy Management and Inmate Grievance Appeals within 45 calendar days from the grievance approval date. The Chief shall ensure that the inmate grievance log in the Bureau of Policy Management and Inmate Grievance Appeals is updated and that a copy of ~~Form form~~ DC1-306 is sent to the central office inmate file.

Rulemaking Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–New 4-10-95, Amended 12-7-97, Formerly 33-29.0155, Amended 8-1-00, 1-1-01, 8-21-06, 3-25-08,_____.

33-103.018 Evaluation of the Grievance Procedure.

The grievance procedure shall be reviewed at each institution through operational reviews conducted by the Office of Internal Audit. This evaluation shall include information obtained from a survey of staff and inmates, review of employees’ and inmates’ comments on the effectiveness and credibility of the procedure ~~pursuant to subsection 33-103.004(2), F.A.C.~~, on-site visits to institutions and facilities by staff of the ~~Bureau Office~~ of Internal Audit, and from monthly reports prepared by the Bureau of Policy Management and Inmate Grievance Appeals.

Rulemaking Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–New 10-12-89, Amended 12-22-92, 4-10-95, Formerly 33-29.017, Amended 2-9-05,_____.

33-103.019 Inmate Grievances – Forms.

The following forms relevant to this chapter are hereby incorporated by reference. A copy of any of these forms is available from the Bureau of Inmate Grievance Appeals, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

- (1) Form DC1-303, Request for Administrative Remedy or Appeal, effective 2-9-05.
- (2) Form DC6-236, Inmate Request, effective ~~10-19-09~~.
- (3) Form DC1-306, Grievance Approval Action Form, effective 8-1-00.
- (4) Form DC2-901, Training Attendance Report, effective 6-18-07.
- (5) Form DC1-307, Acknowledgement of Receipt of Grievance Orientation, effective 10-11-00.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History–New 10-12-89, Amended 4-10-95, 12-7-97, Formerly 33-29.018, Amended 8-1-00, 10-11-00, 2-9-05, 12-17-06, 6-18-07, 8-27-07, 10-19-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michelle Pyle, Deputy Assistant Secretary

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth S. Tucker, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 2, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 30, 2011

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-8.001
RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The proposed rule amendments are intended to delete the requirement for community service in the Board’s various disciplinary guidelines.

SUMMARY: The proposed rule amendments delete the requirements for community service.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.079, 458.309, 458.331(5) FS.

LAW IMPLEMENTED: 456.50(2), 456.0575, 456.072, 456.079, 458.331(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joy A. Tootle, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-8.001 Disciplinary Guidelines.

(1) No change.

(2) Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Sections 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the

violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

RECOMMENDED RANGE OF PENALTY

VIOLATION (a) No change.	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
(b) Action taken against license by another jurisdiction. (458.331(1)(b), F.S.) (456.072(1)(f), F.S.)	(b) From imposition of discipline comparable to the discipline which would have been imposed if the substantive violation had occurred in Florida to suspension or denial of the license until the license is unencumbered in the jurisdiction in which disciplinary action was originally taken, and an administrative fine ranging from \$1,000.00 to \$5,000.00.	(b) From imposition of discipline comparable to the discipline which would have been imposed if the substantive violation had occurred in Florida to revocation or denial of the license, and an administrative fine ranging from \$5,000.00 to \$10,000.00.	
1. No change. 2. Action taken against license by another jurisdiction relating to healthcare fraud in dollar amounts of \$5,000.00 or less.	2. A \$10,000.00 administrative fine, 100 hours of community service , and suspension of the license, followed by a period of probation.	2. Revocation or denial and a fine of \$10,000.00.	
(c) Guilty of crime directly relating to practice or ability to practice. (458.331(1)(c), F.S.) (456.072(1)(c), F.S.)	(c) From probation to revocation or denial of the license, an administrative fine ranging from \$1,000.00 to \$10,000.00, and 50 to 100 hours of community service .	(c) From suspension to revocation or denial of the license, an administrative fine ranging from \$5,000.00 to \$10,000.00, and from 100 to 200 hours of community service .	
1. No change. 2. Involving a crime related to healthcare fraud in dollar amounts of \$5,000.00 or less.	2. A \$10,000.00 administrative fine, compliance with any criminal probation, a reprimand, from 100 to 200 hours of community service and suspension of the license, followed by a period of probation.	2. Revocation and a fine of \$10,000.00.	
(d) False, deceptive, or misleading advertising. (458.331(1)(d), F.S.)			
1. Negligent false, deceptive, or misleading advertising. (458.331(1)(d), F.S.)	1. From a letter of concern to one (1) year suspension or denial, to be followed by a period of probation, 50 to 100 hours of community service and an administrative fine from \$1,000.00 to \$5,000.00.	1. From reprimand to up to one (1) year suspension or denial, to be followed by a period of probation, from 100 to 200 hours of community service and an administrative fine from \$5,000.00 to \$10,000.00.	
2. Fraudulent false, deceptive or misleading advertising	2. From reprimand to up to one (1) year suspension or denial, to be followed by a period of probation, 50 to 100 hours of community service and an administrative fine of \$10,000.00.	2. From suspension, to be followed by a period of probation, up to revocation, from 100 to 200 hours of community service and a fine of \$10,000.00.	
(e) Failure to report another licensee in violation. (458.331(1)(e), F.S.) (456.072(1)(i), F.S.)	(e) From a letter of concern to probation or denial, 50 to 100 hours of community service and an administrative fine from \$1,000.00 to \$5,000.00.	(e) From probation to suspension or denial, from 100 to 200 hours of community service and an administrative fine from \$5,000.00 to \$10,000.00.	

(f) Aiding unlicensed practice.
(458.331(1)(f), F.S.)
(456.072(1)(j), F.S.)

(f) From probation to revocation or denial, ~~50 to 100 hours of community service~~ and an administrative fine from \$1,000.00 to \$10,000.00.

(f) From suspension, to be followed by a period of probation, to revocation or denial, ~~from 100 to 200 hours of community service~~ and an administrative fine from \$5,000.00 to \$10,000.00.

(g) Failure to perform legal obligation.
(458.331(1)(g), F.S.)
(456.072(1)(k), F.S.)

(g) For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm, from a letter of concern to revocation or denial, ~~100 hours of community service~~ and an administrative fine from \$1,000.00 to \$10,000.00, unless otherwise provided by law.

(g) For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm, from a reprimand to revocation or denial, ~~from 100 to 200 hours of community service~~ and an administrative fine from \$5,000.00 to \$10,000.00, unless otherwise provided by law.

1. Failing to register a laser device.
(456.072(1)(d), F.S.)

1. If the device is an approved device, from an administrative fine of \$1,000.00 to \$5,000.00; if the device is not approved, from an administrative fine from \$5,000.00 to a suspension or denial, ~~50 to 100 hours of community service~~ and an administrative fine of \$10,000.00.

1. If the device is an approved device, from a reprimand to probation or restriction of practice, ~~from 100 to 200 hours of community service~~ and an administrative fine of \$5,000.00 to \$10,000.00; if the device is not approved, from suspension to revocation and an administrative fine of \$10,000.00.

2. No change.
3. Failing to comply with the requirements for profiling and credentialing.
(456.039, F.S.) (456.072(1)(v), F.S.); (458.319, F.S.);

a. No change.
b. Involving violations of any provision of Chapter 456, F.S., for making misleading, untrue, deceptive or fraudulent representations on a profile, credentialing, or initial or renewal licensure application.

(I) Negligently making misleading or untrue representations on a profile, credentialing, or initial licensure or renewal application.

(I) From a \$1,000.00 fine and 3 hours CME on ethics to suspension, to be followed by a period of probation, and a reprimand, ~~50 to 100 hours of community service~~ and a \$5,000.00 administrative fine.

(I) From suspension, to be followed by a period of probation, and a reprimand, ~~from 100 to 200 hours of community service~~, and a \$10,000.00 fine to revocation or denial.

(II) Fraudulently making misleading, untrue, deceptive or fraudulent representations on a profile, credentialing, or initial licensure or renewal application.

(II) Referral to State Attorney for prosecution pursuant to Sections 456.067 and 456.066, F.S., and from suspension, to be followed by a period of probation, ~~and 100 to 200 hours of community service~~, and a reprimand and a \$10,000.00 fine to revocation or denial and a \$10,000 fine.

(II) Referral to State Attorney for prosecution and revocation or denial and a \$10,000.00 fine.

4. Failing to report to the board within 30 days after the licensee has been convicted of a crime in any jurisdiction. Convictions prior to the enactment of this section not reported in writing to the board, on or before October 1, 1999.

(456.072(1)(w), F.S.)

5. Failing to comply with obligations regarding ownership and control of medical records, patient records; report or copies of records to be furnished.

(456.054, F.S.)

6. Failing to maintain confidentiality of communication between a patient and a psychiatrist.

(456.059, F.S.)

7. No change.

8. Failing to disclose financial interest to patient.

(456.052, F.S.)

(h) No change.

Filing a false report or failing to file a report as required.

(458.331(1)(h), F.S.)

(456.072(1)(l), F.S.)

1. through 3. No change.

4. Involving healthcare fraud in dollar amounts of \$5,000.00 or less.

(i) Kickbacks or split fee arrangements.

(458.331(1)(i), F.S.)

(456.054, F.S.)

(j) Sexual misconduct

(458.331(1)(j), F.S.)

(458.329, F.S.)

(456.072(1)(u), F.S.)

(k) Deceptive, untrue, or fraudulent representations in the practice of medicine.

(458.331(1)(k), F.S.)

(456.072(1)(a), (m), F.S.)

1. No change.

4. From an administrative fine of \$2,000.00 to a fine of \$5,000.00, ~~50 to 100 hours of community service~~ and a reprimand or denial.

5. From a letter of concern to two (2) years suspension followed by probation or denial, ~~50 to 100 hours of community service~~ and an administrative fine from \$1,000.00 to \$5,000.00.

6. From a \$5,000.00 administrative fine, ~~50 to 100 hours of community service~~ and a reprimand to suspension, to be followed by a period of probation, and a \$10,000.00 administrative fine or denial.

8. A refund of fees paid by or on behalf of the patient and from an administrative fine of \$1,000.00, ~~50 hours of community service~~ to a reprimand, ~~100 hours of community service~~ and an administrative fine of \$5,000.00.

4. A \$10,000.00 administrative fine, ~~100 to 200 hours of community service~~, suspension of the license, followed by a period of probation.

(i) A refund of fees paid by or on behalf of the patient, ~~50 to 100 hours of community service~~ and from six (6) months suspension, to be followed by a period of probation, to revocation or denial and an administrative fine from \$1,000.00 to \$10,000.00.

(j) From one (1) year suspension to be followed by a period of probation and a reprimand, ~~100 to 200 hours of community service~~, and an administrative fine of \$5,000.00 to revocation or denial and an administrative fine of \$10,000.00.

(k) From probation, ~~and 50 to 100 hours of community service~~, to revocation or denial, and an administrative fine from \$1,000.00 to \$10,000.00.

4. From suspension, to be followed by a period of probation, ~~100 to 200 hours of community service~~, to revocation and an administrative fine from \$5,000.00 to \$10,000.00.

5. From a reprimand to two (2) years suspension followed by probation or denial, ~~100 to 200 hours of community service~~ and an administrative fine from \$5,000.00 to \$10,000.00.

6. From suspension, to be followed by a period of probation, ~~and 100 to 200 hours of community service~~ to revocation or denial.

8. A refund of fees paid by or on behalf of the patient and from restriction of practice, ~~100 hours of community service~~ and an administrative fine of \$5,000.00 to a reprimand, ~~200 hours of community service~~ and an administrative fine of \$10,000.00.

4. Revocation and a \$10,000.00 fine.

(i) A refund of fees paid by or on behalf of the patient, ~~100 to 200 hours of community service~~, and from a two (2) year suspension, to be followed by a period of probation, to revocation or denial and an administrative fine from \$5,000.00 to \$10,000.00.

(j) Revocation.

(k) From suspension, to be followed by a period of probation, ~~100 to 200 hours of community service~~, to revocation or denial, and an administrative fine from \$5,000.00 to \$10,000.00.

2. Deceptive, untrue, or fraudulent representations in the practice of medicine involving healthcare fraud in dollar amounts of \$5,000.00 or less.

(l) Improper solicitation of patients. (458.331(1)(l), F.S.)

(m) Failure to keep appropriate written medical records. (458.331(1)(m), F.S.)

1. No change.

2. Failure to keep appropriate written medical records involving healthcare fraud in dollar amounts of \$5,000.00 or less.

(n) Exercising influence on patient for financial gain. (458.331(1)(n), F.S.) (456.072(1)(n), F.S.)

(o) Improper advertising of pharmacy. (458.331(1)(o), F.S.)

(p) Performing professional services not authorized by patient. (458.331(1)(p), F.S.)

(q) Inappropriate or excessive prescribing. (458.331(1)(q), F.S.)

(r) Prescribing or dispensing of a scheduled drug by the physician to himself. (458.331(1)(r), F.S.)

2. A \$10,000.00 administrative fine, suspension of the license, followed by a period of probation, ~~100 to 200 hours of community service.~~

(l) From one (1) year suspension, to be followed by a period of probation, ~~50 to 100 hours of community service~~, to revocation or denial and an administrative fine from \$1,000.00 to \$10,000.00.

(m) From a reprimand to denial or two (2) years suspension followed by probation, ~~50 to 100 hours of community service~~, and an administrative fine from \$1,000.00 to \$10,000.00.

2. A \$10,000.00 administrative fine, suspension of the license, followed by a period of probation, ~~100 to 200 hours of community service.~~

(n) Payment of fees paid by or on behalf of the patient and from probation to denial or two (2) years suspension, to be followed by a period of probation, ~~50 to 100 hours of community service~~, and an administrative fine from \$5,000.00 to \$10,000.00.

(o) From a reprimand and \$250.00 fine or denial to one year probation, to be followed by a period of probation, ~~50 to 100 hours of community service~~, and an administrative fine from \$250.00 to \$5,000.00.

(p) From a reprimand or denial to two (2) years suspension, to be followed by a period of probation, ~~50 to 100 hours of community service~~, and an administrative fine from \$1,000.00 to \$10,000.00.

(q) From one (1) year probation to revocation or denial ~~and 50 to 100 hours of community service~~, and an administrative fine from \$1,000.00 to 10,000.00.

(r) From one (1) year probation, ~~50 to 100 hours of community service~~, to revocation or denial and an administrative fine from \$1,000.00 to \$5,000.00, and a mental and physical examination.

2. Revocation.

(l) From one (1) year suspension, to be followed by a period of probation, ~~100 to 200 hours of community service~~, to revocation or denial and an administrative fine from \$5,000.00 to \$10,000.00.

(m) From probation to suspension followed by probation or denial, ~~100 to 200 hours of community service~~, and an administrative fine from \$5,000.00 to \$10,000.00.

2. Revocation or denial.

(n) Payment of fees paid by or on behalf of the patient and from suspension, ~~100 to 200 hours of community service~~, to revocation or denial and an administrative fine of \$10,000.00.

(o) From probation, ~~100 to 200 hours of community service~~ to suspension, to be followed by a period of probation, or denial and an administrative fine of \$5,000.00 to \$10,000.00.

(p) From probation, ~~100 to 200 hours of community service~~ to revocation or denial and an administrative fine of \$5,000.00 to \$10,000.00.

(q) From suspension, to be followed by a period of probation, ~~and 100 to 200 hours of community service~~ to revocation or denial and an administrative fine from \$5,000.00 to \$10,000.00.

(r) From suspension, to be followed by a period of probation, ~~100 to 200 hours of community service~~, to revocation or denial and an administrative fine from \$5,000.00 to \$10,000.00, and a mental and physical examination.

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| <p>(s) Inability to practice medicine with skill and safety.
(458.331(1)(s), F.S.)</p> | <p>(s) From probation, 50 to 100 hours of community service, to denial or indefinite suspension until licensee is able to demonstrate ability to practice with reasonable skill and safety followed by probation, and an administrative fine from \$1,000.00 to \$5,000.00.</p> | <p>(s) From indefinite suspension, followed by probation, 100 to 200 hours of community service, to suspension for a minimum of five (5) years or until licensee is able to demonstrate ability to practice with reasonable skill and safety followed by probation, and an administrative fine from \$5,000.00 to \$10,000.00.</p> |
| <p>(t) Failure to practice medicine in accordance with appropriate level of care, skill and treatment recognized in general law related to the practice of medicine.
(456.50(1)(g), F.S.)
(458.331(1)(t), F.S.)
1. Gross Malpractice.</p> | <p>(t) From one (1) year probation, 50 to 100 hours of community service, to revocation or denial and an administrative fine from \$1,000.00 to \$10,000.00.</p> <p>1. From one (1) year suspension followed by three (3) years probation, 50 to 100 hours of community service, to revocation or denial and an administrative fine from \$1,000.00 to \$10,000.00 and licensee shall be subject to reexamination.</p> | <p>(t) From two (2) years probation, 100 to 200 hours of community service, to revocation or denial and an administrative fine from \$5,000.00 to \$10,000.00.</p> <p>1. From suspension, to be followed by a period of probation, 100 to 200 hours of community service, or denial to revocation or denial and an administrative fine of \$5,000.00 to \$10,000.00, and an evaluation or reexamination by a physician evaluation program approved by the Board.</p> |
| <p>2. No change.
(u) Performing of experimental treatment without informed consent.
(458.331(1)(u), F.S.)</p> | <p>(u) From one (1) year suspension, to be followed by a period of probation; 100 to 200 hours of community service, to revocation or denial and an administrative fine from \$1,000.00 to \$10,000.00.</p> | <p>(u) Revocation or denial.</p> |
| <p>(v) Practicing beyond scope permitted.
(458.331(1)(v), F.S.)
(456.072(1)(o), F.S.)</p> | <p>(v) From two (2) years suspension; 50 to 100 hours of community service, to revocation or denial and an administrative fine from \$1,000.00 to \$10,000.00.</p> | <p>(v) From suspension, 100 to 200 hours of community service, to revocation or denial and an administrative fine from \$5,000.00 to \$10,000.00.</p> |
| <p>(w) Delegation of professional responsibilities to unqualified person.
(458.331(1)(w), F.S.)
(456.072(1)(p), F.S.)</p> | <p>(w) From one (1) year probation, 50 to 100 hours of community service, to denial or five (5) years suspension followed by probation, and an administrative fine from \$1,000.00 to \$10,000.00.</p> | <p>(w) From suspension, to be followed by a period of probation; 100 to 200 hours of community service, to revocation or denial and an administrative fine from \$5,000.00 to \$10,000.00.</p> |
| <p>(x)1. Violation of law, rule, or failure to comply with subpoena.
(458.331(1)(nn), F.S.)
(456.072(1)(b), (q), F.S.)</p> | <p>(x)1. For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm, from a reprimand, 50 to 200 hours of community service, to revocation or denial and an administrative fine from \$1,000.00 to \$10,000.00.</p> | <p>(x)1. From probation, 100 to 200 hours of community service, to revocation or denial and an administrative fine from \$5,000.00 to \$10,000.00.</p> |
| <p>2. Violation of an order of the Board.
458.331(1)(x), F.S.</p> | <p>2. Reprimand, 50 to 100 hours of community service, and an administrative fine from \$5,000.00 to \$10,000.00, to revocation or denial based upon the severity of the offense and the potential for patient harm.</p> | <p>2. From suspension, to be followed by a period of probation, 100 to 200 hours of community service, and a \$10,000.00 fine or denial to revocation.</p> |

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| <p>3. Failure to comply with any provision of Rule 64B8-8.019, F.A.C.</p> | <p>3. From a \$1,000.00 fine, letter of concern, 50 hours of community service; demonstration of compliance with the rule or denial to a \$5,000.00 fine, a reprimand, completion of a laws and rules course, a term of probation, 400 hours of community service; demonstration of compliance with the rule or denial.</p> | <p>3. From a \$7,500.00 fine, a reprimand, a term of probation, completion of a laws and rules course, 100 to 200 hours of community service; demonstration of compliance with the rule or denial to a \$10,000.00 fine and revocation.</p> |
| <p>(y) Conspiring to restrict another from lawfully advertising services. (458.331(1)(y), F.S.)</p> | <p>(y) A reprimand or denial; 50 to 100 hours of community service; and an administrative fine ranging from \$1,000.00 to \$5,000.00.</p> | <p>(y) Probation or denial; 100 to 200 hours of community service; and an administrative fine from \$5,000.00 to \$10,000.00.</p> |
| <p>(z) Aiding an unlawful abortion. (458.331(1)(z), F.S.)</p> | <p>(z) From one (1) year suspension, to be followed by a period of probation, 50 to 100 hours of community service; to revocation or denial and an administrative fine from \$1,000.00 to \$10,000.00.</p> | <p>(z) From suspension, to be followed by a period of probation; 100 to 200 hours of community service; to revocation or denial and an administrative fine from \$5,000.00 to \$10,000.00.</p> |
| <p>(aa) Presigning prescription forms. (458.331(1)(aa), F.S.)</p> | <p>(aa) From a reprimand to two (2) years probation, 50 to 100 hours of community service; and an administrative fine from \$1,000.00 to \$5,000.00.</p> | <p>(aa) From suspension, to be followed by a period of probation, 100 to 200 hours of community service; to revocation or denial and an administrative fine from \$5,000.00 to \$10,000.00.</p> |
| <p>(bb) Prescribing a Schedule II substance for Office use. (458.331(1)(bb), F.S.)</p> | <p>(bb) From a reprimand to probation with CME in pharmacology, 50 to 100 hours of community service; and an administrative fine from \$1,000.00 to \$5,000.00.</p> | <p>(bb) From probation to suspension, to be followed by a period of probation, or denial, 100 to 200 hours of community service; and an administrative fine from \$5,000.00 to \$10,000.00.</p> |
| <p>(cc) Improper prescribing of Schedule II amphetamine or sympathomimetic amine drug. (458.331(1)(cc), F.S.)</p> | <p>(cc) From probation, 50 hours of community service; to denial or two (2) years suspension followed by probation, 100 hours of community service; and an administrative fine from \$1,000.00 to \$10,000.00.</p> | <p>(cc) From suspension, to be followed by a period of probation, 100 to 200 hours of community service; to revocation or denial of the license and an administrative fine ranging from \$5,000.00 to \$10,000.00.</p> |
| <p>(dd) Failure to adequately supervise assisting personnel. (458.331(1)(dd), F.S.)</p> | <p>(dd) From probation, 50 hours of community service; to denial or two (2) years suspension followed by probation, 100 hours of community service; and an administrative fine from \$1,000.00 to \$5,000.00.</p> | <p>(dd) From one (1) year suspension, to be followed by a period of probation, 100 to 200 hours of community service; to revocation or denial and an administrative fine from \$5,000.00 to \$10,000.00.</p> |
| <p>(ee) Improper use of substances for muscle building or enhancement of athletic performance. (458.331(1)(ee), F.S.)</p> | <p>(ee) From one (1) year suspension, to be followed by a period of probation, 50 to 100 hours of community service; to revocation or denial and an administrative fine from \$1,000.00 to \$5,000.00.</p> | <p>(ee) From suspension, to be followed by a period of probation, 100 to 200 hours of community service; to revocation or denial of the license and an administrative fine ranging from \$5,000.00 to \$10,000.00.</p> |
| <p>(ff) Use of amygdalin (laetrile). (458.331(1)(ff), F.S.)</p> | <p>(ff) From one (1) year suspension, to be followed by a period of probation, 50 to 100 hours of community service; to revocation or denial and an administrative fine from \$1,000.00 to \$10,000.00.</p> | <p>(ff) From suspension, to be followed by a period of probation, 100 to 200 hours of community service; to revocation or denial of the license and an administrative fine ranging from \$5,000.00 to \$10,000.00.</p> |

