

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

20, Tallahassee, Florida 32308-5407, Telephone:
(850)412-4192, e-mail: melissa.eddleman@ahca.
myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE
DEVELOPMENT IS:

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
59G-4.050 Community Behavioral Health
 Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.050 is to incorporate by reference the Florida Medicaid Community Behavioral Health Services Coverage and Limitations Handbook, October 2012. The handbook is being revised to remove the enrollment requirement for Medicaid behavioral health providers to have an active contract with the Substance Abuse and Mental Health (SAMH) circuit or regional office for the location in which the provider will render services. This handbook adds descriptions and policy for the Medicaid behavioral health managed care plans. In addition, this handbook modifies various staff qualifications, policy requirements for community behavioral health services, and updates forms and fiscal agent information.

SUBJECT AREA TO BE ADDRESSED: Community Behavioral Health Services

An additional area to be addressed during the workshop will be the potential regulatory impact to Rule 59G-4.050 under sections 120.54 and 120.541, F.S.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.9081, 409.912, 409.913 FS.

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

DATE AND TIME: Tuesday, November 6, 2012 from 10:00 a.m. to 12:00 p.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Melissa Eddleman at the Bureau of Medicaid Services, (850) 412-4192. 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: Melissa Eddleman, Medicaid Services, 2727 Mahan Drive, Mail Stop

59G-4.050 Community Behavioral Health Services.

(1) This rule applies to all community behavioral ~~mental~~ health services providers enrolled in the Medicaid program.

(2) All community behavioral health services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Community Behavioral Health Coverage and Limitations Handbook, October 2012 ~~2004~~, 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.~~ The handbooks ~~is~~ are available on 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 Provider Services Contact Center at 1(800) 289-7799 and selecting Option 7. Next, click on Provider Support, and then click on Handbooks.

(3) The following forms that are included in the Florida Medicaid Community Behavioral Health Coverage and Limitations Handbook are incorporated by reference: Temporary Limited ~~Service~~ Authorization, October 2012 ~~2004~~; Authorization for Comprehensive Behavioral Health Assessment, October 2012 ~~2004~~; Comprehensive Behavioral Health Assessment Agency and Practitioner Provider Certification, October 2012 ~~2004~~; Specialized Therapeutic Foster Care Provider Agency Certification, October 2012 ~~2004~~; Authorization for Specialized Therapeutic Foster Care, October 2012 ~~2004~~; Authorization for Crisis Intervention, October 2012 ~~2004~~; Provider Agency Self Certification Form Behavioral Health Overlay Services ~~In Department of Juvenile Justice~~ Settings, October 2012 ~~2004~~; Provider Agency Certification Form Behavioral Health Overlay Services ~~In Department of Juvenile Justice~~ Settings, October 2012 ~~2004~~; Certification of Eligibility for Behavioral Health Overlay Services ~~In Department of Juvenile Justice~~ Settings, October 2012 ~~2004~~; Provider Agency Acknowledgement for Self-Certification Form Therapeutic Group Home Services, October 2012 ~~2004~~; Therapeutic Group Care Services Provider Agency Certification, October 2012 ~~2004~~; Authorization for Therapeutic Group Care Services, October 2012 ~~2004~~; Certification of Eligibility for Behavioral Health Overlay Services ~~In Child Welfare~~ Settings, October 2012 ~~2004~~; Provider Agency Self-Certification ~~For Form~~ Behavioral Health Overlay Services ~~In Child Welfare~~ Settings, October 2012 ~~2004~~; Provider Agency Certification ~~For Form~~ Behavioral Health Overlay Services ~~In Child Welfare~~ Settings, October 2012 ~~2004~~; and Provider Agency Pre-Enrollment

Certification For Community Behavioral Health services, October 2012. These forms are available by photocopying them from the Florida Medicaid Community Behavioral Health Coverage and Limitations Handbook. The handbook is available from the Medicaid fiscal agent.

Rulemaking Specific Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.9081, 409.912, 409.913 FS. History—New 1-27-82, Amended 10-25-84, Formerly 10C-7.525, Amended 1-19-94, Formerly 10C-7.0525, Amended 9-21-98, 11-14-00, 1-19-05, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE NO.: RULE TITLE:
61G7-10.003 On-Site Investigations
PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify language regarding on-site inspections and performing of audits.
SUBJECT AREA TO BE ADDRESSED: On-Site Investigations.
RULEMAKING AUTHORITY: 468.522 FS.
LAW IMPLEMENTED: 468.525(3)(d), 468.535 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**Section II
Proposed Rules**

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: RULE TITLE:
40B-2.331 Modification of Permits
PURPOSE AND EFFECT: The purpose of the proposed rule is to provide an incentive for water use permittees to voluntarily implement the District’s water use monitoring requirements prior to expiration of their current permit. The effect of the proposed rule is to extend the duration of a water use permit if the permittee voluntarily implements the required water use monitoring program. Voluntarily implementing monitoring before a permit expires will provide needed data in a timelier manner.