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|--|---|---|
| <p>(gg) Misrepresenting or concealing a material fact.
(458.331(1)(gg), F.S.)</p> | <p>(gg) From suspension, to be followed by a period of probation, 50 to 100 hours of community service, to denial or revocation of license and an administrative fine from \$1,000.00 to \$5,000.00.</p> | <p>(gg) From suspension, to be followed by a period of probation, 100 to 200 hours of community service, to revocation or denial and an administrative fine from \$5,000.00 to \$10,000.00.</p> |
| <p>(hh) Improperly interfering with an investigation or a disciplinary proceeding (458.331(1)(hh), F.S.)</p> | <p>(hh) From suspension, to be followed by a period of probation, 50 to 100 hours of community service, to denial or revocation of license and payment of a \$5,000.00 fine.</p> | <p>(hh) From suspension, to be followed by a period of probation, 100 to 200 hours of community service, to revocation or denial and an administrative fine from \$5,000.00 to \$10,000.00.</p> |
| <p>(ii) Failing to report any licensee in violation who practices in a hospital or an H.M.O.; or failing to report any person in violation of Chapter 456, F.S.
(458.331(1)(ii), F.S.)
(456.072(1)(i), F.S.)</p> | <p>(ii) From a reprimand to probation, 50 to 100 hours of community service, or denial and an administrative fine from \$1,000.00 to \$5,000.00.</p> | <p>(ii) From probation, 100 to 200 hours of community service, to suspension, to be followed by a period of probation, or denial, and an administrative fine from \$5,000.00 to \$10,000.00.</p> |
| <p>(jj) Providing written medical opinion without reasonable investigation.
(458.331(1)(jj), F.S.)</p> | <p>(jj) From suspension, to be followed by a period of probation, 50 to 100 hours of community service to denial or revocation of license and payment of a \$1,000.00 to \$5,000.00 fine.</p> | <p>(jj) From suspension, to be followed by a period of probation, 100 to 200 hours of community service to revocation or denial of the license and an administrative fine ranging from \$5,000.00 to \$10,000.00.</p> |
| <p>(kk) Failure to report disciplinary action by another jurisdiction.
(458.331(1)(kk), F.S.)</p> | <p>(kk) From an administrative fine of \$2,000.00 to a fine of \$5,000.00 and a reprimand, 50 to 100 hours of community service to denial or revocation of license and payment of a \$5,000.00.</p> | <p>(kk) From probation, 100 to 200 hours of community service, to suspension, to be followed by a period of probation, or denial, and an administrative fine from \$5,000.00 to \$10,000.00.</p> |
| <p>(ll) Improper holding oneself out as a specialist.
(458.331(1)(ll), F.S.)</p> | <p>(ll) From letter of concern, 50 to 100 hours of community service, to one (1) year suspension, to be followed by a period of probation, or denial and an administrative fine from \$500.00 to \$5,000.00.</p> | <p>(ll) From reprimand, 100 to 200 hours of community service, to up to one (1) year suspension, to be followed by a period of probation, or denial, and an administrative fine from \$5,000.00 to \$10,000.00.</p> |
| <p>(mm) No change.</p> | <p>(nn) From a reprimand, 50 to 200 hours of community service, to revocation or denial and an administrative fine from \$1,000.00 to \$10,000.00.</p> | <p>(nn) From probation, 100 to 200 hours of community service, to revocation or denial and an administrative fine from \$5,000.00 to \$10,000.00.</p> |
| <p>(oo) Violating Chapters 458, 456, F.S., or any rules adopted pursuant thereto.
(458.331(1)(nn), F.S.)</p> | <p>(oo) From an administrative fine of \$1,000.00 to a fine of \$5,000.00, reprimand, 50 to 100 hours of community service and probation.</p> | <p>(oo) From reprimand to up to one (1) year suspension, 100 to 200 hours of community service or denial, and an administrative fine from \$5,000.00 to \$10,000.00.</p> |
| <p>(oo) Improper use of information about accident victims for commercial or any other solicitation of the people involved in such accidents.
(456.072(1)(x), F.S.)</p> | <p>(pp) No change.</p> | <p>(oo) From reprimand to up to one (1) year suspension, 100 to 200 hours of community service or denial, and an administrative fine from \$5,000.00 to \$10,000.00.</p> |
| <p>(pp) No change.</p> | <p>(qq) Violation of Patient Self Referral Act.
(456.053, F.S.)</p> | <p>(qq) In addition to any civil penalty imposed pursuant to Section 456.053, F.S., for each separate violation, from an administrative fine of \$5,000.00 to an administrative fine of \$10,000.00, and 50 to 100 hours of community service.</p> |
| <p>(qq) Violation of Patient Self Referral Act.
(456.053, F.S.)</p> | <p>(qq) In addition to any civil penalty imposed pursuant to Section 456.053, F.S., for each separate violation, from an administrative fine of \$5,000.00 to an administrative fine of \$10,000.00, and 50 to 100 hours of community service.</p> | <p>(qq) From probation, 100 to 200 hours of community service to suspension, to be followed by a period of probation, or denial, and an administrative fine from \$5,000.00 to \$10,000.00.</p> |

(rr) Violation of medical director clinic responsibilities.
(456.0375(4)(c), F.S.)

(rr) Based upon the severity of the offense and the potential for patient harm, from a letter of concern, ~~50 to 100 hours of community service~~, to revocation and an administrative fine from \$1,000.00 to \$10,000.00.

(rr) Restricted from serving as the medical director of any registered clinic and based upon the severity of the offense and the potential for patient harm, from a reprimand, ~~100 to 200 hours of community service~~, to revocation and an administrative fine from \$5,000.00 to \$10,000.00.

1. – 3. No change.

4. Failure to ensure that all health care practitioners employed at clinic have active, unencumbered license.

4. From probation, ~~50 to 100 hours of community service~~, to revocation, and an administrative fine from \$1,000.00 to \$10,000.00.

4. From suspension, to be followed by a period of probation, ~~100 to 200 hours of community service~~, to revocation, and an administrative fine from \$5,000.00 to \$10,000.00.

5. Failure to review patient referral contracts or agreements executed by clinic.

5. A refund of fees paid by or on behalf of the patient, ~~50 hours of community service~~, and from an administrative fine of \$1,000.00 to a reprimand, ~~100 hours of community service~~, and an administrative fine of \$5,000.00.

5. A refund of fees paid by or on behalf of the patient and from restriction of practice, ~~100 hours of community service~~, and an administrative fine of \$5,000.00 to a reprimand, ~~200 hours of community service~~, and an administrative fine of \$10,000.00.

6. Failure to ensure that all health care practitioners employed at clinic have active appropriate certification or licensure for the level of care being provided.

6. From probation, ~~50 to 100 hours of community service~~, to revocation, and an administrative fine from \$1,000.00 to \$10,000.00.

6. From suspension, to be followed by a period of probation, ~~100 to 200 hours of community service~~, to revocation, and an administrative fine from \$5,000.00 to \$10,000.00.

7. Failure to comply with Section 456.057, F.S., with regard to clinic records.

7. From a letter of concern to two (2) years suspension followed by probation, ~~50 to 100 hours of community service~~, and an administrative fine from \$1,000.00 to \$5,000.00.

7. From a reprimand to two (2) years suspension followed by probation, ~~100 to 200 hours of community service~~, and an administrative fine from \$5,000.00 to \$10,000.00.

8. Failure to ensure compliance with recordkeeping requirements.

8. From a letter of concern to two (2) years suspension followed by probation, ~~50 to 100 hours of community service~~, and an administrative fine from \$1,000.00 to \$5,000.00.

8. From a reprimand to two (2) years suspension followed by probation, ~~100 to 200 hours of community service~~, and an administrative fine from \$5,000.00 to \$10,000.00.

9. Failure to ensure compliance with office surgery requirements.

9. From probation, ~~50 to 100 hours of community service~~, to revocation, and an administrative fine from \$1,000.00 to \$10,000.00.

9. From suspension, to be followed by a period of probation, ~~100 to 200 hours of community service~~, to revocation, and an administrative fine from \$5,000.00 to \$10,000.00.

10. No change.

11. Failure to conduct systematic reviews of clinic billings.

11. From a reprimand to two (2) years suspension followed by probation, ~~50 to 100 hours of community service~~, and an administrative fine from \$1,000.00 to \$10,000.00.

11. From probation, ~~100 to 200 hours of community service~~, to suspension followed by probation, and an administrative fine from \$5,000.00 to \$10,000.00.

12. Failure to take immediate corrective action upon discovery of unlawful billing.

13. Serving as medical/ clinical director for more registered clinics than provided by Department rule.

(ss) Performing or attempting to perform health care services on the wrong patient, a wrong site procedure, a wrong procedure, or an unauthorized procedure or a procedure that is medically unnecessary or otherwise unrelated to the patient’s diagnosis or medical condition.
(456.072(1)(bb), F.S.)

(tt) Leaving a foreign body in a patient, such as a sponge, clamp, forceps, surgical needle, or other paraphernalia commonly used in surgical, examination, or other diagnostic procedures.
(456.072(1)(bb), F.S.)

(uu) For the practitioner(s) responsible for the adverse incident, failing to inform a patient, or an individual identified pursuant to Section 765.401(1), F.S., in person about adverse incidents that result in serious harm to the patient.
(456.0575, F.S.)

(vv) Engaging in a pattern of practice when prescribing medicinal drugs or controlled substances which demonstrates a lack of reasonable skill or safety to patients.
(456.072(1)(gg), F.S.)

(ww) – (aaa) No change.

(bbb) A violation of Rule 64B8-9.0131, F.A.C.

12. A refund of fees paid by or on behalf of the patient and from six (6) months suspension, to be followed by a period of probation, ~~50 to 100 hours of community service~~, to revocation, and an administrative fine from \$1,000.00 to \$10,000.00.

13. From probation, ~~50 to 100 hours of community service~~, to two (2) years suspension followed by probation, ~~150 hours of community service~~, and an administrative fine from \$1,000.00 to \$5,000.00.

(ss) From a \$1,000.00 fine, a letter of concern, a minimum of five (5) hours of risk management education, and one (1) hour lecture on wrong-site surgery in the State of Florida to a \$10,000.00 fine, a letter of concern, a minimum of five (5) hours of risk management education, ~~50 to 100 hours of community service~~, undergo a risk management assessment, a one (1) hour lecture on wrong-site surgery, and suspension to be followed by a term of probation.

(tt) From a \$2,000.00 to a \$10,000.00 fine, a letter of concern, a minimum of five (5) hours of risk management education, ~~50 to 100 hours of community service~~, and a one hour lecture to the staff of a Florida licensed healthcare facility on retained foreign body objects to revocation.

(uu) From a reprimand to probation, ~~50 to 100 hours of community service~~, or denial and an administrative fine of \$1,000 to \$5,000.

(vv) From one (1) year probation to revocation or denial ~~and 50 to 100 hours of community service~~, and an administrative fine from \$1,000.00 to \$10,000.00.

(bbb) From probation for a term no less than two years, ~~100 hours of community service~~, and a fine of \$5,000.00 to \$10,000.00 to revocation.

12. A refund of fees paid by or on behalf of the patient and from a two (2) year suspension, to be followed by a period of probation, ~~100 to 200 hours of community service~~, to revocation, and an administrative fine from \$5,000.00 to \$10,000.00.

13. From one (1) year suspension, to be followed by a period of probation, ~~200 hours of community service~~, to revocation, and an administrative fine from \$5,000.00 to \$10,000.00.

(ss) From a \$10,000.00 fine, a reprimand, ~~100 to 200 hours of community service~~, undergo a risk management assessment, and probation or denial to a \$10,000.00 fine and revocation.

(tt) From a \$10,000.00 fine, a reprimand and probation, ~~100 to 200 hours of community service~~, or denial to revocation.

(uu) From probation, ~~100 to 200 hours of community service~~, to suspension or denial and an administrative fine of \$5,000 to \$10,000.

(vv) From suspension, to be followed by a period of probation, ~~and 100 to 200 hours of community service~~ to revocation or denial and an administrative fine from \$5,000.00 to \$10,000.00.

(bbb) From suspension for a minimum of one year, to be followed by a term of probation, ~~200 hours of community service~~, and a \$10,000.00 fine to revocation.

(ccc) A violation of Rule 64B8-9.0132, F.A.C.

(ccc) From probation for a term no less than one year, ~~50 hours of community service~~, and a fine of \$5,000.00 to \$10,000.00 to revocation.

(ccc) From suspension for a minimum of six months, to be followed by a term of probation; ~~100 hours of community service~~; and a \$10,000.00 fine to revocation.

(ddd) – (qqq) No change.

(3) through (7) No change.

Rulemaking Authority 456.079, 458.309, 458.331(5) FS. Law Implemented 456.50(2), 456.0575, 456.072, 456.079, 458.331(5) FS. History—New 12-5-79, Formerly 21M-20.01, Amended 1-11-87, 6-20-90, Formerly 21M-20.001, Amended 11-4-93, Formerly 61F6-20.001, Amended 6-24-96, 12-22-96, Formerly 59R-8.001, Amended 5-14-98, 12-28-99, 1-31-01, 7-10-01, 6-4-02, 9-10-02, 12-11-02, 8-20-03, 6-7-04, 8-17-04, 1-4-06, 8-13-06, 8-29-06, 11-22-06, 1-30-07, 2-18-09, 12-22-09, 7-27-10, 6-21-11, 12-27-11, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules Committee, Board of Medicine
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 3, 2012
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 13, 2012

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-1.716
 RULE TITLE: Income and Resource Criteria
 PURPOSE AND EFFECT: The proposed rule updates the monthly federal poverty levels, the Food Assistance Program standard utility allowance, the average monthly private pay nursing facility rate and the life expectancy tables used in the Medicaid eligibility determination process.
 SUMMARY: The proposed rule amends Medicaid Program standards used in the eligibility determination process.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department considered the factors in Section 120.541, F.S. The proposed rule is not expected to exceed the criteria in paragraph 120.541(2)(a), F.S., therefore legislative ratification is not required under subsection 120.541(3), F.S.

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

RULEMAKING AUTHORITY: 409.919 FS.
 LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.906, 409.919 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: March 14, 2012, 1:30 p.m.
 PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

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: Cindy Keil. 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: Cindy Keil, Economic Self-Sufficiency Program, 1317 Winewood Boulevard, Building 3, Tallahassee, Florida 32399-0700, (850)717-4113, cindy_keil@dcf.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

- 65A-1.716 Income and Resource Criteria.
- (1) The monthly federal poverty level figures based on the size of the filing unit are as follows:

Filing Unit Size	88% of Poverty Guideline	100% of Poverty Guideline	120% of Poverty Guideline	133% of Poverty Guideline	135% of Poverty Guideline	185% of Poverty Guideline	200% of Poverty Guideline
1	\$820 \$683	\$931 \$776	\$1,117 \$931	\$1,239 \$1032	\$1,257 \$1048	\$1,723 \$1436	\$1,862 \$1552
2	\$1,110 \$916	\$1,261 \$1041	\$1,513 \$1249	\$1,677 \$1385	\$1,703 \$1406	\$2,333 \$1926	\$2,522 \$2082

3		<u>\$1,591</u> \$1,306		<u>\$2,116</u> \$1,737		<u>\$2,944</u> \$2,416		<u>\$3,182</u> \$2,612
4		<u>\$1,921</u> \$1,571		<u>\$2,555</u> \$2,090		<u>\$3,554</u> \$2,907		<u>\$3,842</u> \$3,142
5		<u>\$2,251</u> \$1,836		<u>\$2,994</u> \$2,442		<u>\$4,165</u> \$3,397		<u>\$4,502</u> \$3,672
6		<u>\$2,581</u> \$2,101		<u>\$3,433</u> \$2,795		<u>\$4,775</u> \$3,887		<u>\$5,162</u> \$4,202
7		<u>\$2,911</u> \$2,366		<u>\$3,872</u> \$3,147		<u>\$5,386</u> \$4,377		<u>\$5,822</u> \$4,732
8		<u>\$3,241</u> \$2,631		<u>\$4,311</u> \$3,500		<u>\$5,996</u> \$4,868		<u>\$6,482</u> \$5,262
9		<u>\$3,571</u> \$2,896		<u>\$4,750</u> \$3,852		<u>\$6,607</u> \$5,358		<u>\$7,142</u> \$5,792
10		<u>\$3,901</u> \$3,161		<u>\$5,189</u> \$4,204		<u>\$7,217</u> \$5,848		<u>\$7,802</u> \$6,322
11		<u>\$4,231</u> \$3,426		<u>\$5,628</u> \$4,557		<u>\$7,828</u> \$6,338		<u>\$8,462</u> \$6,852
12		<u>\$4,561</u> \$3,691		<u>\$6,066</u> \$4,909		<u>\$8,438</u> \$6,829		<u>\$9,122</u> \$7,382
Add each		<u>\$330</u> \$265		<u>\$439</u> \$353		<u>\$611</u> \$491		<u>\$660</u> \$530
add. person								

(2) through (5)(c)3. No change.

(e) The following life expectancy tables are compiled from information published by the Office of the Chief Actuary of the Social Security Administration:

4. Food Assistance Program Standard Utility Allowance: \$343 ~~\$198~~.

5. No change.

(d) Average monthly private pay nursing facility rate: \$6,880 ~~\$5,000~~.

LIFE EXPECTANCY TABLE – FEMALES

Age	Life Expectancy	Age	Life Expectancy	Age	Life Expectancy
0	<u>80.43</u> 79.24	40	<u>41.91</u> 40.80	80	<u>9.43</u> 8.92
1	<u>79.92</u> 78.77	41	<u>40.97</u> 39.85	81	<u>8.86</u> 8.37
2	<u>78.95</u> 77.81	42	<u>40.03</u> 38.92	82	<u>8.31</u> 7.85
3	<u>77.97</u> 76.83	43	<u>39.10</u> 37.99	83	<u>7.77</u> 7.34
4	<u>76.99</u> 75.85	44	<u>38.17</u> 37.06	84	<u>7.26</u> 6.86
5	<u>76.00</u> 74.86	45	<u>37.24</u> 36.13	85	<u>6.77</u> 6.40
6	<u>75.01</u> 73.88	46	<u>36.32</u> 35.21	86	<u>6.31</u> 5.96
7	<u>74.02</u> 72.89	47	<u>35.41</u> 34.29	87	<u>5.87</u> 5.54
8	<u>73.03</u> 71.90	48	<u>34.50</u> 33.38	88	<u>5.45</u> 5.15
9	<u>72.04</u> 70.91	49	<u>33.59</u> 32.47	89	<u>5.06</u> 4.78
10	<u>71.04</u> 69.91	50	<u>32.69</u> 31.56	90	<u>4.69</u> 4.44
11	<u>70.05</u> 68.92	51	<u>31.80</u> 30.66	91	<u>4.36</u> 4.12
12	<u>69.06</u> 67.93	52	<u>30.91</u> 29.77	92	<u>4.04</u> 3.83
13	<u>68.07</u> 66.94	53	<u>30.02</u> 28.88	93	<u>3.76</u> 3.56
14	<u>67.08</u> 65.95	54	<u>29.14</u> 28.00	94	<u>3.50</u> 3.31
15	<u>66.09</u> 64.97	55	<u>28.27</u> 27.13	95	<u>3.26</u> 3.09
16	<u>65.11</u> 63.99	56	<u>27.40</u> 26.27	96	<u>3.05</u> 2.89
17	<u>64.13</u> 63.01	57	<u>26.53</u> 25.41	97	<u>2.87</u> 2.72
18	<u>63.15</u> 62.04	58	<u>25.67</u> 24.57	98	<u>2.70</u> 2.55
19	<u>62.18</u> 61.07	59	<u>24.82</u> 23.73	99	<u>2.54</u> 2.40
20	<u>61.20</u> 60.09	60	<u>23.97</u> 22.90	100	<u>2.39</u> 2.26
21	<u>60.23</u> 59.12	61	<u>23.14</u> 22.08	101	<u>2.25</u> 2.12
22	<u>59.26</u> 58.15	62	<u>22.31</u> 21.28	102	<u>2.11</u> 1.99
23	<u>58.29</u> 57.18	63	<u>21.49</u> 20.48	103	<u>1.98</u> 1.87
24	<u>57.32</u> 56.20	64	<u>20.69</u> 19.70	104	<u>1.86</u> 1.75
25	<u>56.35</u> 55.23	65	<u>19.89</u> 18.93	105	<u>1.74</u> 1.63
26	<u>55.38</u> 54.26	66	<u>19.10</u> 18.18	106	<u>1.62</u> 1.52
27	<u>54.40</u> 53.29	67	<u>18.32</u> 17.44	107	<u>1.52</u> 1.42
28	<u>53.44</u> 52.31	68	<u>17.55</u> 16.71	108	<u>1.41</u> 1.32
29	<u>52.47</u> 51.34	69	<u>16.79</u> 16.00	109	<u>1.31</u> 1.23
30	<u>51.50</u> 50.37	70	<u>16.05</u> 15.29	110	<u>1.22</u> 1.14
31	<u>50.53</u> 49.40	71	<u>15.32</u> 14.59	111	<u>1.13</u> 1.05
32	<u>49.56</u> 48.44	72	<u>14.61</u> 13.91	112	<u>1.05</u> 0.97
33	<u>48.60</u> 47.47	73	<u>13.91</u> 13.23	113	<u>0.97</u> 0.90
34	<u>47.64</u> 46.51	74	<u>13.22</u> 12.57	114	<u>0.89</u> 0.82
35	<u>46.68</u> 45.55	75	<u>12.55</u> 11.92	115	<u>0.82</u> 0.76
36	<u>45.72</u> 44.59	76	<u>11.90</u> 11.29	116	<u>0.75</u> 0.71
37	<u>44.76</u> 43.64	77	<u>11.26</u> 10.67	117	<u>0.70</u> 0.65
38	<u>43.81</u> 42.69	78	<u>10.63</u> 10.07	118	<u>0.64</u> 0.60
39	<u>42.86</u> 41.74	79	<u>10.03</u> 9.49	119	<u>0.59</u> 0.55

LIFE EXPECTANCY TABLE MALES

Age	Life Expectancy	Age	Life Expectancy	Age	Life Expectancy
0	75.38	40	37.84	80	7.90
1	74.94	41	36.93	81	7.41
2	73.98	42	36.02	82	6.94
3	73.00	43	35.12	83	6.49
4	72.02	44	34.22	84	6.06
5	71.03	45	33.33	85	5.65
6	70.04	46	32.45	86	5.26
7	69.05	47	31.57	87	4.89
8	68.06	48	30.71	88	4.55
9	67.07	49	29.84	89	4.22
10	66.08	50	28.99	90	3.92
11	65.09	51	28.15	91	3.64
12	64.09	52	27.32	92	3.38
13	63.10	53	26.49	93	3.15
14	62.12	54	25.68	94	2.93
15	61.14	55	24.87	95	2.75
16	60.18	56	24.06	96	2.58
17	59.22	57	23.26	97	2.44
18	58.27	58	22.48	98	2.30
19	57.33	59	21.69	99	2.19
20	56.40	60	20.92	100	2.07
21	55.47	61	20.16	101	1.96
22	54.54	62	19.40	102	1.85
23	53.63	63	18.66	103	1.75
24	52.71	64	17.92	104	1.66
25	51.78	65	17.19	105	1.56
26	50.86	66	16.48	106	1.47
27	49.93	67	15.77	107	1.39
28	49.00	68	15.08	108	1.30
29	48.07	69	14.40	109	1.22
30	47.13	70	13.73	110	1.15
31	46.20	71	13.08	111	1.07
32	45.27	72	12.44	112	1.00
33	44.33	73	11.82	113	0.94
34	43.40	74	11.21	114	0.87
35	42.47	75	10.62	115	0.81
36	41.54	76	10.04	116	0.75
37	40.61	77	9.48	117	0.70
38	39.68	78	8.94	118	0.64
39	38.76	79	8.41	119	0.59

Rulemaking Specific Authority 409.919 FS. Law Implemented 409.902, 409.903, 409.904, 409.906, 409.919 FS. History—New 10-8-97, Amended 12-9-99, 2-15-01, 11-25-01, 7-28-02, 4-1-03, 9-10-03, 8-30-04, 8-10-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jeri Flora

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: David E. Wilkins

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 17, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 16, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NO.:
68-1.003

RULE TITLE:
Florida Fish and Wildlife Conservation Commission Grants Program

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to update the Florida Boating Improvement Program Guidelines (Jan. 2010), and the accompanying application forms, incorporated by reference in subsection 68-1.003(9), F.A.C., to improve and increase efficiency in the grant application and award process.

SUMMARY: The proposed rule amendment replaces the Florida Boating Improvement Program Guidelines (01/2010) and the accompanying application forms, incorporated by reference, with the Florida Boating Improvement Program

Guidelines (02/2012). Proposed changes to the guidelines include the following: 1) revised evaluation criteria to increase the emphasis on cost efficiency and the need for the project; 2) reduce the number of required copies of the application; 3) provide more time to obtain permits for construction projects; 4) change match requirements to cost share; 5) include compliance requirements regarding contingency fees and employment eligibility.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based on the nature of the rule and the preliminary information and analysis conducted to date.

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: Article IV, Section 9, Florida Constitution., 206.606, 327.04, 327.47, 379.106 FS.

LAW IMPLEMENTED: 206.606, 327.47, 328.72, 379.106 FS. **IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.**

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tim Woody, FBIP Program Administrator, or Patricia Harrell, Boat Access Coordinator, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Room 235, Tallahassee, Florida 32399, telephone (850)488-5600 or email fbip@myfwc.com

THE FULL TEXT OF THE PROPOSED RULE IS:

68-1.003 Florida Fish and Wildlife Conservation Commission Grants Program.

(1) through (8) No change.

(9) Florida Boating Improvement Program grants shall meet all additional program requirements set forth in the Florida Boating Improvement Program Guidelines (Feb. 2012 ~~Jan. 2010~~), which are hereby incorporated by reference. The following forms are hereby adopted and incorporated by reference: FWC/FBIP-A, Florida Boating Improvement Program Grant Application for Recreational Channel Markers and Other Uniform Waterway Markers, 02/12 ~~01/10~~; FWC/FBIP-B, Florida Boating Improvement Program Grant

Application for Boating Access Facilities, 02/12 ~~01/10~~; FWC/FBIP-C, Florida Boating Improvement Program Grant Application for Derelict Vessel Removal, 02/12 ~~01/10~~; FWC/FBIP-D, Florida Boating Improvement Program Boater Education Grant Application, 02/12 ~~01/10~~; FWC/FBIP-E, Florida Boating Improvement Program Grant Application for Economic Initiatives and Other Local Boating Related Projects, 02/12 ~~07/08~~. The guidelines and forms are available at <http://www.myfwc.com/boating/boating-grant-programs/fbip/> ~~http://myfwc.com/RECREATION/boat_grant_index.htm~~ or from the Commission at 620 S. Meridian Street, 1M, Tallahassee, Florida 32399-1600.

(10) through (12) No change.

Rulemaking Authority 206.606, 327.04, 327.47, 379.106 FS. Law Implemented 206.606, 327.47, 328.72, 379.106 FS. History—New 4-4-04, Amended 3-15-05, Formerly 68A-2.015, Amended 5-22-07, 7-6-08, 1-18-09, 3-21-10, 6-30-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Patricia Harrell, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 5, 2011

**Section III
Notices of Changes, Corrections and
Withdrawals**

DEPARTMENT OF STATE

Division of Library and Information Services

RULE NO.: 1B-2.011 **RULE TITLE:** Library Grant Programs

NOTICE OF CORRECTION

Notice is hereby given that the following corrections have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Vol. 38, No. 4, January 27, 2012 issue of the Florida Administrative Weekly.

The following change was made to the Notice of Proposed Rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

A SERC has not been prepared by the Agency. The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs, or if no SERC is required, the information expressly relied upon and described herein: 1) no requirement for SERC was triggered under Section 120.541(1), F.S., and; 2) based on past experiences with Library Grant Programs and rules of this nature, the adverse impact or regulatory costs, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), F.S.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Marian Deeney, by mail at R.A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250, or by email at Marian.Deeney@dos.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE AND THE INCORPORATED FORMS ARE: Accessible via the Division of Library and Information Services' webpage for proposed rules at <http://info.florida.gov/bld/grants/AdminRuleChanges.html>, or are available by contacting the named person listed above.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

RULE NO.: 5M-14.002 RULE TITLE: Approved Best Management Practices

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 48, December 2, 2011 issue of the Florida Administrative Weekly.

The following technical corrections associated with Water Quality/Quantity Best Management Practices for Florida Equine Operations (2011 Edition), DACS P-01531, as incorporated by reference in proposed Rule 5M-14.002, F.A.C., were identified and corrected:

- 1) On page 30 of the manual, "DOF" replaced with "Florida Forest Service".
- 2) On page 32 of the manual, the reference of Chapter 40E-30.302 has been replaced with Rule 40E-30.302, F.A.C.
- 3) On page 37 of the manual, the reference of Chapter 5E-9.024 has been replaced with Rule 5E-9.024, F.A.C.
- 4) On page 39 of the manual, the reference of Rule 62-701 has been replaced with Chapter 62-701.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.223 RULE TITLE: Designation of Institutions for Youthful Offenders
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 38, No. 5, February 3, 2012 issue of the Florida Administrative Weekly.

33-601.223 Designation of Institutions for Youthful Offenders.

(1) Upon completion of the reception process, each youthful offender shall be transferred to an institution designated for his or her age and custody in accordance with Section 958.11, F.S.

(2) The following institutions and units are designated to house youthful offenders: Youthful Offenders may be reassigned to non-youthful offender facilities in accordance with Section 958.11, F.S.

- (a) Indian River Correctional Institution;
- (b) Lancaster Correctional Institution and Lancaster Work Camp;
- (c) Sumter Basic Training Unit;
- (d) Lowell Correctional Institution and Basic Training Unit;
- (e) Lake City Correctional Facility; and
- (f) Hernando Correctional Institution.

Rulemaking Authority 944.09, 958.11 FS. Law Implemented 944.09, 958.11 FS. History--New 10-11-95, Amended 9-11-97, 4-14-98, Formerly 33-33.009, Amended 3-13-01, Formerly 33-506.103, Amended 12-7-04,_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.060 RULE TITLE: Dental Services

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 28, July 15, 2011 issue of the Florida Administrative Weekly.

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.060, F.A.C., is to incorporate by reference the Florida Medicaid Dental Coverage and Limitations Handbook, November 2011

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.060 Dental Services.

- (1) No change.
- (2) All dental services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Dental Services Coverage and Limitations Handbook, November 2011 ~~September 2010~~, and the Florida Medicaid

provider Reimbursement handbook, ADA Dental, July 2008, which are incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS 1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. All handbooks are available from the Medicaid fiscal agent's Web site at www.mymedicaid-florida.com. Select Public Information for Providers, then Provider Support, and then Provider Handbooks. Paper copies of the handbooks may be obtained by calling the Medicaid fiscal agent, Provider Contact Center at 1(800)289-7799 and selecting Option 7.

(3) No change.

(4) No change.

DEPARTMENT OF MANAGEMENT SERVICES

Personnel Management System

RULE NOS.:	RULE TITLES:
60L-36.002	Political Activities
60L-36.005	Disciplinary Standards

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 4, January 27, 2012 issue of the Florida Administrative Weekly.

The Agency has determined that the proposed rule is not expected to require legislative ratification because there are no adverse impacts on economic growth, business competitiveness or regulatory costs of more than \$1M in the aggregate within five years of implementation. No corrections are being made to the previously advertised rule text.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.:	RULE TITLE:
61G14-15.002	Marine Incident Report Form

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 4, January 27, 2012 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:	RULE TITLE:
62-344.900	Forms

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 1, January 6, 2012 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NO.:	RULE TITLE:
64B-9.003	Military Spouse Temporary License

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 37, No. 50, December 16, 2011 issue of the Florida Administrative Weekly.

The application form and its instructions will reflect that verification is required by another state, District of Columbia, or possession or territory of the United States, that disciplinary proceedings will be considered when taken against a license to practice a profession regulated in Florida under chapter 456, F.S., and that the second set of fingerprints is optional. The application also will include a question as to whether the applicant has successfully appealed to have his or her name removed from the National Practitioner Data Bank, and will not indicate that the Statement of Applicant is under penalty of perjury.

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE NO.:	RULE TITLE:
64B6-8.002	Qualifications for Trainees, Sponsors and Designated Hearing Aid Specialists

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 40, October 8, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.:	RULE TITLE:
64B15-12.010	Temporary Certificate for Practice in an Area of Critical Need

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 36, September 9, 2011 issue of the Florida Administrative Weekly.

The Board's Summary of Statement of Estimated Regulatory Costs and Legislative Ratification inadvertently published without the following language: "This rule will not require ratification by the Legislature."

This correction does not affect the substance of the rule as originally published in the September 9, 2011 issue of the FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Jusevitch, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-1.713
 RULE TITLE: SSI-Related Medicaid Income Eligibility Criteria

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 5, February 3, 2012 issue of the Florida Administrative Weekly.

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: February 29, 2012, 1:30 p.m.
 PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Domestic Violence

RULE NO.: 65H-1.010
 RULE TITLE: Purpose

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 52, December 30, 2011 issue of the Florida Administrative Weekly.

The Notice of Proposed Rule did not state what information was relied upon in determining that the proposed rule is not expected to require legislative ratification. The information expressly relied upon is the analysis conducted by the Department to determine whether a SERC was required and the nature of the rule.

**Section IV
 Emergency Rules**

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER12-13
 RULE TITLE: Instant Game Number 1135, LUCKY \$500 A WEEK FOR LIFE

SUMMARY: This emergency rule describes Instant Game Number 1135, "LUCKY \$500 A WEEK FOR LIFE," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER12-13 Instant Game Number 1135, LUCKY \$500 A WEEK FOR LIFE.

(1) Name of Game. Instant Game Number 1135, "LUCKY \$500 A WEEK FOR LIFE."

(2) Price. LUCKY \$500 A WEEK FOR LIFE lottery tickets sell for \$1.00 per ticket.

(3) LUCKY \$500 A WEEK FOR LIFE lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning LUCKY \$500 A WEEK FOR LIFE lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

1	2	3	4	5	6	7	8	9	10	☆
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN	DOUBLE

(5) The "LUCKY NUMBER" play symbols and play symbol captions are as follows:

1	2	3	4	5	6	7	8	9	10
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN

(6) The prize symbols and prize symbol captions are as follows:

\$1.00	\$2.00	\$4.00	\$5.00	\$10.00
ONE	TWO	FOUR	FIVE	TEN
\$20.00	\$40.00	\$100	\$1,000	LIFE
TWENTY	FORTY	ONE HUN	ONE THOU	\$500/HK

(7) The legends are as follows:

LUCKY NUMBER	YOUR NUMBERS
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(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches the play symbol and corresponding play symbol caption in the "LUCKY NUMBER" play area shall entitle the claimant to the corresponding prize shown for that symbol. A

ticket having a "DOUBLE" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to double the prize shown.

(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00,

\$20.00, \$40.00, \$100, \$1,000 and \$500/HK.

(9) \$500 A WEEK FOR LIFE Prize Payment Options.

(a) A winner of a \$500 A WEEK FOR LIFE prize may choose one of three payment options for receiving his or her prize. Payment options are "Cash Option," "Weekly Payment" or "Quarterly Payment." At the time the \$500 A WEEK FOR LIFE prize is claimed, the terminal will produce a top prize

player claim instructions ticket. The winner has sixty (60) days from the date the player claim instructions ticket is produced to file a claim choosing the Cash Option. If a winner does not choose the Cash Option within such time, the winner will be required to choose between the Weekly Payment option and the Quarterly Payment option. Once the winner files a claim and exercises the winner's chosen option, the election of that option shall be final.

(b) Cash Option prizes will be paid in a single cash payment equal to the amount of cash required to purchase U.S. Government Securities that would fund the applicable prize amount of \$500 a week for a twenty year period, less applicable federal withholding taxes. This figure will be determined during the week following the date on which the \$500 A WEEK FOR LIFE prize is claimed by obtaining quotes from at least two investment sources. The quote costing the least to fund the twenty year payment stream, had the weekly payment option been selected, will be the amount of the Cash Option prize.

(c) Weekly Payment prizes claimed by an individual will be paid in equal weekly installments of \$500, less applicable federal withholding taxes, for the life of the winner, with a minimum of twenty years. Weekly Payment prizes claimed by a trust, corporation or other legal entity shall be paid in equal weekly installments of \$500 for a period not greater than twenty years, less applicable federal withholding taxes.

(d) Quarterly Payment prizes claimed by an individual will be paid as follows: At the time a claim is filed for a \$500 a week for life prize, the winner will be paid a sum equal to \$500 multiplied by the number of weeks from the date the claim is filed through the 15th day of the second month in the quarter in which the claim is filed, e.g., February, May, August or November, or in the next quarter if the claim is filed after the 15th day of the second month in a quarter, less applicable taxes. Thereafter, payment will be made in equal quarterly installments of \$6,500, less applicable federal withholding taxes, on the 15th day of February, May, August and November, or the next business day if the 15th falls on a Saturday, Sunday or holiday, for the life of the winner, with a minimum of twenty years. Quarterly Payment prizes claimed by a trust, corporation or other legal entity shall be paid in equal quarterly installments for a period not greater than twenty years, less applicable federal withholding taxes.

(e) Following the end of the guaranteed twenty year payment period, Weekly Payment prizes will be converted to quarterly payments as described in paragraph (9)(d) above.

(f) At the end of the guaranteed twenty year payment period, winners receiving weekly payments and quarterly payments will be required to provide evidence to the Lottery that they are still living. Thereafter, winners will be required to provide such evidence on a quarterly basis prior to receipt of their next scheduled payment.

(g) Any interest or earnings accruing on a \$500 a week for life prize prior to the prize payment or purchase of securities, under either the Cash Option or the Weekly or Quarterly Payment Option, shall accrue to the State of Florida and not to the winner.

(10) The estimated odds of winning, value, and number of prizes in Instant Game Number 1135 are as follows:

GAME PLAY	VALUE	ESTIMATED	
		ODDS OF	NUMBER OF WINNERS IN 72 POOLS OF 240,000 TICKETS PER POOL
\$1	\$1	1 IN 10.71	1,612,800
\$1 (STAR)	\$2	37.50	460,800
\$1 x 2	\$2	60.00	288,000
\$2	\$2	37.50	460,800
\$1 x 4	\$4	300.00	57,600
\$1 (STAR) + \$2	\$4	300.00	57,600
\$2 (STAR)	\$4	300.00	57,600
\$2 x 2	\$4	300.00	57,600
\$4	\$4	300.00	57,600
(\$1 x 3) + \$2	\$5	500.00	34,560
\$1 + \$2 (STAR)	\$5	500.00	34,560
\$1 + (\$2 x 2)	\$5	500.00	34,560
\$1 + \$4	\$5	500.00	34,560
\$5	\$5	500.00	34,560
\$2 + \$4 (STAR)	\$10	750.00	23,040
(\$2 x 3) + \$4	\$10	750.00	23,040
\$5 (STAR)	\$10	750.00	23,040
\$5 x 2	\$10	750.00	23,040
\$10	\$10	750.00	23,040
\$5 (STAR) + \$10	\$20	1,500.00	11,520
\$5 x 4	\$20	1,500.00	11,520
\$10 (STAR)	\$20	1,500.00	11,520
(\$5 x 2) + \$10	\$20	1,500.00	11,520
\$20	\$20	1,500.00	11,520
\$10 (STAR) + \$20	\$40	8,000.00	2,160
\$10 x 4	\$40	8,000.00	2,160
\$20 (STAR)	\$40	8,000.00	2,160
(\$10 x 2) + \$20	\$40	8,000.00	2,160
\$40	\$40	8,000.00	2,160
(\$20 x 3) + \$20 (STAR)	\$100	30,000.00	576
(\$10 x 2) + (\$40 x 2)	\$100	30,000.00	576
\$20 + (\$40 x 2)	\$100	30,000.00	576
\$20 x 5	\$100	40,000.00	432
\$100	\$100	40,000.00	432

\$1,000	\$1,000	240,000.00	72
\$500/WK/LIFE	Top Prize	4,320,000.00	4

(11) The estimated overall odds of winning some prize in Instant Game Number 1135 are 1 in 4.98. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Instant Game Number 1135, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for LUCKY \$500 A WEEK FOR LIFE lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 2-6-12.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: February 6, 2012

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER12-14
RULE TITLE: Instant Game Number 1136, LUCKY \$1,000 A WEEK FOR LIFE

SUMMARY: This emergency rule describes Instant Game Number 1136, “LUCKY \$1,000 A WEEK FOR LIFE,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER12-14 Instant Game Number 1136, LUCKY \$1,000 A WEEK FOR LIFE.

(1) Name of Game. Instant Game Number 1136, “LUCKY \$1,000 A WEEK FOR LIFE.”

(2) Price. LUCKY \$1,000 A WEEK FOR LIFE lottery tickets sell for \$2.00 per ticket.

(3) LUCKY \$1,000 A WEEK FOR LIFE lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning LUCKY \$1,000 A WEEK FOR LIFE lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, Florida Administrative Code.

(4) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN	
11 ELEVN	12 THELV	13 THRTN	14 FORTN	15 FIFTN	16 SIXTN	17 SVNTN	18 EIGHTN	19 NINTN	20 TENNY	

(5) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVN	12 THELV	13 THRTN	14 FORTN	15 FIFTN	16 SIXTN	17 SVNTN	18 EIGHTN	19 NINTN	20 TENNY

(6) The prize symbols and prize symbol captions are as follows:

\$1.00 ONE \$30.00 THIRTY	\$2.00 TWO \$40.00 FORTY	\$4.00 FOUR \$100 ONE HUN	\$5.00 FIVE \$200 TWO HUN	\$10.00 TEN \$1,000 ONE THOU	\$20.00 TWENTY \$10,000 TEN THOU	
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(7) The legends are as follows:

WINNING NUMBERS	YOUR NUMBERS
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(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the “YOUR NUMBERS” play area that matches a play symbol and corresponding play symbol caption in the “WINNING NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that symbol. A

ticket having a “ ” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to all ten prizes shown.

(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$30.00, \$40.00, \$100, \$200, \$1,000, \$10,000, and



(9) \$1,000 A WEEK FOR LIFE Prize Payment Options.

(a) A winner of a \$1,000 A WEEK FOR LIFE prize may choose one of three payment options for receiving his or her prize. Payment options are “Cash Option,” “Weekly Payment” or “Quarterly Payment.” At the time the \$1,000 A WEEK FOR LIFE prize is claimed, the terminal will produce a top prize player claim instructions ticket. The winner has sixty (60) days from the date the player claim instructions ticket is produced to file a claim choosing the Cash Option. If a winner does not choose the Cash Option within such time, the winner will be required to choose between the Weekly Payment option and

the Quarterly Payment option. Once the winner files a claim and exercises the winner's chosen option, the election of that option shall be final.

(b) Cash Option prizes will be paid in a single cash payment equal to the amount of cash required to purchase U.S. Government Securities that would fund the applicable prize amount of \$1,000 a week for a twenty year period, less applicable federal withholding taxes. This figure will be determined during the week following the date on which the \$1,000 A WEEK FOR LIFE prize is claimed by obtaining quotes from at least two investment sources. The quote costing the least to fund the twenty year payment stream, had the weekly payment option been selected, will be the amount of the Cash Option prize.

(c) Weekly Payment prizes claimed by an individual will be paid in equal weekly installments of \$1,000, less applicable federal withholding taxes, for the life of the winner, with a minimum of twenty years. Weekly Payment prizes claimed by a trust, corporation or other legal entity shall be paid in equal weekly installments of \$1,000 for a period not greater than twenty years, less applicable federal withholding taxes.

(d) Quarterly Payment prizes claimed by an individual will be paid as follows: At the time a claim is filed for a \$1,000 a week for life prize, the winner will be paid a sum equal to \$1,000 multiplied by the number of weeks from the date the claim is filed through the 15th day of the second month in the quarter in which the claim is filed, e.g., February, May, August or November, or in the next quarter if the claim is filed after the 15th day of the second month in a quarter, less applicable taxes. Thereafter, payment will be made in equal quarterly installments of \$13,000, less applicable federal withholding taxes, on the 15th day of February, May, August and November, or the next business day if the 15th falls on a Saturday, Sunday or holiday, for the life of the winner, with a minimum of twenty years. Quarterly Payment prizes claimed by a trust, corporation or other legal entity shall be paid in equal quarterly installments for a period not greater than twenty years, less applicable federal withholding taxes.

(e) Following the end of the guaranteed twenty year payment period, Weekly Payment prizes will be converted to quarterly payments as described in paragraph (9)(d) above.

(f) At the end of the guaranteed twenty year payment period, winners receiving weekly payments and quarterly payments will be required to provide evidence to the Lottery that they are still living. Thereafter, winners will be required to provide such evidence on a quarterly basis prior to receipt of their next scheduled payment.

(g) Any interest or earnings accruing on a \$1,000 a week for life prize prior to the prize payment or purchase of securities, under either the Cash Option or the Weekly or Quarterly Payment Option, shall accrue to the State of Florida and not to the winner.

(10) The estimated odds of winning, value, and number of prizes in Instant Game Number 1136 are as follows:

GAME PLAY	VALUE	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 118 POOLS OF 180,000 TICKETS PER POOL
\$2	\$2	10.00	2,124,000
\$1 x 4	\$4	50.00	424,800
(\$1 x 2) + \$2	\$4	50.00	424,800
\$2 x 2	\$4	50.00	424,800
\$4	\$4	50.00	424,800
\$1 x 5	\$5	375.00	56,640
(\$1 x 3) + \$2	\$5	375.00	56,640
\$1 + (\$2 x 2)	\$5	375.00	56,640
\$1 + \$4	\$5	375.00	56,640
\$5	\$5	375.00	56,640
\$1 x 10	\$10	250.00	84,960
(MONEYBAG)			
\$2 + (\$4 x 2)	\$10	250.00	84,960
\$2 x 5	\$10	250.00	84,960
\$5 x 2	\$10	250.00	84,960
\$10	\$10	250.00	84,960
\$2 x 10	\$20	750.00	28,320
(MONEYBAG)			
\$4 x 5	\$20	750.00	28,320
\$5 x 4	\$20	750.00	28,320
\$10 x 2	\$20	750.00	28,320
\$20	\$20	750.00	28,320
(\$2 x 5) + (\$4 x 5)	\$30	2,250.00	9,440
(MONEYBAG)			
\$5 x 6	\$30	2,250.00	9,440
\$10 x 3	\$30	2,250.00	9,440
\$10 + \$20	\$30	2,250.00	9,440
\$30	\$30	2,250.00	9,440
\$4 x 10	\$40	5,000.00	4,248
(MONEYBAG)			
(\$4 x 5) + (\$5 x 4)	\$40	5,000.00	4,248
\$10 x 4	\$40	5,000.00	4,248
\$20 x 2	\$40	5,000.00	4,248
\$40	\$40	5,000.00	4,248
\$10 x 10	\$100	6,000.00	3,540
(MONEYBAG)			
(\$10 x 2) + (\$20 x 4)	\$100	6,000.00	3,540
\$10 + \$20 + \$30 + \$40	\$100	6,000.00	3,540
\$20 x 5	\$100	6,000.00	3,540
\$100	\$100	6,000.00	3,540
\$20 x 10	\$200	180,000.00	118
(MONEYBAG)			
(\$20 x 6) + (\$40 x 2)	\$200	180,000.00	118
\$10 + (\$30 x 5) + \$40	\$200	180,000.00	118

\$100 x 2	\$200	180,000.00	118
\$200	\$200	180,000.00	118
\$100 x 10	\$1,000	180,000.00	118
<u>(MONEYBAG)</u>			
\$200 x 5	\$1,000	180,000.00	118
\$1,000	\$1,000	180,000.00	118
\$10,000	\$10,000	531,000.00	40
\$1,000/WK/LIFE	Top Prize	3,540,000.00	6

(11) The estimated overall odds of winning some prize in Instant Game Number 1136 are 1 in 4.46. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Instant Game Number 1136, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for LUCKY \$1,000 A WEEK FOR LIFE lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 2-6-12.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: February 6, 2012

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER12-15
 RULE TITLE: Instant Game Number 1137, MONOPOLY™

SUMMARY: This emergency rule describes Instant Game Number 1137, "MONOPOLY™," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

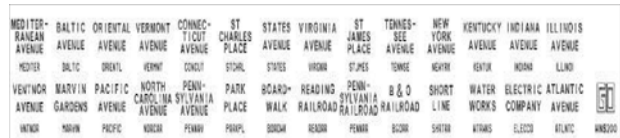
53ER12-15 Instant Game Number 1137, MONOPOLY™.

(1) Name of Game. Instant Game Number 1137, "MONOPOLY™."

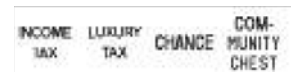
(2) Price. MONOPOLY™ lottery tickets sell for \$3.00 per ticket.

(3) MONOPOLY™ lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning MONOPOLY™ lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

(4) The "YOUR ROLLS" play symbols and play symbol captions are as follows:



(5) The board play symbols and play symbol captions are as follows:



(6) The board prize symbols and prize symbol captions are as follows:



(7) The roll legends are as follows:



(8) The board legends are as follows:



(9) Determination of Prizewinners.

(a) There are twelve rolls in the "YOUR ROLLS" play area on a ticket. Each roll is played separately. A ticket having a play symbol and play symbol caption (MONOPOLY property) in a roll that matches a play symbol caption (MONOPOLY property) on the MONOPOLY board and for which a corresponding prize and prize symbol is shown, shall entitle the claimant to the corresponding prize shown for that

caption. A ticket having a "HIN\$200" symbol and corresponding caption in a roll shall entitle the claimant to a prize of \$200.

(b) The prizes are: \$1, \$2, \$3, \$5, \$6, \$10, \$15, \$20, \$30, \$50, \$100, \$200, \$1,000, \$2,000, and \$60,000.

(10) The estimated odds of winning, value, and number of prizes in Instant Game Number 1137 are as follows:

<u>GAME PLAY</u>	<u>WIN</u>	<u>ESTIMATED ODDS OF 1 IN</u>	<u>NUMBER OF WINNERS IN 56 POOLS OF 180,000 TICKETS PER POOL</u>	<u>\$100 (\$6 x 5) + (\$10 x 4) + \$30 + (\$50 x 2) (\$20 x 5) + (\$30 x 3) + \$10 (\$50 x 2) + (\$30 x 3) + \$10 \$50 x 4 \$200 (GO) (\$50 x 6) + (\$100 x 5) + \$200 (GO) \$100 x 10 (\$100 x 8) + \$200 (GO) \$200 x 5 \$1,000 \$1,000 x 2 \$2,000 \$60,000</u>	<u>\$100 \$200 \$200 \$200 \$200 \$1,000 \$1,000 \$1,000 \$1,000 \$1,000 \$2,000 \$2,000 \$60,000</u>	<u>3,600.00 90,000.00 90,000.00 90,000.00 60,000.00 180,000.00 180,000.00 180,000.00 180,000.00 180,000.00 180,000.00 180,000.00 504,000.00</u>	<u>2,800 112 112 112 168 56 56 56 56 56 56 56 20</u>
\$1 x 3	\$3	20.00	504,000				
\$3	\$3	20.00	504,000				
\$1 x 5	\$5	50.00	201,600				
(\$1 x 2) + \$3	\$5	100.00	100,800				
\$2 + \$3	\$5	50.00	201,600				
\$5	\$5	100.00	100,800				
(\$1 x 4) + \$2	\$6	166.67	60,480				
(\$1 x 3) + \$3	\$6	166.67	60,480				
\$2 x 3	\$6	166.67	60,480				
\$3 x 2	\$6	166.67	60,480				
\$6	\$6	166.67	60,480				
\$1 x 10	\$10	250.00	40,320				
\$2 x 5	\$10	250.00	40,320				
\$1 + \$3 + \$6	\$10	250.00	40,320				
\$5 x 2	\$10	250.00	40,320				
\$10	\$10	250.00	40,320				
(\$1 x 5) + (\$2 x 5)	\$15	500.00	20,160				
\$3 x 5	\$15	500.00	20,160				
\$5 x 3	\$15	500.00	20,160				
\$5 + \$10	\$15	500.00	20,160				
\$15	\$15	500.00	20,160				
\$2 x 10	\$20	500.00	20,160				
(\$3 x 3) + \$5 + \$6 (\$5 x 2) + \$10	\$20	500.00	20,160				
\$10 x 2	\$20	500.00	20,160				
\$20	\$20	500.00	20,160				
(\$2 x 6) + (\$3 x 6) (\$5 x 4) + \$10	\$30	600.00	16,800				
\$10 x 3	\$30	900.00	11,200				
\$15 x 2	\$30	900.00	11,200				
\$30	\$30	900.00	11,200				
(\$3 x 10) + (\$10 x 2) \$5 x 10	\$50	1,440.00	7,000				
\$10 + (\$20 x 2)	\$50	1,440.00	7,000				
\$20 + \$30	\$50	1,440.00	7,000				
\$50	\$50	1,440.00	7,000				
(\$5 x 6) + (\$10 x 4) + (\$15 x 2) \$10 x 10	\$100	3,000.00	3,360				
(\$10 x 5) + \$20 + \$30 \$20 x 5	\$100	3,600.00	2,800				
\$50 x 2	\$100	3,600.00	2,800				

(11) The estimated overall odds of winning some prize in Instant Game Number 1137 are 1 in 4.13. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Instant Game Number 1137, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for MONOPOLY™ lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS, Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS, History—New 2-6-12.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: February 6, 2012

DEPARTMENT OF THE LOTTERY
RULE NO.: 53ER12-16
RULE TITLE: Instant Game Number 1138, LUCKY \$2,500 A WEEK FOR LIFE

SUMMARY: This emergency rule describes Instant Game Number 1138, “LUCKY \$2,500 A WEEK FOR LIFE,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department.

The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER12-16 Instant Game Number 1138, LUCKY \$2,500 A WEEK FOR LIFE.

(1) Name of Game. Instant Game Number 1138, "LUCKY \$2,500 A WEEK FOR LIFE."

(2) Price. LUCKY \$2,500 A WEEK FOR LIFE lottery tickets sell for \$5.00 per ticket.

(3) LUCKY \$2,500 A WEEK FOR LIFE lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning LUCKY \$2,500 A WEEK FOR LIFE lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY
21 TWENTYONE	22 TWENTYTWO	23 TWENTYTHREE	24 TWENTYFOUR		5X STIMES			

(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY
21 TWENTYONE	22 TWENTYTWO	23 TWENTYTHREE	24 TWENTYFOUR					

(6) The prize symbols and prize symbol captions are as follows:

\$2.00 TWO	\$5.00 FIVE	\$10.00 TEN	\$20.00 TWENTY	\$25.00 TWENTY FIVE	\$30.00 THIRTY	
\$50.00 FIFTY	\$100 ONE HUNDRED	\$500 FIVE HUNDRED	\$1,000 ONE THOUSAND	\$2,000 TWO THOUSAND	\$10,000 TEN THOUSAND	LIFE \$2500/WK

(7) The legends are as follows:

HINNING NUMBERS	YOUR NUMBERS
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(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches a play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that symbol. A

ticket having a "WIN" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to the corresponding prize

shown. A ticket having a "5X STIMES" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to five times

the corresponding prize shown. A ticket having a "HINALL" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to all twelve prizes shown.

(b) The prizes are: \$2.00, \$5.00, \$10.00, \$20.00, \$25.00, \$30.00, \$50.00, \$100, \$500, \$1,000, \$2,000, \$10,000,

and LIFE \$2500/WK.

(9) \$2,500 A WEEK FOR LIFE Prize Payment Options.

(a) A winner of a \$2,500 A WEEK FOR LIFE prize may choose one of three payment options for receiving his or her prize. Payment options are "Cash Option," "Weekly Payment" or "Quarterly Payment." At the time the \$2,500 A WEEK FOR LIFE prize is claimed, the terminal will produce a top prize player claim instructions ticket. The winner has sixty (60) days from the date the player claim instructions ticket is produced to file a claim choosing the Cash Option. If a winner does not choose the Cash Option within such time, the winner will be required to choose between the Weekly Payment option and the Quarterly Payment option. Once the winner files a claim and exercises the winner's chosen option, the election of that option shall be final.

(b) Cash Option prizes will be paid in a single cash payment equal to the amount of cash required to purchase U.S. Government Securities that would fund the applicable prize amount of \$2,500 a week for a twenty year period, less applicable federal withholding taxes. This figure will be determined during the week following the date on which the \$2,500 A WEEK FOR LIFE prize is claimed by obtaining quotes from at least two investment sources. The quote costing the least to fund the twenty year payment stream, had the weekly payment option been selected, will be the amount of the Cash Option prize.

(c) Weekly Payment prizes claimed by an individual will be paid in equal weekly installments of \$2,500, less applicable federal withholding taxes, for the life of the winner, with a minimum of twenty years. Weekly Payment prizes claimed by a trust, corporation or other legal entity shall be paid in equal weekly installments of \$2,500 for a period not greater than twenty years, less applicable federal withholding taxes.

(d) Quarterly Payment prizes claimed by an individual will be paid as follows: At the time a claim is filed for a \$2,500 a week for life prize, the winner will be paid a sum equal to \$2,500 multiplied by the number of weeks from the date the claim is filed through the 15th day of the second month in the quarter in which the claim is filed, e.g., February, May, August or November, or in the next quarter if the claim is filed after the

15th day of the second month in a quarter, less applicable taxes. Thereafter, payment will be made in equal quarterly installments of \$32,500, less applicable federal withholding taxes, on the 15th day of February, May, August and November, or the next business day if the 15th falls on a Saturday, Sunday or holiday, for the life of the winner, with a minimum of twenty years. Quarterly Payment prizes claimed by a trust, corporation or other legal entity shall be paid in equal quarterly installments for a period not greater than twenty years, less applicable federal withholding taxes.

(e) Following the end of the guaranteed twenty year payment period, Weekly Payment prizes will be converted to quarterly payments as described in paragraph (9)(d) above.

(f) At the end of the guaranteed twenty year payment period, winners receiving weekly payments and quarterly payments will be required to provide evidence to the Lottery that they are still living. Thereafter, winners will be required to provide such evidence on a quarterly basis prior to receipt of their next scheduled payment.

(g) Any interest or earnings accruing on a \$2,500 a week for life prize prior to the prize payment or purchase of securities, under either the Cash Option or the Weekly or Quarterly Payment Option, shall accrue to the State of Florida and not to the winner.

(10) The estimated odds of winning, value, and number of prizes in Instant Game Number 1138 are as follows:

GAME PLAY	VALUE	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 120,000 TICKETS PER POOL
\$5	\$5	10.00	1,608,000
\$2 (5X)	\$10	30.00	536,000
\$2 x 5	\$10	60.00	268,000
\$5 x 2	\$10	30.00	536,000
\$10	\$10	60.00	268,000
\$2 x 10	\$20	300.00	53,600
\$2 (5X) + \$10	\$20	300.00	53,600
\$5 x 4	\$20	300.00	53,600
\$10 x 2	\$20	300.00	53,600
\$20	\$20	300.00	53,600
\$5 x 5	\$25	800.00	20,100
\$5 (5X)	\$25	800.00	20,100
\$5 + (\$10 x 2)	\$25	600.00	26,800
\$5 + \$20	\$25	600.00	26,800
\$25	\$25	800.00	20,100
(\$2 x 10) + (\$5 x 2) (STAR)	\$30	1,500.00	10,720
\$5 x 6	\$30	1,500.00	10,720
\$5 + \$5 (5X)	\$30	1,500.00	10,720
\$10 x 3	\$30	1,500.00	10,720
\$30	\$30	1,500.00	10,720
(\$2 x 5) + (\$5 x 6)	\$50	2,000.00	8,040
+ \$10 (STAR)			
(\$5 x 5) + \$5 (5x)	\$50	2,000.00	8,040

\$5 x 10	\$50	2,000.00	8,040
\$25 x 2	\$50	2,000.00	8,040
\$50	\$50	2,000.00	8,040
(\$5 x 10) + (\$25 x 2) (STAR)	\$100	1,200.00	13,400
\$10 x 10	\$100	1,200.00	13,400
\$20 (5X)	\$100	1,200.00	13,400
\$50 x 2	\$100	1,200.00	13,400
\$100	\$100	1,500.00	10,720
(\$30 x 10) + (\$100 x 2) (STAR)	\$500	15,000.00	1,072
(\$30 x 5) + (\$50 x 7)	\$500	15,000.00	1,072
\$50 x 10	\$500	15,000.00	1,072
\$100 (5X)	\$500	15,000.00	1,072
\$500	\$500	15,000.00	1,072
(\$50 x 4) + (\$100 x 8) (STAR)	\$1,000	60,000.00	268
\$100 (5X) + (\$100 x 5)	\$1,000	60,000.00	268
\$100 x 10	\$1,000	60,000.00	268
\$500 x 2	\$1,000	60,000.00	268
\$1,000	\$1,000	60,000.00	268
(\$100 x 10) + (\$500 x 2) (STAR)	\$2,000	120,000.00	134
\$2,000	\$2,000	120,000.00	134
\$10,000	\$10,000	120,000.00	134
\$2,500/WK/LIFE Top Prize		4,020,000.00	4

(11) The estimated overall odds of winning some prize in Instant Game Number 1138 are 1 in 4.27. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Instant Game Number 1138, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for LUCKY \$2,500 A WEEK FOR LIFE lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 2-6-12.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: February 6, 2012

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

The South Florida Water Management District (District) hereby gives notice on January 12, 2012, the District's Governing Board issued SFWMD Order No. 2012-011-DAO-ROW to Florida Power and Light Company (Application No. 11-1109-1M-2). The petition for waiver was received by the District on November 9, 2011. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 37, No. 48, on December 2, 2011. No public comment was received. This Order provides a waiver of the District's criteria to allow an existing power pole with siren system to remain within the west right of way of L-31E located approximately 141' north of the intersection of L-31E and the North Canal to remain; Section 16, Township 57 South, Range 40 East, Miami-Dade County. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(j), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground facilities within 40' of the top of the canal bank within works or lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver as follows: 1) the existing facilities will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule is based upon substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Juli Russell, South Florida Water Management District, 3301 Gun Club Road, MSC #1410, West Palm Beach, Florida 33406-4680, (561)682-6268 or by email: jurussel@sfwmd.gov.

The South Florida Water Management District (District) hereby gives notice on January 12, 2012, the District's Governing Board issued SFWMD Order No. 2012-010-DAO-ROW to Michael Edwards and Maggie Godoy (Application No. 11-0912-1). The petition for waiver was received by the District on September 12, 2011. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 37, No. 40, on October 7, 2011. An amended petition for waiver was received by the District on November 4, 2011. Notice of receipt of the amended petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 37, No. 46, on November 18, 2011. No public comment was received. This Order

provides a waiver of the District's criteria to allow an existing concrete wall and fence crossing the I-75 Canal within the northerly roadway embankment of Spanish Oaks Lane Box Culvert Bridge at the intersection of Tarpon Bay Blvd. to remain; Section 29, Township 48 South, Range 26 East, Collier County. Specifically, the Order grants a waiver from subsections 40E-6.011(4), (6) and paragraph 40E-6.221(2)(j), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground facilities within 40' of the top of the canal bank and within the District's designated 100 foot long equipment staging areas located at all bridge and pile-supported utility crossings within works or lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver as follows: 1) the existing facilities will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule is based upon principles of fairness and substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Juli Russell, South Florida Water Management District, 3301 Gun Club Road, MSC #1410, West Palm Beach, Florida 33406-4680, (561)682-6268 or by email: jurussel@sfwmd.gov.

The South Florida Water Management District (District) hereby gives notice on January 12, 2012, the District's Governing Board issued SFWMD Order No. 2012-009-DAO-ROW to Florida Department of Transportation (Application No. 11-10180-3). The petition for waiver was received by the District on December 2, 2011. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 37, No. 50, on December 16, 2011. No public comment was received. This Order provides a waiver of the District's criteria to allow the proposed widening of the west face of the existing SR 823 (Red Road/NW 57th Avenue) bridge crossing the C-7 Canal; Section 31/32, Township 52 South, Range 41 East, Miami-Dade County. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(j), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code, which governs the minimum low member elevation of bridge crossings location within works or lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver as follows: 1) the proposed bridge crossing will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and

routine maintenance activities; and 2) the Order granting a waiver from the subject rule is based upon substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Juli Russell, South Florida Water Management District, 3301 Gun Club Road, MSC #1410, West Palm Beach, Florida 33406-4680, (561)682-6268 or by email: jurussel@sfwmd.gov.

The South Florida Water Management District (District) hereby gives notice on January 12, 2012, the District's Governing Board issued SFWMD Order No. 2012-008-DAO-ROW to Rafael Garcia (Application No. 11-1202-2). The petition for waiver was received by the District on December 2, 2011. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 37, No. 50, on December 16, 2011. No public comment was received. This Order provides a waiver of the District's criteria to allow existing pavers, palm trees and utility services with above-ground electrical panel with pedestal located within the north right of way of C-51 at the rear of 234 Arlington Road to remain; Section 15, Township 44 South, Range 43 East, Palm Beach County. Specifically, the Order grants a waiver from subsection 40E-6.011(4) and (6), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground facilities within 40' of the top of the canal bank within works or lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver as follows: 1) the existing facilities will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule is based upon principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Juli Russell, South Florida Water Management District, 3301 Gun Club Road, MSC #1410, West Palm Beach, Florida 33406-4680, (561)682-6268 or by email: jurussel@sfwmd.gov.

NOTICE IS HEREBY GIVEN that on February 2, 2012, the South Florida Water Management District (District), received a petition for waiver from Stewart Lee Mosher for a Right of Way Occupancy Permit, Application No. 12-0123-3, for utilization of Works or Lands of the District, known as the C-15 Canal, for existing landscaping, fence, wooden pedestal and retaining wall; and proposed rip-rap boulder bank stabilization and wood retainer within the south right of way of the C-15 Canal located adjacent to 201 Oregon Lane, Section 32, Township 46 South, Range 43 East, Palm Beach County.

The petition seeks relief from subsections 40E-6.011(4) and (6), Florida Administrative Code, which prohibits the placement of permanent and/or semi-permanent above-ground structures within 40 feet of the top of canal bank within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail: jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at: South Florida Water Management District, 3301 Gun Club Road, MSC #1410, West Palm Beach, FL 33406, Attention: Juli Russell, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on February 7, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Baptist Medical Center. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.2.2.5, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a sump pump be installed in pits which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-039).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on February 7, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for International Paper, Recovery Room Elevator. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-038).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on January 9, 2012, the Division issued an order. The Final Order was in response to a Petition for Variance from Lemon Bayview East, filed December 7, 2011, and advertised in Vol 37, No 51, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-399).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on January 20, 2012, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from North Florida Regional Healthcare, filed December 20, 2011, and advertised in Vol. 38, No. 1, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 8.7.2.25.2(b) ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires elevators meet all current requirements when the machine room is raised and the travel increased because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-420).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on January 4, 2012, the Division issued an order. The Final Order was in response to a Petition for Variance from Southbridge Condominium, filed December 2, 2011, and advertised in Vol 37, No 50, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.10.4(t) ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph

61C-5.001(1)(a), Florida Administrative Code, that requires in-car stop switch be keyed because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-396).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on January 9, 2012, the Division issued an order. The Final Order was in response to a Petition for Variance from St. Pete College – Ethics & Social Sciences Bldg., filed December 12, 2011, and advertised in Vol 37, No 51, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1 and 2.20.1 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires suspension be provided by steel wire ropes and governor ropes be no less than 9.5 mm because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-412).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on January 4, 2012, the Division issued an order. The Final Order was in response to a Petition for Variance from USF 2 Apartments, filed November 30, 2011, and advertised in Vol 37, No 50, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1 and 2.20.1 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires suspension be provided by steel wire ropes and governor ropes be no less than 9.5 mm because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-394).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on December 1, 2011, the Electrical Contractors' Licensing Board, received a petition for Paul Avila, seeking a variance or waiver of Rule 61G6-5.002, Florida Administrative Code, which requires that an applicant for certification by examination or by endorsement submit a complete application on the form prescribed by the Department of Business and Professional Regulation together with all supporting data. For re-examination on the Technical/Safety examination, a retake exam application must be submitted on a form provided by the Department.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783. Comments on this petition should be filed with the Electrical Contractors' Licensing Board within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on January 27, 2012, the Board of Accountancy, received a petition for William Davis Douglass, seeking a variance or waiver of subsection 61H1-27.0041(2), F.A.C., which requires that one year of work experience shall be held and understood to mean the rendition of services such as are customarily performed by full-time, regularly employed staff employees of a certified public accountant during the normal workweek as required by the employing certified public accountant, commencing after the completion of the educational requirements set forth in subsection 61H1-27.002(3), F.A.C.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on January 9, 2012, the Board of Accountancy, received a petition for Jacob Finkelshteyn, seeking a variance or waiver of paragraphs 61H1-27.002(2)(a) and (b), Florida Administrative Code, which requires that an applicant must have at least 150 semester hours or 200 quarter hours of college education, including a baccalaureate degree or higher conferred by an accredited college or university with a major in accounting, or its equivalent. The applicant's total education program shall include a concentration in accounting and business as follows: 36 semester or 54 quarter hours in accounting education at the upper division level which shall include coverage of auditing, cost and managerial accounting, financial accounting, accounting information systems, and taxation; 39 semester or 58 quarter hours in general business education which shall include not less than the equivalent of 6 semester or 8 quarter hours in business law courses which shall include coverage of the uniform commercial code, contracts and torts.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The Florida **Department of State, Division of Library and Information Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 27, 2012, 8:15 a.m. – 8:30 a.m. (EST)

PLACE: DLIS, Small Conference Room, Division of Library and Information Services, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The State Library Council Governmental Affairs Subcommittee will review and discuss matters and issues related to the programs and/or activities of the Division of Library and Information Services. Subject matter may include issues that have local or statewide impact on the Division and/or the services it provides to Florida's citizens, and strategies to promote the Division's values and work.

A copy of the agenda may be obtained by contacting: Judith Ring, Division Director at (850)245-6600.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: (850)245-6600 or TDD (850)922-4085. 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 **Division of Library and Information Services** announces a stakeholders meeting for the Library Services and Technology Act grant program.

DATES AND TIMES: February 29, 2012, 1:00 p.m. – 5:00 p.m.; March 1, 2012, 9:00 a.m. – 3:00 p.m.

PLACE: R.A. Gray Building, Room 307, 500 South Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Division of Library and Information Services is developing a plan for Florida's 2013-2017 Library Services and Technology

Act grant program. This is a stakeholders meeting to provide feedback and information on needs and direction to chart the course of programs and services for the next five years.

A copy of the agenda may be obtained by contacting: Sondra Taylor-Furbee at sondra.furbee@dos.myflorida.com or by telephone: (850)245-6637.

Any person requiring special accommodations or assistance due to a disability or physical impairment should contact the agency at least five days prior to the meeting by calling (850)245-6600 or TDD (850)922-4085.

The Florida **Division of Cultural Affairs** and the **Florida Council on Arts and Culture** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 22, 2012, 8:30 a.m.

PLACE: 500 South Bronough Street, R.A. Gray Building, Room 307, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss, review and take action on funding recommendations for grants and any other business which may appropriately come before the Council.

Note: If a quorum of members does not attend, items on the agenda for formal action will be discussed as a workshop by those present, and written minutes will be taken although no formal action will be taken. Council members must be physically present in order to participate.

A copy of the agenda may be obtained by contacting: Rachelle Ashmore at (850)245-6490 or by email: Rachelle.Ashmore@DOS.MyFlorida.com or via the Division's website: www.florida-arts.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jennifer Hoelsing at (850)245-6462 or by email: Jennifer.Hoelsing@DOS.MyFlorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rachelle Ashmore at Rachelle.Ashmore@DOS.MyFlorida.com.

DEPARTMENT OF LEGAL AFFAIRS

The **Florida Commission on the Status of Women** announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 1, 2012, 11:00 a.m.

PLACE: Please call: (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee.

DATE AND TIME: March 22, 2012, 10:00 a.m.

PLACE: Please call: (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Outreach Task Force.

DATE AND TIME: March 7, 2012, 9:00 a.m.

PLACE: Please call: (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: The 1st Quarterly Meeting of 2012 of the Florida Commission on the Status of Women.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call: (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3300, Fax: (850)921-4131.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax: (850)921-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax: (850)921-4131.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Florida Agriculture Center and Horse Park Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 21, 2012, 4:00 p.m.

PLACE: Florida Agriculture Center and Horse Park Authority, 11008 South Highway 475, Ocala, Florida 34480

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Executive Committee to discuss general board business.

A copy of the agenda may be obtained by contacting: C. J. Marcello, Jr. at (352)307-6699, ext. 5 or email: execdir@flhorsepark.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: C. J. Marcello, Jr. at (352)307-6699, ext. 5 or email: execdir@flhorsepark.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Animal Industry Technical Council (AITC)** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 8, 2012, 1:00 p.m. – 4:00 p.m.

PLACE: University of Florida, Banfield Seminar Room (SAH 340A), 3rd Floor, New Small Animal Hospital, 2015 S.W. 16th Avenue, Gainesville, FL 32608

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Animal Industry Technical Council to discuss animal and agricultural issues of concern. The meeting is open to the public.

A copy of the agenda may be obtained by contacting: Carol Evans at (850)410-0943.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Carol Evans at (850)410-0943. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Carol Evans, AITC Coordinator at (850)410-0943.

The **Pesticide Registration Evaluation Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: March 1, 2012, 9:00 a.m.

PLACE: Florida Department of Agriculture and Consumer Services, Bureau of Pesticides Conference Room, 3125 Conner Boulevard, Building 6, Room 606, Tallahassee, Florida 32399-1650, (850)617-7917.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee discusses and makes recommendations on pesticide registration issues impacting human health and safety and the environment.

A copy of the agenda may be obtained by contacting: The Pesticide Registration Section, (850)617-7940 or from the PREC Web Site at: http://www.flaes.org/pesticide/pesticide_registration.html.

For more information, you may contact: Mr. Charlie L. Clark, Administrator, Pesticide Registration Section, 3125 Conner Boulevard, Building 6, Room 601, Tallahassee, Florida 32399-1650, (850)617-7940.

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

DATE AND TIME: Thursday, April 12, 2012, 10:00 a.m.

PLACE: Teleconference Participants call: 1(888)808-6959, When prompted, enter the Conference Code: 4873444

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to conduct general business of the Florida Alligator Marketing and Education Committee, and to discuss marketing and education initiatives for the current fiscal year.

For more information, you may contact: John Easley or Paul Davis at (850)488-0163.

DEPARTMENT OF EDUCATION

The **State Board of Education** announces a workshop to which all persons are invited.

DATE AND TIME: February 27, 2012, 2:00 p.m.

PLACE: Room LL03, The Capitol, 400 South Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: An overview of current and future school choice options in Florida will be provided by the Department staff, district staff, and school choice providers.

A copy of the agenda may be obtained by contacting: Lynn Abbott at (850)245-9661 or lynn.abbott@fldoe.org or by visiting the Department's website: <http://www.fldoe.org>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Lynn Abbott at (850)245-9661 or email: lynn.abbott@fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lynn Abbott at (850)245-9661 or email: lynn.abbott@fldoe.org.

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

DATE AND TIME: February 28, 2012, 7:30 a.m.

PLACE: Department of Education, Turlington Building, 325 West Gaines Street, Suite 1703, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting agenda will consist of approval of minutes of the State Board meeting held January 24, 2012, a presentation by the Florida Education Foundation, and updates on education

initiatives by the Commissioner. Items for consideration include action relating to the following rules: Amendment of Rule 6A-1.09981, F.A.C., Implementation of Florida's System of School Improvement and Accountability; Amendment of Rule 6A-1.099821, F.A.C., Voluntary Prekindergarten (VPK) Provider Kindergarten Readiness Rate; Amendment of Rule 6A-1.099822, F.A.C., School Improvement Rating for Alternative Schools; Amendment of Rule 6A-1.099824, F.A.C., Voluntary Prekindergarten (VPK) Provider Placed on Probation Good Cause Exemption; New Rule 6A-5.0411, F.A.C., Calculations of Student Learning Growth Using Statewide Assessment Data for Use in School Personnel Evaluations; Repeal of Rule 6A-6.0782, F.A.C., Florida Schools of Excellence Commission Cosponsor Application; Repeal of Rule 6A-6.0783, F.A.C., District School Board Exclusive Authority to Sponsor Charter Schools; New Rule 6A-10.0319, F.A.C., Developmental Education Competencies; Amendment of Rule 6A-20.0131, F.A.C., Critical Teacher Shortages; and New Rule 6A-20.028, F.A.C., Florida Bright Futures Scholarship Program. Other action items for consideration include: Approval of Critical Teacher Shortage Areas for 2012-2013; Charter School Appeals: Renaissance Charter School at Orlando vs. Orange County School Board; The Central Florida Virtual Charter School Board, Inc. and the Florida Virtual Academy at Seminole County vs. Seminole County School Board; and The Northeast Florida Virtual Charter School Board, Inc. and the Florida Virtual Academy at Duval County vs. Duval County School Board; and Approval of Edison State College's Request to Name a Facility Funded Through the Florida College System Facility Enhancement Challenge Grant Program. Updates will be provided by a Representative of the Florida Association of District School Superintendents, President Joe Pickens on behalf of the Council of Presidents, and Chancellor Randy Hanna on the Florida College System.

A copy of the agenda may be obtained by contacting: Lynn Abbott at (850)245-9661, email: lynn.abbott@fldoe.org or by visiting the Department's website: <http://www.fldoe.org>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Lynn Abbott at (850)245-9661 or email: lynn.abbott@fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lynn Abbott at (850)245-9661 or email: lynn.abbott@fldoe.org.

The Florida **Department of Education**, Charter School Appeal Commission announces a hearing to which all persons are invited.

DATES AND TIME: February 29, 2012; March 1, 2012, 9:00 a.m. – completion

PLACE: Florida Department of Education, 325 W. Gaines Street, Tallahassee, Florida 32399-0400

GENERAL SUBJECT MATTER TO BE CONSIDERED: Central Florida Virtual Charter School Board, Inc. and Florida Virtual Academy at Volusia vs. Volusia County

The Central Florida Virtual Charter School Board, Inc. and The Florida Virtual Academy at Brevard County vs. Brevard County School Board

The Central Florida Virtual Charter School Board, Inc. and The Florida Virtual Academy at Orange County vs. Orange County School Board

The South Florida Virtual Charter School Board, Inc. and The Florida Virtual Academy at Broward County vs. Broward County School Board

Sunshine Charter Academy of Broward vs. Broward County School Board

Pivot Education, Inc. vs. Orange County School Board

A copy of the agenda may be obtained by contacting: Office of Independent Education and Parental Choice at 325 West Gaines Street, Suite 1044, Tallahassee, Florida 32399 or by phone at (850)245-0502.

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 1 day before the workshop/meeting by contacting: Office of Independent Education and Parental Choice at 325 West Gaines Street, Suite 1044, Tallahassee, Florida 32399 or by phone at (850)245-0502. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Office of Independent Education and Parental Choice at 325 West Gaines Street, Suite 1044, Tallahassee, Florida 32399 or by phone at (850)245-0502.

The Gulf Coast State College District, Board of Trustees announces a public meeting to which all persons are invited.

DATE AND TIME: March 8, 2012, 10:00 a.m.

PLACE: William C. Cramer Jr. Seminar Room (Room 306), SUW, Gulf Coast State College, Panama City, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Gulf Coast State College District Board of Trustees will hold its monthly meeting as follows: Contact person for this meeting is Dr. Jim Kerley, President.

A copy of the agenda may be obtained by contacting: Dr. Steve Nettles, District Board of Trustees Liaison, Director of Institutional Effectiveness, Gulf Coast State College.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission**, "The Commission" announces a public meeting to which all persons are invited.

The Energy Technical Advisory Committee

DATE AND TIME: March 7, 2012, 1:00 p.m.

PLACE: Meeting to be conducted using Communications Media Technology, Conference Call: 1(888)808-6959, Code: 1045158897; Public point of access: Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and decide on approval of Energy Code simulation software submitted for consideration by the Florida Building Commission, to consider concepts for inclusion of Florida-specific energy efficiencies from the 2010 Florida Building Code, Energy Conservation, for potential inclusion into the 2013 Code, and other business for the Commission. Anyone who wishes to participate in the conference call should dial the number and enter the code above as requested to participate in the conference call.

A copy of the agenda may be obtained by contacting: Ms. Ann Stanton, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399, (850)487-1824. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ms. Ann Stanton, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399, (850)487-1824.

DEPARTMENT OF REVENUE

NOTICE OF RESCHEDULING – The **Department of Revenue** announces a public hearing to which all persons are invited.

DATE AND TIME: February 28, 2012, during a regular meeting of the Governor and Cabinet, 9:00 a.m. This subject matter was previously scheduled for the March 20, 2012,

meeting of the Governor and Cabinet, as published in the January 27, 2012, edition of the Florida Administrative Weekly (Vol. 38, No. 4, p. 428).

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of the proposed amendments to Rule 12B-4.003, F.A.C. (Public Use Forms) and the creation of Rule 12B-4.060, F.A.C. (Tax on Transfers of Ownership Interest in Legal Entities). These rules were noticed in the September 30, 2011, edition of the Florida Administrative Weekly (Vol. 37, No. 39, pp. 2985-2988), and amended as provided in the Notice of Change published in the December 16, 2011, edition of the Florida Administrative Weekly (Vol. 37, No. 50, pp. 4324-4325).

A copy of the agenda may be obtained by contacting: Tammy Miller at (850)617-8346 or by going to the Department's Internet site: <http://dor.myflorida.com/dor/rules>.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: 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: Tammy Miller at (850)617-8346. 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.

The **Department of Revenue** announces a public meeting to which all persons are invited.

DATE AND TIME: February 28, 2012, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, the Capitol, Tallahassee, Florida. Please refer to the Cabinet Agenda posted to the Department's Internet site: <http://dor.myflorida.com/dor/rules/> prior to attending a meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval to publish Notices of Proposed Rule to hold a public hearing on the proposed Property Tax Oversight rules listed below. The Department held a rule development workshop on July 19-20, 2011, at which the public offered comments and suggestions. The July workshops were noticed in the July 1, 2011 (Vol. 37, No. 26, pp. 1785-1792), Florida Administrative Weekly.

Rule 12D-1.009, F.A.C. (Mapping Requirements); Rule 12D-1.010, F.A.C. (Reconciliation of Interim Tax Rolls – Form of Notification); Rule 12D-2.001, F.A.C. (Definitions); Rule 12D-5.004, F.A.C. (Other Factors that May Become Applicable to Classification of Agricultural Lands); Rule 12D-5.014 F.A.C. (Conservation Easement, Environmentally Endangered or Outdoor Recreational or Park Property Assessed Under Section 193.501, F.S.); Rule 12D-7.0055, F.A.C. (Exemption for Deployed Servicemembers); Rule 12D-7.006, F.A.C. (Exemption for Totally and Permanently

Disabled Persons); Rule 12D-7.013, F.A.C. (Homestead Exemptions-Abandonment); Rule 12D-7.0142, F.A.C. (Additional Homestead Exemption Pursuant to Section 196.031(1)(b), Florida Statutes); Rule 12D-7.0143, F.A.C. (Additional Homestead Exemption Up To \$50,000 for Persons 65 and Older Whose Household Income Does Not Exceed \$20,000 Per Year); Rule 12D-7.019, F.A.C. (Tangible Personal Property Exemption); Rule 12D-7.020, F.A.C. (Real Property Dedicated in Perpetuity for Conservation); Rule 12D-8.0061, F.A.C. (Assessments; Homestead Property Assessments at Just Value); Rule 12D-8.0065, F.A.C. (Transfer of Assessment Limitation Difference; Portability; Denials and Late Applications); Rule 12D-8.00659, F.A.C. Notice of Change of Ownership or Control of Non-Homestead Property); Rule 12D-8.022, F.A.C. (Reporting of Fiscal Data by Fiscally Constrained Counties to the Department of Revenue); Rule 12D-9.015, F.A.C. (Petition; Form and Filing Fee); Rule 12D-9.036, F.A.C. (Procedures for Petitions on Denials of Tax Deferrals); Rule 12D-16.001, F.A.C. (Administration of Forms); Rule 12D-16.002, F.A.C. (Index to Forms); Rule 12D-17.004, F.A.C. (Taxing Authority's Certification of Compliance; Notification by Department); Rule 12D-17.005, F.A.C. (Taxing Authorities in Violation of Section 200.065, Florida Statutes); Rule 12D-17.006, F.A.C. (Notification of Noncompliance; Withholding and Escrow of State Revenue Sharing Funds); and Rule 12D-18.012, F.A.C. (Tax Collector Non-Ad Valorem Assessment Roll Reports).

A copy of the agenda may be obtained by contacting: Janice Forrester, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, (850)617-8886, email: ForrestJ@dor.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Janice Forrester at (850)617-8886 or email: ForrestJ@dor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIMES: Wednesday, February 29, 2012, Open House: 5:00 p.m. – 7:00 p.m.; Presentations: 5:30 p.m. and 6:30 p.m.

PLACE: Ocoee City Hall, Commission Chambers, 150 North Lakeshore Drive, Ocoee, FL 34761

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No. 430569-1-52-01.

Project Description: Intersection safety improvements on Silver Star Road (SR 438) at Ocoee Hills Road in the City of Ocoee, Orange County, Florida.

The Florida Department of Transportation, is holding a public information meeting regarding plans to improve safety, widen, and repave Silver Star Road (SR 438) in the City of Ocoee, from 2nd Street to Silver Crest Boulevard. In addition to widening and repaving, new mast arm signals at Ocoee Hills Road are being added. Other features, such as sidewalks, curb ramps, crosswalks, and signal equipment are being added to increase safety and meet requirements of the Americans with Disabilities Act (ADA). Accommodations for bicyclists are also included. Design is scheduled for completion fall 2012 and construction is scheduled in spring 2013.

A copy of the agenda may be obtained by contacting: Bruno Fiori at (813)627-8204, e-mail: Bruno.Fiori@aecom.com OR a flyer will be distributed at the meeting.

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: Bruno Fiori, (813)627-8204 or e-mail: Bruno.Fiori@aecom.com.

Public participation is solicited without regard to race, color, national origin, age, sex, disability or family status.

Persons who require translation services (free of charge) should contact Ashraf Elmaghraby at the phone number above.

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

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

For more information, you may contact: Either Ashraf Elmaghraby, FDOT, Project Manager at (386)943-5645, e-mail: ashraf.elmaghraby@dot.state.fl.us AND/OR Bruno Fiori, Engineer of Record at (813)627-8204 or e-mail: Bruno.Fiori@aecom.com.

Additional information on the project is also available at: www.cflroads.com.

The **Florida Transportation Commission** announces a workshop to which all persons are invited.

DATE AND TIME: March 1, 2012, 8:00 a.m. (EST) – until conclusion of business

PLACE: Florida Department of Transportation, Executive Conference Room, 605 Suwannee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Transportation Commission Workshop.

A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)414-4316.

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: Lisa O. Stone at (850)414-4316. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Transportation Commission, 605 Suwannee Street, MS #9, Room 176, Tallahassee, Florida 32399 or by phone at (850)414-4105.

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

DATE AND TIME: Monday, March 12, 2012, Open House, 4:00 p.m. – 7:00 p.m.

PLACE: Oakland Town Hall, 230 N. Tubb Street, Oakland, FL 34760

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No. 239535-2

Project Description: State Road (SR) 50 Widening, from the East Ramps of the Turnpike to Avalon Road

The widening project includes the reconstruction of SR 50 from four lanes to six lanes, the addition of bike lanes, sidewalks and drainage improvements. Construction of these improvements will begin in the summer of 2012.

A flyer will be distributed at the meeting.

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: Colleen Jarrell, HNTB Corporation, 610 Crescent Executive Court, Suite 400, Lake Mary, FL 32746, 1(800)889-8237. Public participation is solicited without regard to race, color, national origin, age, sex, disability or family status. Persons who require translation services (free of charge) should contact Colleen Jarrell at the phone number above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Either David Cooke, FDOT, Project Manager at (386)943-5255 or e-mail: david.cooke@dot.state.fl.us.

Additional information on the project is also available at: www.cflroads.com.

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

DATE AND TIME: Tuesday, March 13, 2012, 5:00 p.m. (EST)

PLACE: Florida Public Safety Institute, Academy Drive (off US 90), 27250 Blue Star Highway, Gadsden County, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The replacement of the existing bridges over Little River and Hurricane Creek, two miles east of Quincy and three miles west of Midway, in Gadsden County on State Road 10 (US 90), will be discussed. This meeting is to afford interested persons an opportunity to preview the proposed design, ask questions, and/or submit comments concerning the upcoming project. Maps, drawings and other information will be on display. The meeting will be conducted in an open house format, no formal presentation is scheduled. FDOT representatives and will be available to explain the proposed improvements, answer questions and receive comments. (Financial Project ID: 422823-1-52-01).

A copy of the agenda may be obtained by contacting: Robert Quigley, P.E., FDOT, Project Manager, robert.quigley@dot.state.fl.us, (850)414-4356.

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: Robert Quigley, P.E., FDOT, Project Manager at robert.quigley@dot.state.fl.us or (850)414-4356. 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 Florida **Department of Transportation** (FDOT) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 15, 2012, Open House, 4:00 p.m. – 7:00 p.m.

PLACE: West Oaks Library, 1821 E. Silver Star Road, Ocoee, FL 34761

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No. 239535-5

Project Description: State Road (SR) 50 Widening, from East of the West Oaks Mall to West of Good Homes Road

The widening project includes the reconstruction of SR 50 from four lanes to six lanes (including the bridge over Lake Lotta), the addition of bike lanes, sidewalks and drainage improvements. Construction of these improvements will begin in the summer of 2012.

A flyer will be distributed at the meeting.

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: Colleen Jarrell, HNTB Corporation, 610 Crescent Executive Court, Suite 400, Lake Mary, FL 32746,

1(800)889-8237. Public participation is solicited without regard to race, color, national origin, age, sex, disability or family status. Persons who require translation services (free of charge) should contact Colleen Jarrell at the phone number above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Either David Cooke, FDOT, Project Manager at (386)943-5255 or e-mail: david.cooke@dot.state.fl.us.

Additional information on the project is also available at: www.cflroads.com.

STATE BOARD OF ADMINISTRATION

The **Florida Hurricane Catastrophe Fund** announces a public meeting to which all persons are invited.

DATE AND TIME: February 28, 2012, 9:00 a.m. (ET) – to conclusion of the meeting

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Trustees of the State Board of Administration to authorize the Florida Hurricane Catastrophe Fund to file a Notice of Proposed Rulemaking for Rule 19-8.029, F.A.C., Insurer Reporting Requirements and Rule 19-8.030, F.A.C., Insurer Responsibilities, and to authorize filing these two rules for adoption if no member of the public timely requests a rule hearing. In addition, other general business may be addressed. The rules and incorporated forms reflecting the proposed amendments are available on the Florida Hurricane Catastrophe Fund website: www.sbafla.com/fhcf.

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: Tracy Allen, Florida Hurricane Catastrophe Fund, (850)413-1341, tracy.allen@sbafla.com, P. O. Drawer 13300, Tallahassee, FL 32317-3300. 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 **Participant Local Government Advisory Council** (PLGAC) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 8, 2012, 11:00 a.m. – until conclusion of business

PLACE: Raymond O. Shelton School Administration Center, Staff Conference Room, 2nd Floor, 901 E. Kennedy Blvd., Tampa, Florida 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting of the Participant Local Government Advisory Council. The PLGAC is a six-member advisory council, which reviews the administration of the Local Government Surplus Funds Trust Fund (aka Florida PRIME) and makes recommendations regarding such administration of the fund. The Council operates under Section 218.409 (10)(a), Florida Statutes.

A copy of the agenda may be obtained by contacting: Diane Bruce, State Board of Administration, (850)413-1253 or diane.bruce@sbafla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: James Linn, State Board of Administration, (850)413-1166, james.linn@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF CITRUS

The Florida **Department of Citrus** announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 15, 2012, 2:00 p.m.

PLACE: Florida Department of Citrus, 605 E. Main St., Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Citrus Commission announces an emergency telephonic meeting and will address the allocation of uncommitted funds to domestic orange juice marketing programs.

A copy of the agenda may be obtained by contacting: Heather Facey, (863)537-3950 or hfacey@citrus.state.fl.us.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: March 7, 2012, 6:00 p.m.

PLACE: Auditorium, Eastmonte Civic Center, 830 Magnolia Drive, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 110257-WS – Application for increase in water and wastewater rates in Seminole County by Sanlando Utilities Corporation. The purpose of the meeting is to give customers and other interested persons an opportunity to offer comments regarding the quality of service the utility provides, the proposed rate increase, and to ask questions and comment on

other issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

EMERGENCY CANCELLATION OF CUSTOMER MEETING: If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling: Office of the General Counsel at (850)413-6199. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ralph Jaeger at (850)413-6234, or rjaeger@psc.state.fl.us.

The **Public Service Commission** announces a workshop to which all persons are invited.

DATE AND TIME: March 15, 2012, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0862

GENERAL SUBJECT MATTER TO BE CONSIDERED: To prescribe the filing requirements for a petition for limited proceeding for electric utilities.

A copy of the agenda may be obtained by contacting: Kathryn Cowdery at the address below. Also, a copy of the agenda and materials for the workshop is posted on the Commission's website: www.floridapsc.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Office of the Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kathryn G. W. Cowdery, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216, email: kcowdery@psc.state.fl.us.

The Florida **Public Service Commission** announces a workshop to which all persons are invited.

DATE AND TIME: March 15, 2012, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0862

GENERAL SUBJECT MATTER TO BE CONSIDERED: To prescribe the filing requirements for a petition for limited proceeding for gas utilities. Undocketed.

A copy of the agenda may be obtained by contacting: Kathryn Cowdery at the address below. A copy of the agenda and materials for the workshop is posted on the Commission's website: www.floridapsc.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kathryn G. W. Cowdery, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216 or email: kcowdery@psc.state.fl.us.

The Florida **Public Service Commission** announces a workshop to which all persons are invited.

DATE AND TIME: March 15, 2012, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0862

GENERAL SUBJECT MATTER TO BE CONSIDERED: To amend Rule 25-22.0406 to address notice and public information requirements for electric and gas utilities filing petitions for limited proceeding and to delete references to telephone companies. Undocketed.

A copy of the agenda may be obtained by contacting: Kathryn Cowdery at the address below. A copy of the agenda and materials for the workshop is posted on the commission's website: www.floridapsc.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kathryn G. W. Cowdery, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216 or email: kcowdery@psc.state.fl.us.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Florida Faith-Based and Community-Based Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: March 29, 2012, 11:00 a.m. – 2:00 p.m.
PLACE: Florida United Methodist Children's Home, 51 Main Street, Enterprise, Florida 32725
GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct regular business of the Florida Faith-Based and Community-Based Advisory Council.

A copy of the agenda may be obtained by contacting: Cyndee Odom, Office of Adoption and Child Protection, (850)717-9261 or Cyndee.Odom@eog.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Cyndee Odom, Office of Adoption and Child Protection at (850)717-9261 or email: Cyndee.Odom@eog.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Cyndee Odom, Office of Adoption and Child Protection, (850)717-9261 or email: Cyndee.Odom@eog.myflorida.com.

REGIONAL PLANNING COUNCILS

The **Escambia Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: February 28, 2012, 10:00 a.m.
PLACE: Pensacola City Hall, Whibbs Room, 180 Governmental Center, Pensacola, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: Transportation Disadvantaged Quarterly Board Meeting.

A copy of the agenda may be obtained by contacting: website www.wfrpc.org/escambiatd one week prior to the meeting.

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: Dorothy McKenzie, e-mail: dorothy.mckenzie@wfrpc.org or 1(800)226-8914, ext. 230. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Julia Pearsall at julia.pearsall@wfrpc.org or 1(800)226-8914, ext. 231.

The **Santa Rosa Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: February 28, 2012, 2:00 p.m.
PLACE: Milton City Hall, Council Chambers, 260 Dixon Street, Milton, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Transportation Disadvantaged Quarterly Board Meeting.

A copy of the agenda may be obtained by contacting: website www.wfrpc.org/santarosatd one week prior to the meeting.

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: Dorothy McKenzie, e-mail dorothy.mckenzie@wfrpc.org, or 1(800)226-8914, ext. 230. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Julia Pearsall at julia.pearsall@wfrpc.org or 1(800)226-8914, ext. 231.

The **Okaloosa County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: February 29, 2012, 10:00 a.m.
PLACE: Ft. Walton Beach Administration Bldg., 1804 Lewis Turner Road, Ft. Walton Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Transportation Disadvantaged Quarterly Board Meeting.

A copy of the agenda may be obtained by contacting: website www.wfrpc.org/okaloosatd one week prior to the meeting.

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: Dorothy McKenzie, e-mail: dorothy.mckenzie@wfrpc.org or 1(800)226-8914, ext. 230. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Julia Pearsall at julia.pearsall@wfrpc.org or 1(800)226-8914, ext. 231.

The **Walton County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: February 29, 2012, 1:30 p.m.

PLACE: Walton County Extension Services Building, 732 N. 9th Street, DeFuniak Springs, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Transportation Disadvantaged Quarterly Board Meeting.

A copy of the agenda may be obtained by contacting: website www.wfrpc.org/waltontd one week prior to the meeting.

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: Dorothy McKenzie, e-mail: dorothy.mckenzie@wfrpc.org or 1(800)226-8914, ext. 230. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Julia Pearsall at julia.pearsall@wfrpc.org or 1(800)226-8914, ext. 231.

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: March 5, 2012, 1:00 p.m.

PLACE: Board of County Commissioners Meeting Room, Courthouse Annex, 229 S.W. Pinckney Street, Suite 219, Madison, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Madison County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: March 7, 2012, 10:30 a.m.

PLACE: Suwannee Valley Transit Authority, Board Room, 1907 Voyles Street, Live Oak, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Suwannee County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: March 7, 2012, 1:30 p.m.

PLACE: Santa Fe Meeting Room, Florida Department of Transportation, District 2, Jeffery Maintenance Complex, 710 Lake Jeffery Road, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Columbia County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Northeast Florida Regional Council** announces a public meeting to which all persons are invited.

DATE AND TIMES: Thursday, March 1, 2012, Planning & Growth Management Committee, 9:00 a.m.; Personnel, Budget & Finance Committee, 9:00 a.m.; Strategic Regional Policy Planning Committee, 9:00 a.m.; Full Board of Directors, 10:00 a.m.; Legislative Policy Committee immediately following the Board meeting

PLACE: 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meeting.

A copy of the agenda may be obtained by contacting: Sheron Forde, (904)279-0880 or sforde@nefrc.org.

The **Tampa Bay Regional Planning Council**, Clearinghouse Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: February 27, 2012, 9:30 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl, (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Avera Wynne, (727)570-5151, ext. 30.

The **Tampa Bay Regional Planning Council**, Local Emergency Planning Committee announces a public meeting to which all persons are invited.

DATE AND TIME: February 29, 2012, 10:30 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl, (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. John Meyer, (727)570-5151, ext. 29.

The **Tampa Bay Local Emergency Planning Committee (LEPC)**, District VIII announces a public meeting to which all persons are invited.

DATE AND TIME: February 29, 2012, 10:30 a.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and implement provisions of the Emergency Planning and Community Right-to-Know Act (EPCRA) pertaining to facilities with hazardous materials within the Florida LEPC District VIII.

A copy of the agenda may be obtained by contacting: www.tbrpc.org/lepc/lepc_agendas.shtml.

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

For more information, you may contact: John Meyer, LEPC Coordinator, Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782, (727)570-5151, ext. 29.

The **Southwest Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 27, 2012, 2:00 p.m.

PLACE: Southwest Florida Regional Planning Council, First Floor, Conference Room, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SWFRPC's Budget & Finance Committee will be holding its monthly meeting.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at (239)338-2550, ext. 232 or email: ngwinnett@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Deborah Kooi at (239)338-2550, ext. 210 or dkooi@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Visit the SWFRPC's website: www.swfrpc.org.

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 5, 2012, 10:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting. Any Generally Consistent Comprehensive Plan Amendment Review received prior to the meeting; Generally Consistent Comprehensive Plan Amendment reviews for Coconut Creek and Sunrise (adopted); Any Generally Inconsistent Comprehensive Plan Amendment Review received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location. Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call: The Council Offices at (954)985-4416 (Broward).

A copy of the agenda may be obtained by contacting: (954)985-4416.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: (954)985-4416. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: (954)985-4416.

The **South Florida Regional Planning Council** announces a public meeting of The State Road 7/U.S. 441 Collaborative Steering Committee to which all persons are invited.

DATE AND TIME: Thursday, March 8, 2011, 2:00 p.m. – 4:00 p.m.

PLACE: City of Margate, Department of Environmental and Engineering Services (DEES), Administration Building, 901 N.W. 66th Avenue, Margate, FL 33063, (954)972-6454

GENERAL SUBJECT MATTER TO BE CONSIDERED: To continue deliberations regarding economic development, aesthetic improvement and increased intergovernmental cooperation along the corridor.

A copy of the agenda may be obtained online at: www.sfrpc.com/sr7/htm or by contacting: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Regional Planning Council at (954)985-4416. If you are hearing or speech impaired, please contact the agency at (954)967-4152, ext. 40 (TDD).

If any person decides to appeal any decision made by the State Road 7/U.S. 441 Collaborative Steering Committee with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 16, 2012, 10:00 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954)985-4416

GENERAL SUBJECT MATTER TO BE CONSIDERED: To support the reduction of our nation's dependence on imported oil by discussing and promoting the region's use of alternative fuels and alternative fuel vehicles through the Florida Gold Coast Clean Cities Coalition.

A copy of the agenda may be obtained by contacting: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954)985-4416.

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 1 day before the workshop/meeting by contacting: (954)985-4416. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Christine Heshmati at (954)985-4416 or email her at: cheshmati@sfrpc.com.

METROPOLITAN PLANNING ORGANIZATIONS

The **Local Coordinating Board-Transportation Disadvantaged** announces a public meeting to which all persons are invited.

DATE AND TIME: March 5, 2012, 10:00 a.m.

PLACE: 2401 S.E. Monterey Road, 4th Floor, Workshop Conference Room, Stuart, FL 34996

GENERAL SUBJECT MATTER TO BE CONSIDERED: Coordination of the transportation services for the transportation disadvantaged.

A copy of the agenda may be obtained by contacting: www.martinmpo.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: 1(866)836-7034. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Beth Beltran, MPO Administrator at (772)221-1498.

WATER MANAGEMENT DISTRICTS

The **Northwest Florida Water Management District** announces a workshop to which all persons are invited.

DATE AND TIME: February 29, 2012, 10:00 a.m. – 12:00 Noon (CST)

PLACE: NFWFMD, Crestview Office, 800 Hospital Drive, Crestview, FL 32539

GENERAL SUBJECT MATTER TO BE CONSIDERED: Current status and update of NFWFMD Region II (Santa Rosa, Okaloosa, Walton Counties) Water Supply Plan. The plan was developed in 2000, updated in 2006, and February 2012. The plan update is part of the process described in Section 373.709, Florida Statutes.

A copy of the agenda may be obtained by contacting: www.nwfwmd.state.fl.us/rmd/water_supply_planning/regional_water_supply_planning.html.

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 72 hours before the workshop/meeting by contacting: NFWFMD, Crestview Office, 800 Hospital Drive, Crestview, FL 32539, (850)683-5044. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ron Bartel, (850)539-5999, ron.bartel@nwfwmd.state.fl.us.

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

DATE AND TIME: Monday, February 27, 2012, 11:30 a.m.

PLACE: Peace River Country Club, 150 Idlewood Ave., Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tiger Bay Club Lunch Meeting: Presentation on Polk County's water, present and future. One or more Governing Board members may attend and participate.

A copy of the agenda may be obtained by contacting: Laura@TigerBayPolk.com or (863)604-6164.

For more information, you may contact: Lou.Kavouras@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4604 (Ad Order EXE0195).

NOTICE OF CHANGE – The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 28, 2012, 8:00 a.m. (this is a change of time from the published calendar)

PLACE: SWFWMD Headquarters, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings and Public Hearing: Consider SWFWMD business. Some Board members may participate in the meeting via communications media technology. The 9:00 a.m. meeting will be preceded by a recognition breakfast for former employees beginning at 8:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD, Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Luanne.Stout@watermatters.org, 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4605 (Ad Order EXE0196).

The **South Florida Ecosystem Restoration Working Group** sponsored Public Workshop on Central Everglades Planning Project (CEPP) Recreation Issues announces a workshop to which all persons are invited.

DATE AND TIME: March 1, 2012, 6:00 p.m. – 9:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The fifth in a series of public workshops for the Central Everglades Planning Project (CEPP) sponsored by the South Florida Ecosystem Restoration Working Group is being held to engage the public. This workshop is the first workshop that is solely focused on recreation issues. The CEPP is a fast-track planning effort for the next generation of Everglades restoration projects being conducted by the U.S. Army Corps of Engineers and the South Florida Water Management District (SFWMD) as part of the Comprehensive Everglades Restoration Plan. The Working Group is sponsoring public workshops to facilitate public participation in the CEPP. The public is advised that it is possible that one or more members of the Water Resources Advisory Commission and Governing Board of the SFWMD may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Marsha Bansee at (305)348-1665 or at our website: www.sfstore.org. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Marsha Bansee at (305)348-1665. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Marsha Bansee or Sandy Soto at (305)348-1665.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, February 24, 2012, 10:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, Conference Code: 938 215 2028

GENERAL SUBJECT MATTER TO BE CONSIDERED: Advocacy Committee, State Long-Term Care Ombudsman Council, Advocacy Committee Business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2323, LTCOPInformer@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/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).

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: March 2, 2012, 8:00 a.m. – 9:00 a.m.

PLACE: AHCA, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, FL 32308; Those not able to attend in person may participate via Conference Phone by calling 1(888)808-6959 and entering Conference Code: 8504885420.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Enhanced Benefits Panel will discuss issues related to the technical aspects of the Enhanced Benefits program, under Medicaid Reform.

A copy of the agenda may be obtained by contacting: Aldria White, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #22, Tallahassee, FL 32308, (850)412-3447 or aldria.white@ahca.myflorida.com.

A copy of the agenda may be obtained by contacting: aldria.white@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: aldria.white@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: aldria.white@ahca.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Florida Engineers Management Corporation**, Board Operations Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 14, 2012, 2:00 p.m. or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303; Telephone Conference: 1(888)392-4560, Passcode: 1188973

GENERAL SUBJECT MATTER TO BE CONSIDERED: to monitor the operations of the Florida Board of Professional Engineers and the Florida Engineers Management Corporation. Other general business of the Committee.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.org.

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

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

For more information, you may contact: Rebecca Sammons, rsammons@fbpe.org.

The **Florida Engineers Management Corporation**, Board Operations Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 5, 2012, 10:00 a.m. (EST) or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303; Conference Call: 1(888)392-4560, Passcode: 1188973

GENERAL SUBJECT MATTER TO BE CONSIDERED: to monitor the operations of the Florida Board of Professional Engineers and the Florida Engineers Management Corporation. Other general business of the Committee.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.org.

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

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

For more information, you may contact: Rebecca Sammons, rsammons@fbpe.org.

The Florida **Board of Professional Engineers** announces a public meeting to which all persons are invited.

DATES AND TIMES: April 11, 2012, 1:00 p.m. (EST) or soon thereafter; April 12, 2012, 8:30 a.m. (EST) or soon thereafter
 PLACE: Hyatt Regency Orlando International Airport, 9300 Jeff Fuqua Boulevard, Orlando, FL 32827, (407)825-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the board.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.org.

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

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

For more information, you may contact: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: February 29, 2012, 9:30 a.m.

PLACE: Florida Department of Environmental Protection, Northeast District Office, Conference Rooms A & B, 7825 Baymeadows Way, Suite 200B, Jacksonville, FL 32256-7590

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting to discuss technical issues related to the Lower St. Johns River Mainstem Basin Management Action Plan (BMAP). The primary topic of discussion during this meeting will be the activities and progress associated with implementation of the Lower St. Johns River Mainstem BMAP.

A copy of the agenda may be obtained by contacting: John Abendroth, Department of Environmental Protection, 2600 Blair Stone Road, MS #3565, Tallahassee, Florida 32399-2400, (850)245-8555.

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: John Abendroth at (850)245-8555. 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 **Department of Environmental Protection** announces a hearing to which all persons are invited.

DATE AND TIME: March 22, 2012, 2:00 p.m.

PLACE: Room 611, Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive testimony and public comment and to take final action on proposed modifications to the Fiscal Year 2012 Drinking Water State Revolving Fund priority list. Action will be taken under Chapter 62-552, F.A.C., to move projects on the contingency list to the fundable portion of the priority list. Also, new construction projects that submitted planning documents, plans, specifications, and permits by February 1, 2012, and pre-construction projects that submitted a complete Request for Inclusion on the priority list by February 1, 2012, will be added to the contingency or fundable portion of the priority list based on availability of funds. Projects shall be subject to a segment cap limit. The draft priority list will be available after March 7, 2012 on the Department's website. Action will also be taken under Chapter 62-552, F.A.C., to move ARRA funds obligated at previous hearings, but that have not been disbursed by March 1, 2012, to other ARRA projects that are in need of additional funding.

The Department may adopt, modify, or deny the proposed actions at the hearing. Prior to Department action at the hearing, all interested persons will have the opportunity to testify regarding any proposed actions. After the hearing, the Department will file the Notice of Final Agency Action. A copy of the Notice of Final Agency Action will be sent to local governments sponsoring the projects at issue and to any person submitting a timely written request. Such written requests must be submitted at the hearing or filed with the Department's Bureau of Water Facilities Funding no later than 5:00 p.m. on the first working day after the public hearing.

A copy of the agenda may be obtained by contacting: Venkata Panchakarla, after March 16, 2012.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Venkata Panchakarla, (850)245-8366. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Venkata Panchakarla, Bureau of Water Facilities Funding, 2600 Blair Stone Road, Mail Station #3505, Tallahassee, FL 32399-2400, by phone: (850)245-8366 or by e-mail: Venkata.Panchakarla@dep.state.fl.us.

The **Florida Greenways and Trails Council** announces a public meeting to which all persons are invited.

DATE AND TIME: March 1, 2012, 9:00 a.m.

PLACE: State of Florida, Department of Environmental Protection, Marjorie Stoneman Douglas Building, First Floor, Conference Rooms A & B, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will conduct general business.

A copy of the agenda may be obtained by contacting: Cindy Radford, Office of Greenways and Trails, Division of Recreation and Parks, State of Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS #795, Tallahassee, Florida 32399-3000. Ms. Radford may also be reached by telephone: (850)245-2052 or by email: Cynthia.Radford@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Cindy Radford at (850)245-2052. 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 **Florida Greenways and Trails Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 2, 2012, 10:00 a.m.

PLACE: Dial In: 1(888)808-6959; Conference Code: 2452066
GENERAL SUBJECT MATTER TO BE CONSIDERED: Designation of the Apalachicola River Blueway in Franklin, Gulf, Liberty, Calhoun, Jackson and Gadsden Counties as a component of the Florida Greenways and Trails System.

A copy of the agenda may be obtained by contacting: Cindy Radford, Office of Greenways and Trails, Division of Recreation and Parks, State of Florida, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS #795, Tallahassee, Florida 32399-3000. Ms. Radford may also be reached by telephone: (850)245-2052 or by email: Cynthia.Radford@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Cindy Radford at (850)245-2052. If you are

hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The **Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling** announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 1, 2012, 9:00 a.m.

PLACE: (850)245-4474 to inquire about call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399-3258.

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

Those who are hearing or speech impaired, using TDD equipment, can call the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Massage Therapy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, March 12, 2012, 11:00 a.m. (EST) or shortly thereafter

PLACE: Conference Call: 1(888)808-6959; Conference Code: 2454590

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Board.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director at (850)245-4161 or 4052 Bald Cypress Way, #C-06, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Paula Mask at (850)245-4161. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Department of Health, Board of Physical Therapy** announces a conference call to which all persons are invited.

DATE AND TIME: March 6, 2012, 9:00 a.m. (EST) or soon thereafter

PLACE: MEET ME NUMBER: 1(888)808-6959, After dialing the meet me number, when prompted, enter Conference Code: 1022354047 followed by the # sign in order to join the meeting.

GENERAL SUBJECT MATTER TO BE DISCUSSED: Special General Business Meeting.

A copy of the agenda may be obtained by writing: Department of Health, Board of Physical Therapy, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255; by calling: The Board Office at (850)245-4373, ext. 3467 or by visiting our website: www.doh.state.fl.us/mqa.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting: The Board Office at (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, Board of Psychology** announces a special conference call to which all persons are invited.

DATE AND TIME: March 1, 2012, 8:00 a.m. or soon thereafter

PLACE: MEET ME NUMBER: 1(888)808-6959, After dialing the meet me number, when prompted, enter Conference Code: 4246812343 followed by the # sign in order to join the meeting
GENERAL SUBJECT MATTER TO BE CONSIDERED: To Consider AHCA Exemption Application.

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255; by calling: The Board Office at (850)245-4373, ext. 3467 or by visiting our website: www.doh.state.fl.us/mqa.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting: The Board Office at (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The Florida **Board of Speech-Language Pathology and Audiology** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, February 27, 2012, 9:30 a.m. (EST) or shortly thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2454597

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4161.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Christy Robinson at (850)245-4161. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Florida **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: March 7, 2012, 10:00 a.m.

PLACE: 1940 North Monroe Street, Suite 80, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: ITN #01U12AP1 – To Provide Florida Safe Families Network Application Services; Initial Meeting of Evaluators. The purpose of this meeting is to review the guidelines for evaluation and distribute the responses received to the Department's evaluators.

A copy of the agenda or for more information, you may contact: David Shepard, Procurement Manager, (850)487-9432, David_shepard@dcf.state.fl.us.

The **Council on Homelessness** announces a conference call meeting of its Children's Committee to which all interested parties are invited to participate.

Committee: Children's

DATE AND TIME: Tuesday, March 6, 2012, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9229760

GENERAL SUBJECT MATTER TO BE CONSIDERED: This conference call will address this committee's continued development of policy recommendations and work tasks to address the Council's Annual Report on recommendations to end homelessness in Florida.

A copy of the agenda for any of the conference calls may be obtained by contacting: Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, (850)922-4691.

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). Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access these meetings who may be in need of special assistance should contact the Office on Homelessness at (850)922-4691 at least 48 hours in advance of the meeting.

For more information, you may contact: Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-4691.

DEPARTMENT OF FINANCIAL SERVICES

The Florida **Department of Financial Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 29, 2012, 1:30 p.m.

PLACE: 1801 Hermitage Boulevard, Room 440C, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a quarterly meeting of the Chief Financial Officer's Treasury Investment Committee pursuant to Section 17.575, Florida Statutes. The purpose of the meeting is to provide an overview of Treasury operations and performance.

A copy of the agenda may be obtained by contacting: Shari Bruno, Administrative Assistant II, Florida Department of Financial Services, Division of Treasury, 1801 Hermitage Boulevard, Tallahassee, Florida 32308, (850)413-2762.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Shari Bruno, Administrative Assistant II, Florida Department of Financial Services, Division of Treasury, 1801 Hermitage Boulevard, Tallahassee, FL 32308, (850)413-2762.

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

For more information, you may contact: Shari Bruno, Administrative Assistant II, Florida Department of Financial Services, Division of Treasury, 1801 Hermitage Boulevard, Tallahassee, Florida 32308, (850)413-2762.

PLEASE NOTE: The Hermitage Building is a secure facility. Persons wishing to attend should call Ms. Bruno to obtain access to the elevator that accesses the Fourth Floor.

FINANCIAL SERVICES COMMISSION

The **Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: March 7, 2012, 9:00 a.m.

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: State Farm Florida Insurance Company has requested a 42.0% overall rate increase for its manufactured home line of coverage. The proposed rate increase would be effective April 1, 2012, for new business and June 1, 2012, for renewal business. The requested rate increase is not uniform. Some areas are subject to a higher rate increase.

Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from the insurers as well as interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to the Office of Insurance Regulation at ratehearings@floir.com; the subject line of your e-mail should read "State Farm Florida."

A copy of the agenda may be obtained by contacting: Bruce Culpepper, Assistant General Counsel, (850)413-4139 and Cindy Walden, (850)413-2616.

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: Cindy Walden at (850)413-2616 or e-mail: cindy.walden@floir.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Bruce Culpepper, Assistant General Counsel, (850)413-4139 and Cindy Walden, (850)413-2616.

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: March 8, 2012, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Joe Wallace, (407)282-3944.

FLORIDA CENTER FOR NURSING

The **Florida Center for Nursing** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, February 20, 2012, 8:30 a.m. – 12:30 p.m. (ET)

PLACE: Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Center for Nursing Board of Directors conference call meeting.

A copy of the agenda may be obtained by contacting: Debbie Daly, (407)823-0980.

For more information, you may contact: Debbie Daly, (407)823-0980.

CITIZENS PROPERTY INSURANCE CORPORATION

The **Citizens Property Insurance Corporation**, Market Accountability Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 22, 2012, 9:00 a.m.

PLACE: The Peabody Orlando, 9801 International Drive, Orlando, FL.; To join the meeting telephonically, please dial 1(866)361-7525, Conference ID: 7849939192#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, business before the committee.

A copy of the agenda may be obtained by contacting: Sara Golding at 1(800)807-7647, extension 3874.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sara Golding at 1(800)807-7647, extension 3874. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sara Golding at 1(800)807-7647, extension 3874.

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

DATE AND TIME: February 22, 2012, 3:00 p.m.

PLACE: Peabody Hotel, 9801 International Drive, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Citizens Property Insurance Corporation announces a Finance and Investment Committee Meeting. Item of discussion include, Overview of Investment Portfolio and 2012 Liquidity Financing.

For additional information, please call: Jill Stafford at 1(800)807-7647 or visit our website: www.citizensfla.com.

In accordance with the Americans with Disabilities Act, people with disabilities or physical impairments who require assistance to participate in this meeting are requested to contact Jill Stafford at least five days prior to the meeting.

WORKFORCE FLORIDA, INC.

The **Workforce Florida, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: February 22, 2012, Executive Committee, 1:00 p.m. 4:00 p.m. (EST) – or until conclusion of business, Day at the Capitol, Legislative visits to be announced as scheduled and noticed at www.workforceflorida.com; February 23, 2012, Board Councils Meetings, 8:30 a.m. – 11:30 a.m.; Board Lunch, 11:30 a.m. – 12:45 p.m.; Board of Directors Meeting, 1:00 a.m. – 4:00 p.m.; Board Reception, 6:00 p.m. – 7:30 p.m.

PLACE: Executive Committee Meeting, The Capitol, 1902 Conference Room from 2:00 p.m. – 3:30 p.m.; Councils, Lunch, and Board of Directors Meetings, FSU Turnbull Conference Center, 555 W. Pensacola Street, Tallahassee, FL; Reception, Governor's Mansion

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board meetings for discussion of workforce issues.

A copy of the agenda may be obtained by contacting: www.workforceflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Peggy Dransfield at (850)921-1119. 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).

HDR ENGINEERING, INC. – PENSACOLA

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

DATE AND TIME: Saturday, March 10, 2012, 10:00 a.m. – 12:00 Noon (CST)

PLACE: Brent Athletic Park, Beverly Parkway (SR 296) and W. Street (CR 453), Pensacola, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT), in cooperation with the Federal Highway Administration (FHWA), will hold a

public meeting for a proposed turn lane improvement to State Road (SR) 296 (Beverly Parkway) in Escambia County, Florida. A booth will be set up in conjunction with Opening Day of the Brent Athletic Park spring baseball season to provide information. FDOT representatives will be available to explain project information, address questions and receive comments. The booth will be located near the baseball field concession stand. There will not be a formal presentation.

The project proposes to construct an eastbound to southbound right turn lane from SR 296 (Beverly Parkway) to County Road 453 (W Street). Approximately 0.25 acres of right-of-way would be needed from the 37.5 acre Brent Athletic Park owned by Escambia County. No developed recreational amenities would be affected.

This public meeting is being held to give interested persons an opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of the proposed improvements. At the meeting, the public will have the opportunity to provide comments on the project's effect to the recreational use of the Brent Athletic Park. The FHWA has determined that the proposed project involves use of the Brent Athletic Park, a recreational facility protected under Section 4(f) of the U.S. Department of Transportation Act. After reviewing all public comment, FHWA anticipates issuance of a de minimis impact finding.

The draft project documents and the Section 4(f) Determination of Applicability will be available for review at the meeting and at HDR Engineering, 25 West Cedar Street, Suite 200, Pensacola, FL 32502, through Tuesday, March 20, 2012.

A copy of the agenda may be obtained by contacting: Amanda Marshall, FDOT, Environmental Management Office, 1074 Highway 90, Chipley, FL 32428, (850)415-9508 or via email: Amanda.Marshall@dot.state.fl.us.

All exhibits or statements must be postmarked on or before Tuesday, March 20, 2012, to become a part of the public meeting record.

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: Amanda Marshall, FDOT, Project Manager at (850)415-9508 or via email: Amanda.Marshall@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Amanda Marshall, FDOT, Environmental Management Office, 1074 Highway 90, Chipley, Florida 32428, (850)415-9508 or via email: Amanda.Marshall@dot.state.fl.us.

VISIT FLORIDA

The **VISIT FLORIDA**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: May 24, 2012, 9:00 a.m.

PLACE: Hyatt Regency Sarasota, 1000 Boulevard of the Arts, Sarasota, Florida, USA 34236

GENERAL SUBJECT MATTER TO BE CONSIDERED: Departmental updates and any business to be considered.

A copy of the agenda may be obtained by contacting: Becca VanLandingham at (850)205-3854.

PB AMERICAS, INC.

The **Department of Transportation** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, March 14, 2012, 6:00 p.m. – 7:30 p.m.

PLACE: Hunters Ridge Golf & Country Club, The Clubhouse, Main Dining Room, 12500 Hunters Ridge Drive, Bonita Springs, FL 34135

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop is held to afford affected property owners and interested people the opportunity to express their views concerning the potential design and construction of a traffic noise barrier along Interstate 75 adjacent to the Hunters Ridge community, associated with Financial Project ID: 431776-1-52-01, otherwise known as Noise Barrier along Interstate 75 in Lee County, Florida. Input is requested from property owners and residents adjacent to the proposed noise barrier regarding their support for or opposition to construction of the proposed traffic noise barrier and their preference regarding color and texture of the residential side of the proposed noise barrier.

A copy of the agenda may be obtained by contacting: Jeffrey W. James, Environmental Project Manager, Florida Department of Transportation, District One, 801 North Broadway Avenue, P. O. Box 1249, Bartow, FL 33831, (863)519-2625 or by e-mail: jeffreyw.james@dot.state.fl.us.

For directions or assistance with the workshop location, please contact: Chris Durfey, (239)992-4900 or by e-mail: chrisdurfey@comcast.net.

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: Mr. James. 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).

QCAUSA

The Florida **Department of Transportation** announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, March 6, 2012, 5:00 p.m. – 7:00 p.m.

PLACE: Florida Department of Transportation, Maintenance Office, 5211 Ulmerton Road, Clearwater, Florida 33760

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ulmerton Road (SR 688) Corridor Open House. The open house is being held to inform interested persons about improvements to Ulmerton Road (SR 688). The improvements under construction or design include capacity and operational upgrades including roadway widening, resurfacing, sidewalk construction, intersection improvements, striping and highway lighting. Six projects will be included in this open house.

FPN: 257155-1-52-01 – from east of 119th Street to west of the Seminole Bypass Canal – widening

FPN: 409155-1-52-01 – from west of the Seminole Bypass Canal to Wild Acres Road – widening

FPN: 409154-1-52-01 – from east of Wild Acres Road to El Centro/Ranchero Boulevard – widening

FPN: 256995-1-52-01 – from east of 49th Street to 38th Street – widening

FPN: 257147-1-52-01 – from west of 38th Street to west of I-275 – widening

FPN: 254677-1-52-30 – from El Centro/Ranchero Boulevard to Automobile Road – striping

There will be no formal presentation; therefore, you are encouraged to drop in at your convenience during the above listed hours to review the project display boards and talk with project staff.

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: Lori Buck, Florida Department of Transportation District 7, 1(800)226-7220 or (813)975-6284, by letter: Lori Buck, Florida Department of Transportation, 11201 N. McKinley Drive, Tampa, Florida 33612-6456 or by email: lori.buck@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lori Buck, Florida Department of Transportation at roadwork@dot.state.fl.us or (813)975-6284.

INFINITE SOURCE COMMUNICATIONS GROUP, LLC

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

DATE AND TIME: Tuesday, February 28, 2012, 6:00 p.m. – 8:00 p.m.

PLACE: Moore Park – Recreation Center, 765 Northwest 36th Street, Miami, FL 33127

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a public meeting for a roadway project on US 27/SR 25 (N.W. 36th Street) to discuss the project's design and scope of work. The project identification numbers is 429159-1-52-01.

The public meeting will follow an informal, open house format allowing the public to arrive at any time from 6:00 p.m. – 8:00 p.m. Graphic displays will be shown at the meeting, and FDOT representatives will be available to discuss the project and answer questions.

A copy of the agenda may be obtained by contacting: Public Information Specialist, Amparo Vargas at (305)470-5349, email: amparo.vargas@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Brian Rick at (305)470-5349 or in writing: FDOT, 1000 N.W. 111 Avenue, Miami, FL 33172, email: brian.rick@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Public Information Specialist, Amparo Vargas at (305)470-5349, email: amparo.vargas@dot.state.fl.us.

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

DATE AND TIME: Wednesday, February 29, 2012, 6:00 p.m. – 8:00 p.m.

PLACE: Surfside Town Hall, 9293 Harding Avenue, Surfside, FL 33154

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a public meeting for a roadway project on State Road (SR) 922/96 Street/Kane Concourse and on State Road (SR) A1A/Collins Avenue to discuss the projects' design and scope of work. The project identification numbers are 427421-1-52-01 and 429144-1-52-01.

The public will have the opportunity to view the project plans and graphic displays from 6:00 p.m. – 8:00 p.m. and FDOT representatives will be available to discuss the project and answer questions. Your participation is encouraged and will give us the opportunity to listen to your comments and address any concerns.

A copy of the agenda may be obtained by contacting: Public Information Specialist, Amparo Vargas at (305)470-5349 or email: Amparo.Vargas@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by

contacting: Brian Rick at (305)470-5349 or in writing: FDOT, 1000 N.W. 111 Avenue, Miami, FL 33172, email: brian.rick@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Public Information Specialist, Amparo Vargas at (305)470-5349 or email: Amparo.Vargas@dot.state.fl.us.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida has declined to rule on the petition for declaratory statement filed by Marinela Nicola, Petitioner/Unit Owner, In Re: Dolphin Way of Hickory Point Condominium Association, Inc., Docket No. 2011059931 on December 19, 2011. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because it may not issue a declaratory statement concerning events that have already taken place.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Tommy Puckett, President, In Re: Pelican at Destin West Beach and Bay Resort Condominium Association, Inc., Docket No. 2011052540, on October 31, 2011. The following is a summary of the agency's declination of the petition:

The Division declined to issue a declaratory statement because it does not have authority to interpret or enforce the provisions of the not-for-profit corporation act.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an order disposing of the petition for declaratory statement filed by Julie Rawson, Petitioner/Unit Owner, In Re: Osprey at Destin West Beach and Bay Resort Condominium Association, Inc., Docket No. 2011049595 on October 11, 2011. The following is a summary of the agency's disposition of the petition:

The Division finds that Osprey at Destin West Beach and Bay Resort Condominium Association, Inc. lacks the authority to adopt a bylaw restricting a unit owner's eligibility to run for election to the board of directors. Specifically, the proposed bylaw amendment that a candidate for election must not be a member of the board of directors of the Destin West Beach and Bay Resort Condominium Associations of Sandpiper, Heron, or Pelican Condominiums, is expressly disallowed under Section 718.112(2)(d)2., F.S.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Humberto Rubio, Jr., Esq., In Re: Mirador 1200 Condominium Association, Inc., Docket No. 2012003104. The petition seeks the agency's opinion as to the applicability of Section 718.103(2), Florida Statutes, as it applies to the petitioner.

Whether Mirador Master Association, Inc. is a condominium association as defined by Section 718.103(2), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that Building Code Administrators and Inspectors Board has received the petition for declaratory statement from Robert J. Koning. The petition seeks the agency's opinion as to the applicability of Sections 468.831 and 468.8311, Florida Statutes. as it applies to the petitioner.

The petition seeks the Board's interpretation of Sections 468.831 and 468.8311, Florida Statutes., as they apply to the inspection of a standard one and two family dwelling. Specifically, whether one licensed as a Standard One and Two Family Dwelling Inspector pursuant to the provisions of Chapter 468, Part XII, F.S. is entitled by virtue of said license to contract with non-governmental parties to provide a Home Inspection Service as defined in Chapter 468, Part XV, F.S.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

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

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

Florida Wildlife Federation, Inc.; Sierra Club, Inc.; Conservancy of Southwest Florida, Inc.; Environmental Confederation of Southwest Florida, Inc.; and St. Johns Riverkeeper, Inc. vs. Department of Environmental Protection; Case No.: 12-0157RP; Rule No.: 62-302.530(47)(b)

Florida Wildlife Federation, Inc.; Sierra Club, Inc.; Conservancy of Southwest Florida, Inc.; Environmental Confederation of Southwest Florida, Inc.; and St. Johns Riverkeeper, Inc. vs. Department of Environmental Protection; Case No.: 11-6137RP; Rule No.: 62-302.530(47)(b)

Kevin Rader vs. Florida Commission on Ethics; Case No.: 12-0418RX, Rule No.: 34-8.002

Christina B. Paylan, M.D. vs. Department of Health, Board of Medicine; Case No.: 12-0012RU

First Coast Management Services, Inc. vs. Department of Children and Families; Case No.: 12-0136RU

Seminole County School Board vs. State Board of Education; Case No.: 12-0443RU

J.R.; A.V.; and Disability Rights of Florida vs. Agency for Persons with Disabilities; Case No.: 11-5621RU

Florida Quarter Horse Racing Association, Inc., and Florida Quarter Horse Breeders, and Owners Association, Inc. vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 11-5796RU

Guarantee Trust Life Insurance Company vs. Financial Services Commission and Office of Insurance Regulation; Case No.: 11-5827RU

Robert Burns, M.D. vs. Department of Health, Board of Medicine; Case No.: 11-6053RU

Citizens for Pets in Condos, Inc. and M.B.F. vs. Florida Commission on Human Relations; Case No.: 11-6398RU

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

C.V., M.D., L. M. and M. L. vs. Agency for Health Care Administration; Case No.: 11-3972RP; Rule No.: 59G-4.130; Dismissed

Disability Rights Florida vs. Agency for Health Care Administration; Case No.: 11-3984RP; Rule No.: 59G-4.130; Dismissed

Diana Richardson, LMT vs. Department of Business and Professional Regulation, Board of Cosmetology; Case No.: 11-5454RX; Rule No.: 61G5-29.001; Dismissed

Worldwide Appraisal SVS Inc., Fred Catchpole, William Woods, and Fred Bowermaster vs. Florida Real Estate Appraisal Board, Department of Business and Professional Regulation; Case No.: 11-3335RX; Rule Nos.: 61J1-4.010(5)(a), 61J1-4.010(5)(b); Dismissed

Road Less Traveled, LLC; Anne B. Larussa; Steven and Annette M. McNutt; Norman R. and Debbie A. Koener; Tony C. and Bonnie J. Burton; Jonathon and Sheryl Kimerling; Gordon B. and Isabelle V. Gsell; Randall P. and Florence T. Roberts; C.T. Fitzpatrick, III; Joseph W.; Et. AL. vs. Department of Environmental Protection; Case No.: 07-4767RX; Rule Nos.: 62B-33.002(18), (43), (60), 62B-33.005(1)(a), (1) & (2), 62B-33.0051(1)(a), (2)(c), 62B-33.0051(1)(a), (2)(d); Dismissed

J. E., C. A., L. L., and J. F. vs. Agency for Persons with Disabilities; Case No.: 10-1287RP; Rule Nos.: 65G-4.014(1), 65G-4.014(3), 65G-4.017(1), 65G-4.017(3); Dismissed

Secure Enterprises, LLC vs. Office of Insurance Regulation and the Financial Service Commission; Case No.: 11-2054RX; Rule No.: 69O-170.0155; Voluntarily Dismissed

The Florida Insurance Council, Inc., and National Association of Mutual Insurance Companies vs. Financial Services Commission and Office of Insurance Regulation; Case No.: 09-1208RP; Rule No.: 69O-175.008(2); Dismissed

Stewart Title Guaranty Company vs. Office of Insurance Regulation and the Financial Services Commission; Case No.: 07-0077RP; Rule No.: 69O-186.013; Dismissed

First Coast Management Services, Inc. vs. Department of Children and Families and Lutheran Services, Florida, Inc., (Intervenor); Case No.: 12-0136RU; Voluntarily Dismissed

Andre and Chevy Cunningham vs. Department of Environmental Protection; Case No.: 11-2066RU; Dismissed

Lonny Ohlfest vs. Department of Highway Safety and Motor Vehicles; Case No.: 11-5097RU; Dismissed

J.R.; A.V.; and Disability Right of Florida vs. Agency for Persons with Disabilities; Case No.: 11-5621RU; Dismissed

C.M. and Advocacy Center for Persons with Disabilities, Inc.; and L.C.; J.S.; L.L.; J.F.; C.A.; and Florida's Children First, Inc. (Intervenors) vs. Agency for Persons with Disabilities; Case No.: 09-5878RU; Dismissed

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

NONE

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

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

**PUBLIC ANNOUNCEMENT FOR PROCUREMENT OF
PROFESSIONAL – ARCHITECTURAL & ENGINEERING
SERVICES FOR CONTINUING CONTRACTS**

The Florida School for the Deaf and the Blind (FSDB) announces that continuing Professional Services in the following disciplines: Architects, Mechanical/Electrical/Plumbing Engineers, Civil Engineers, and Structural Engineers are required for Annual Campus Continuing Contracts. Submit separate individual qualifications for each discipline.

Firms will provide basic architectural or engineering services for Continuing Contracts. The firms selected under the Continuing Contracts will be responsible for assigned facility projects having estimated construction costs and study fees not exceeding \$2,000,000 (construction) and \$200,000 (study fees) respectively, as provided for in Section 287.055, Florida Statutes. The contracts will have an initial period of one year with the option to renew for two additional one-year periods. Selection of finalists will be held in accordance with Chapter 287.055, Florida Statutes.

INSTRUCTIONS FOR SUBMITTAL

Firms interested in being considered for this project should contact The Florida School for the Deaf and the Blind by email: Laura Bowden, Contract Administrator, bowenl@fsdb.k12.fl.us requesting instruction booklet “Selection Criteria of the Architect/Engineer dated March 2009.”

SUBMITTAL DUE

Submittals must be received no later than 3:00 p.m. (Local Time), Monday, March 19, 2012, and should be mailed or delivered to: Florida School for the Deaf and the Blind, Attn.: Laura Bowden, Contract Administrator, Stores & Receiving,

Building #28, 207 N. San Marco Ave., St. Augustine, FL 32084-2799. Facsimile (FAX) submittals are not acceptable and will not be considered.

The results of the short-list and final selection will be posted at FSDB, Purchasing Dept., 207 N. San Marco Ave., Stores & Receiving, Building #28, St. Augustine, FL and may be viewed during regular working days between the hours of 7:00 a.m. through 4:00 p.m. beginning 24 hours after the final selection. Final selection results will also be posted in the Florida Administrative Weekly. Firms must be properly registered at the time of application to practice their profession in the State of Florida. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. Information received will be maintained with the project file and will not be returned. Any protests of the selection must be made within 72 hours of the posting. Failure to file a protest within 72 hours (not including Saturday, Sunday, or a legal holiday) after posting shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Applicants are advised that plans and specifications for projects may be reused.

STATE BOARD OF ADMINISTRATION

**INVITATION TO NEGOTIATE
FLORIDA PREPAID COLLEGE BOARD**

The Florida Prepaid College Board is requesting responses to an Invitation to Negotiate, ITN #12-02, from qualified firms to provide Trustee and Securities Lending Services for the Stanley G. Tate Florida Prepaid College Program and Florida College Investment Plan.

The Invitation to Negotiate which includes the timeline of events will be available on or after February 17, 2012, by logging on to: http://www.myflorida.com/apps/vbs/vbs_www.search.criteria_form.

Please then select the following on the aforementioned website:

Agency: State Board of Administration

Advertisement Number: ITN #12-02

Advertisement Type: Competitive Solicitation

Title: Trustee and Securities Lending Services for the Stanley G. Tate Florida Prepaid College Program and Florida College Investment Plan.

If you have any problems accessing this information please contact: Rhea Oaks at (850)488-8514.

Certified Minority Business Enterprises are encouraged to participate.

SPECIAL ACCOMMODATION: Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations with regard to this ITN is asked to advise this agency at least five (5) days prior to the response

deadline. Please fax a written request for same to: Kevin Thompson, Interim Executive Director, Florida Prepaid College Board at (850)488-3555.

REGIONAL PLANNING COUNCILS

Request for Proposal (RFP) for Audit Services

The Northeast Florida Regional Council has issued a RFP for Audit Services for Fiscal Years ending September 2012 through 2014. Proposals must be received no later than 4:00 p.m. on March 8, 2012. To obtain a copy of the RFP, you may contact Donna Starling at (904)279-0885, ext. 109 or email: dstarling@nefrc.org. In addition, a copy may be obtained from our website: www.nefrc.org.

TAMPA SPORTS AUTHORITY

Notice To Professional Consultants

The Tampa Sports Authority announces that Professional Services in the discipline of engineering will be required for the project listed below.

REPLACEMENT OF VIDEOBOARDS AND CONTROL ROOM UPGRADE, RAYMOND JAMES STADIUM, TAMPA FLORIDA.

RFQ# 12-06

The project consists of the replacement of 2 existing exterior video boards, 2 existing exterior video displays, four existing exterior sideline ribbon boards, and 15 existing indoor clocks, plus the upgrade of the existing scoreboard control room equipment and renovation of the space. The selected firm will provide design, construction documents and administration of the referenced project, which is budgeted at approximately \$7,500,000.00. The project delivery system will be publicly advertised bid. Blanket professional liability insurance in the amount of \$1,000,000.00 will be required for this project and will be provided as a part of Basic Services. (The Tampa Sports Authority reserves the right to make modifications to the scope and may change the delivery system as the design progresses. Fees and schedule shall be re-negotiated accordingly if required.)

INSTRUCTIONS

Firms desiring to apply for consideration must submit a letter of application.

Attached to the letter of application shall be:

1. A completed Professional Qualifications Statement (PQS). Applications on other forms will not be accepted.
2. A copy of the applicant's current professional registration certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit 5 copies of the above requested data bound in the order listed.

Applications which do not comply with the instructions above may be disqualified. Application materials will not be returned. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with any supplier, subcontractor or consultant in excess of \$50,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendors list.

Professional Qualifications Supplement forms, descriptive project information and selection criteria may be obtained through our website: www.tampasportsauthority.com or by contacting: Deltecia Jones, Tampa Sports Authority, Purchasing office, (813)350-6511 or by email: www.tampa.sportsauthority.com. Applications will also be available at the mandatory pre-submittal meeting.

The mandatory pre-submittal meeting will be held at the Tampa Sports Authority office, Friday, March 2, 2012, 10:00 a.m. The Tampa Sports Authority office, Raymond James Stadium, 4201 North Dale Mabry Highway, Tampa, Florida 33607. Proposals received from anyone not present at this meeting will be rejected.

The deadline for qualifications submittal shall be 3:00 p.m. (Local Time), Monday, March 19, 2012. FAX or electronic submittals are not acceptable and will not be considered.

Please note: The Tampa Sports Authority is a public agency of the State of Florida and the evaluation, interview and selection process shall comply with the "Consultants' Competitive Negotiations Act", Section 287.055, Florida Statutes.

Section XII Miscellaneous

AGENCY FOR HEALTH CARE ADMINISTRATION

LETTERS OF INTENT

The Agency for Health Care Administration received and accepted the following letters of intent for the March 7, 2012, application filing date for the first 2012 Hospital Beds and Facilities batching cycle:

- | | |
|--|-----------------|
| County: Collier | District: 8 |
| Date Filed: 2/6/2012 | LOI #: H1202001 |
| Applicant/Facility: Landmark Hospital of Southwest Florida, LLC. | |
| Project: Establish a long term care hospital of up to 50 beds | |
| County: Palm Beach | District: 9-4 |
| Date Filed: 2/6/2012 | LOI #: H1202002 |
| Applicant/Facility: Florida Regional Medical Center, Inc. | |
| Project: Establish a general acute care hospital of up to 80 beds | |
| County: Miami-Dade | District: 11 |
| Date Filed: 2/6/2012 | LOI #: H1202003 |
| Applicant/Facility: Plantation General Hospital, LP d/b/a Mercy Hospital A Campus of Plantation Gen. Hosp. | |
| Project: Add up to 10 Comprehensive Medical Rehabilitation Beds to Existing 15-Bed Unit | |

If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after April 11, 2012, the date the application is scheduled to be deemed complete. Tentative hearing dates will be published on March 23, 2012.

EXEMPTION

The Agency for Health Care Administration authorized the following exemption pursuant to Section 408.036(3), Florida Statutes:

- | | | |
|---|-------------|----------------------|
| County: Marion | District: 3 | |
| ID # E1100016 | Decision: A | Issue Date: 2/3/2012 |
| Facility/Project: Munroe Regional Medical Center | | |
| Applicant: Munroe Regional Health System, Inc. | | |
| Project Description: Establish 10-Bed Level II NICU | | |
| Proposed Project Cost: \$1,838,495.00 | | |

1915(i) State Plan Option for Redirection Program

Provide notice to the public that the Agency for Health Care Administration announces that it will submit a Medicaid State Plan Amendment (SPA) to the Centers for Medicare and Medicaid Services (CMS) using the 1915(i) state plan option. The Agency will be requesting approval to add the Department of Juvenile Justice’s (Department) Redirection Program as an optional rehabilitation service under the Medicaid State Plan. Redirection services are behavioral health treatment alternatives to residential placements that offer community-

based interventions to participating recipients and their families. The goal of these services is to “redirect” recipients from juvenile justice facilities to more effective, family-focused, evidence-based treatment options.

The Agency is authorized by the Florida Legislature to seek approval for this state plan amendment. Currently, the Redirection Program is wholly funded by the Department’s general revenue. The Agency is working with the Department to develop a Medicaid program to fund these Redirection services using approximately \$2 million in line item appropriations as the Florida state match portion. If approved, the result will be an expansion of behavioral health treatment services for youth involved with the Department.

A draft copy of the 1915(i) state plan amendment can be obtained: <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

If you have any questions or comments please contact William Hardin in the AHCA Bureau of Medicaid Services at:

- Phone: (850)421-4242
 Email: William.Hardin@ahca.myflorida.com
 Address: 2727 Mahan Drive, MS #20
 Tallahassee, Florida 32308

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notice of Entry of Final Orders Revising Verified Lists of Impaired Waters and Delisting of Waters

The Department of Environmental Protection, Bureau of Assessment and Restoration Support, gives notice that, pursuant to Section 403.067(4), Florida Statutes (F.S.), and Chapter 62-303, Florida Administrative Code (F.A.C.), two final orders were entered on February 7, 2012, revising the Verified Lists of Impaired Waters for the Group 5 Basins and amending the previously adopted lists for the Group 2, Group 3, and Group 4 basins. The Group 5 basins include the following: Perdido, Upper East Coast, Indian River Lagoon, Springs Coast, Everglades and Florida Keys. Amendments were made to the lists for the following Group 2, 3 and 4 basins: Lower St. Johns River, Middle St. Johns River, Charlotte Harbor, Loxahatchee-St. Lucie, Choctawhatchee-St. Andrews Bay, Caloosahatchee River, Sarasota Bay/Peace River/Myakka River, Upper St. Johns River, Lake Worth Lagoon-Palm Beach Coast, Withlacoochee River, Kissimmee River, and the Southeast Coast-Biscayne Bay. A comprehensive list of waters verified as impaired under Chapter 62-303, F.A.C., can be obtained from a link on the following webpage: <http://www.dep.state.fl.us/water/watersheds/assessment/index.htm>.

These revisions/amendments will be submitted to the United States Environmental Protection Agency (EPA) pursuant to Section 303(d) of the federal Clean Water Act and shall serve to update the previously approved Section 303(d) list of Florida waters.

A person whose substantial interests are affected by these final orders may petition for an administrative proceeding (hearing) under Section 120.569 and 120.57, F.S., in accordance with the full notice of rights language contained in each final order. The petition, which must contain the information identified in the full notice of rights language contained in the final order, must be filed (received by the clerk) in the Department's Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, within 21 days of publication of this notice or within 21 days of receipt of the written notice, whichever occurs first.

A copy of the above-referenced final orders may be obtained by contacting: Ms. Renee Gray, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Assessment, MS #3560, Tallahassee, FL 32399-2400, by calling: (850)245-8346 or at: ww.dep.state.fl.us/legal/final_orders/finalorders.htm.

Florida State Clearinghouse

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at: <http://approd.dep.state.fl.us/clearinghouse/>. For information call: (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

Notice of Emergency Action

On February 1, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Jamal Raza, M.D., License #ME 105396. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On February 1, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of John Windham, P.A., License #PA 2310. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Order Lifting Order of Emergency Suspension of License
On February 6, 2012, State Surgeon General, issued an Order Vacating Order of Emergency Suspension Order with regard to the license of Kathleen Ann Savich, LPN, License #PN 1338191. The Department orders that the emergency Suspension of License be lifted and your license be reinstated.

Notice of Emergency Action

On February 6, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Theresa Ann Pressler, R.N., License #RN 9321063. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On February 2, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Kelly J. Snively, R.N., License #RN 9172170. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On February 1, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Dawn M. Sullivan, L.P.N., License #PN 5178830. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation ("FHFC") proposes to implement a program (the "Program") to provide Mortgage Credit Certificates ("MCCs") to residents of the State of Florida who purchase new or existing residences within the State. An MCC reduces the amount of income tax a qualified homeowner pays by providing a non-refundable, federal tax

credit during the life of a mortgage loan. After all other credits and deductions are taken into account the value of the MCC is applied directly to a homeowner's remaining tax liability.

No sooner than 90 days following publication of this Notice, FHFC intends to issue MCCs according to the guidelines summarized below. The total credit authority available under the Program is \$125,000,000 which is expected to provide assistance with respect to \$250,000,000 in aggregate principal amount of mortgage loans.

The annual amount of the tax credit will be equal to 50% of the yearly interest paid or accrued on the mortgage loan. The maximum credit allowed to the taxpayer in any year will not exceed \$2,000. The amount of the credit may not exceed the homeowner's total tax liability for a specified year, but excess credit may be carried forward for up to three subsequent tax years. Use of an MCC will reduce the deduction for home mortgage interest on the homeowner's tax return. An MCC expires on the date the mortgage loan relating thereto is paid in full or refinanced and is revoked on the date the residence to which it relates ceases to be the taxpayer's primary residence. FHFC reserves the right to adjust the MCC credit rate or make allocations to specific sectors of the housing industry or to conform to market demand or future tax legislation.

To be eligible for an MCC, an applicant must (1) purchase a new or existing single-family home within the state; (2) acquire a new mortgage loan (refinancing of an existing mortgage or land contract is not permissible, except for certain construction loans); (3) continuously occupy the home as a primary residence within 60 days of its purchase; (4) purchase a home with a purchase price that does not exceed the applicable county limits; these limits range between \$247,032.90 and \$484,177.50; please refer to FHFC's website: www.floridahousing.org, for the specific purchase price limits for the county you are purchasing in; (5) have a household income, including all household members age 18 and older, that does not exceed the limit for the applicable county; these limits will range between \$59,400 and \$110,880 depending upon household size and the county of purchase; (6) have not had an ownership interest in a principal residence within the preceding three years, except for qualified homebuyers purchasing homes in federally designated targeted areas or qualifying veterans purchasing using the Veteran's Exception; and (7) pay a nonrefundable \$500 issuance fee at the time of loan closing. The applicant must sign all documents and affidavits which are needed to demonstrate eligibility for an MCC, and the regulations, rulings and interpretations issued by the Internal Revenue Service shall control in the event of a conflict with other requirements. FHFC reserves the right to adjust and/or waive the application fee and adjust the purchase price and income limits for the Program to reflect housing costs and market conditions within federal guidelines.

Until the total credit authority is exhausted, a qualifying taxpayer may obtain an MCC in connection obtaining financing relating to the purchase of an eligible residence from any participating lender, including, but not limited to, banks, savings and loan associations, mortgage banking firms and credit unions. The applicant must meet the credit and underwriting criteria established by the participating lender which provides the mortgage loan. An applicant may obtain a loan from a lender that meets Program eligibility and agrees to participate in the Program. All lenders are invited to participate in the Program. Each participating lender will be required to sign a Participation Agreement, which outlines the lender's loan review and reporting responsibilities, and pay to FHFC a one-time fee of \$750. MCC applications will be accepted on a first-come, first-served basis. There is no allocation of MCCs by lender; however, for the first year of the Program, 20% will be targeted to persons purchasing single-family homes in Targeted Areas. MCCs cannot be used with FHFC-financed mortgage revenue bond loans or with any mortgage loans subsidized by mortgage revenue bonds.

Current federal tax law may require a payment to the federal government of a "recapture" tax if the homeowner sells or otherwise transfers his or her home to someone else within nine years after the MCC is issued.

For more information on the Program, to participate in the Program as a lender or to receive a copy of the current list of participating lenders or a list of the eligible Targeted Areas, contact: Chip White, Florida Housing Finance Corporation, 227 North Bronough St., Ste. 5000, Tallahassee, FL 32301 or email: Charles.white@floridahousing.org.

FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a written withdrawal of the following applications:

APPLICATION WITHDRAWN

Application for Authority to Purchase Certain Assets and Assume Certain Liabilities

Acquiring Entity: Bank of Central Florida

Selling Entity: Florida Capital Bank, NA, (Branch office located in Gainesville, Florida), Jacksonville, Florida

Received: August 11, 2011

Withdrawn: February 3, 2012

Section XIII
Index to Rules Filed During Preceding Week

					Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
RULES FILED BETWEEN January 27, 2012 and February 3, 2012					62-17.221	1/27/12	2/16/12	37/47	
					62-17.231	1/27/12	2/16/12	37/47	
					62-17.510	1/27/12	2/16/12	37/47	
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					62-18.001	1/27/12	2/16/12	37/47	
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					62-18.040	1/27/12	2/16/12	37/47	
					62-18.050	1/27/12	2/16/12	37/47	
					62-18.080	1/27/12	2/16/12	37/47	
					62-18.090	1/27/12	2/16/12	37/47	
					62-18.500	1/27/12	2/16/12	37/47	
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					62-18.750	1/27/12	2/16/12	37/47	
					62-18.760	1/27/12	2/16/12	37/47	
					62-18.770	1/27/12	2/16/12	37/47	
					62-18.780	1/27/12	2/16/12	37/47	
					62-18.790	1/27/12	2/16/12	37/47	
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					62-29.040	1/27/12	2/16/12	37/47	
					62-29.050	1/27/12	2/16/12	37/47	
					62-29.060	1/27/12	2/16/12	37/47	
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					62-133.400	2/1/12	2/21/12	37/47	
					62-133.500	2/1/12	2/21/12	37/47	
					62-133.600	2/1/12	2/21/12	37/47	
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					62-204.100	1/27/12	2/16/12	37/47	
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62-204.220	1/27/12	2/16/12	37/47		62-312.065	1/27/12	2/16/12	37/47	
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62-204.260	1/27/12	2/16/12	37/45		62-312.080	1/27/12	2/16/12	37/47	
62-204.320	1/27/12	2/16/12	37/47		62-312.082	1/27/12	2/16/12	37/47	
62-204.360	1/27/12	2/16/12	37/47		62-312.085	1/27/12	2/16/12	37/47	
62-204.400	1/27/12	2/16/12	37/47		62-312.090	1/27/12	2/16/12	37/47	
62-210.100	1/27/12	2/16/12	37/47		62-312.100	1/27/12	2/16/12	37/47	
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62-212.100	1/27/12	2/16/12	37/47		62-312.210	1/27/12	2/16/12	37/47	
62-212.600	1/27/12	2/16/12	37/45		62-312.220	1/27/12	2/16/12	37/47	
62-212.710	1/27/12	2/16/12	37/45		62-312.300	1/27/12	2/16/12	37/47	
62-213.100	1/27/12	2/16/12	37/47		62-312.310	1/27/12	2/16/12	37/47	
62-242.100	1/27/12	2/16/12	37/47		62-312.320	1/27/12	2/16/12	37/47	
62-242.200	1/27/12	2/16/12	37/47		62-312.330	1/27/12	2/16/12	37/47	
62-242.400	1/27/12	2/16/12	37/47		62-312.340	1/27/12	2/16/12	37/47	
62-242.500	1/27/12	2/16/12	37/47		62-312.350	1/27/12	2/16/12	37/47	
62-242.600	1/27/12	2/16/12	37/47		62-312.360	1/27/12	2/16/12	37/47	
62-242.700	1/27/12	2/16/12	37/47		62-312.370	1/27/12	2/16/12	37/47	
62-242.800	1/27/12	2/16/12	37/47		62-312.380	1/27/12	2/16/12	37/47	
62-242.900	1/27/12	2/16/12	37/47		62-312.390	1/27/12	2/16/12	37/47	
62-243.100	1/27/12	2/16/12	37/47		62-312.800	1/27/12	2/16/12	37/47	
62-243.200	1/27/12	2/16/12	37/47		62-312.801	1/27/12	2/16/12	37/47	
62-243.400	1/27/12	2/16/12	37/47		62-312.803	1/27/12	2/16/12	37/47	
62-243.600	1/27/12	2/16/12	37/47		62-312.804	1/27/12	2/16/12	37/47	
62-252.100	1/27/12	2/16/12	37/47		62-312.805	1/27/12	2/16/12	37/47	
62-252.200	1/27/12	2/16/12	37/47		62-312.806	1/27/12	2/16/12	37/47	
62-252.400	1/27/12	2/16/12	37/47		62-312.807	1/27/12	2/16/12	37/47	
62-252.500	1/27/12	2/16/12	37/45		62-312.808	1/27/12	2/16/12	37/47	
62-252.900	1/27/12	2/16/12	37/45		62-312.809	1/27/12	2/16/12	37/47	
62-257.100	1/27/12	2/16/12	37/47		62-312.810	1/27/12	2/16/12	37/47	
62-281.100	1/27/12	2/16/12	37/47		62-312.811	1/27/12	2/16/12	37/47	
62-285.400	1/27/12	2/16/12	37/47		62-312.812	1/27/12	2/16/12	37/47	
62-285.420	1/27/12	2/16/12	37/45		62-312.813	1/27/12	2/16/12	37/47	
62-296.407	1/27/12	2/16/12	37/45		62-312.814	1/27/12	2/16/12	37/47	
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62-297.100	1/27/12	2/16/12	37/47		62-312.817	1/27/12	2/16/12	37/47	
62-297.520	1/27/12	2/16/12	37/47		62-312.818	1/27/12	2/16/12	37/47	
62-301.100	1/27/12	2/16/12	37/47		62-312.819	1/27/12	2/16/12	37/47	
62-301.200	1/27/12	2/16/12	37/47		62-312.822	1/27/12	2/16/12	37/47	
62-301.400	1/27/12	2/16/12	37/47		62-312.823	1/27/12	2/16/12	37/47	
62-303.810	2/3/12	2/23/12	37/47		62-312.824	1/27/12	2/16/12	37/47	
62-304.200	2/3/12	2/23/12	37/47		62-312.825	1/27/12	2/16/12	37/47	
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62-312.020	1/27/12	2/16/12	37/47		62-343.010	1/27/12	2/16/12	37/47	
62-312.030	1/27/12	2/16/12	37/47		62-344.900	1/27/12	2/16/12	37/47	
62-312.040	1/27/12	2/16/12	37/47		62-346.091	1/27/12	2/16/12	37/47	
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62-312.050	1/27/12	2/16/12	37/47		62-503.101	1/27/12	2/16/12	37/47	
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62C-38.007	1/27/12	2/16/12	37/47	
62C-38.012	1/27/12	2/16/12	37/47	
62C-39.007	1/27/12	2/16/12	37/47	
62C-39.012	1/27/12	2/16/12	37/47	

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DEPARTMENT OF HEALTH

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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65A-1.205	1/31/12	2/20/12	37/40	37/52
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69B-241.040	2/3/12	2/23/12	36/23	37/51
69B-241.070	2/3/12	2/23/12	36/23	

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69B-241.110	2/3/12	2/23/12	36/23	37/51
69B-241.120	2/3/12	2/23/12	36/23	
69B-241.130	2/3/12	2/23/12	36/23	37/51
69B-241.140	2/3/12	2/23/12	36/23	37/51
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DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

69L-7.020	10/24/11	*****	37/24	37/36
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