SUMMARY: The proposed rule will allow existing water use permittees to voluntarily implement monitoring requirements prior to such monitoring requirements becoming mandatory. The proposed rule language will be located within rule 40B-2.331, Florida Administrative Code and within the SRWMD Water Use Permitting Guide, which is incorporated by reference in rule 40B-2.301, Florida Administrative Code.

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:

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

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.083, 373.171, 373.219, 373.223, 373.229, 373.239, 373.246 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Robin Lamm, Business Resource Specialist II, SRWMD, 9225 C.R. 49, Live Oak, Florida, 32060, (386)362-1001 or (800)226-1066 (FL only). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robin Lamm, Business Resource Specialist II, SRWMD, 9225 C.R. 49, Live Oak, Florida, 32060, (386)362-1001 or (800)226-1066 (FL only)

THE FULL TEXT OF THE PROPOSED RULE IS:

40B-2.331 Modification of Permits.

A permittee may seek modification of an unexpired permit consistent with Rule 40B-1.709, F.A.C. Either the Executive Director, the Assistant Executive Director, or the Deputy Executive Director shall approve proposed modifications

without a hearing, in the following circumstances, except that any request for modification recommended for denial shall be presented to the Governing Board for final agency action:

(1) A permittee may apply for modification by letter to the District if the proposed modification involves water use less than 100,000 gallons per day; and either:

(a) A change in conditions has resulted in the water allowed under the permit becoming inadequate for the permittee's need; or

(b) The proposed modification would result in a more efficient use of water than is possible under the existing permit; or

(c) The proposed modification is to voluntarily implement the District's water use monitoring requirements as set forth in Section 3.4 of the Water Use Permitting Guide.

(2) through (5) No change.

THE FOLLOWING LANGUAGE IS PROPOSED TO BE ADDED TO THE WATER USE PERMITTING GUIDE:

3.4.3 Incentives for Voluntary Monitoring

Existing permittees who seek to voluntarily implement these monitoring requirements more than one year prior to the expiration date of their permits may seek a permit modification pursuant to 40B-2.331(1)(c), FAC. Upon such application and request from the applicant, the District will evaluate whether to modify the existing permit duration, provided the applicant demonstrates reasonable assurances that the use will continue to meet the initial conditions for issuance for the requested duration. No permit duration will be modified pursuant to this provision for a period of less than five years or longer than ten years.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jon Dinges, Assistant Executive Director, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, (386)362-1001

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 11, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 20, 2012

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-302.532
RULE TITLE: Estuary-Specific Numeric Interpretations of the Narrative Nutrient Criterion

PURPOSE AND EFFECT: The proposed rules establish numeric nutrient criteria for total nitrogen, total phosphorus, and chlorophyll a in individual estuary segments for the

following Panhandle estuaries: Perdido Bay, Pensacola Bay (including Escambia Bay), Choctawhatchee Bay, St. Andrew Bay, St. Joseph Bay, and Apalachicola Bay.

SUMMARY: The Department is amending Rule 62-302.532, F.A.C., to establish numeric nutrient criteria for total nitrogen, total phosphorus, and chlorophyll a in individual estuary segments for the following Panhandle estuaries: Perdido Bay, Pensacola Bay (including Escambia Bay), Choctawhatchee Bay, St. Andrew Bay, St. Joseph Bay, and Apalachicola Bay. Subsection 62-302.532(3), F.A.C., requires that the Department establish by rule or final order estuary specific numeric interpretations of the narrative nutrient criteria for TN and TP for Perdido Bay, Pensacola Bay (including Escambia Bay), St. Andrew Bay, Choctawhatchee Bay, and Apalachicola Bay by June 30, 2013.

OTHER RULES INCORPORATING THIS RULE: Rule 62-302.532, F.A.C., is referenced by the following rules: Rules 62-302.531 and 62-303.450, F.A.C.

EFFECT ON THOSE OTHER RULES: The proposed amendments are not expected to have significant effects on other rules. The proposed amendments establish estuary specific numeric nutrient criteria that maintain existing conditions.

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: numeric nutrient criteria for the estuaries addressed in this rulemaking are being established based on existing conditions and require no reductions in nutrient loads.

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: 403.061, 403.062, 403.087, 403.504, 403.704, 403.804 FS.

LAW IMPLEMENTED: 403.021(11), 403.061, 403.087, 403.088, 403.141, 403.161, 403.182, 403.502, 403.702, 403.708 FS.

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

DATE AND TIME: Tuesday, November 13, 2012, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, Marjory Stoneman Douglas Building, Conference Room A, 3900 Commonwealth Boulevard, 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: Eric Shaw at (850)245-8429 or the below information. 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: Eric Shaw, Department of Environmental Protection, Bureau of Assessment and

Restoration Support, MS 6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8429 or e-mail: eric.shaw@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-302.532 Estuary-Specific Numeric Interpretations of the Narrative Nutrient Criterion.

(1)(a) through (j) No change.

Estuary	Total Phosphorus	Total Nitrogen	Chlorophyll <i>a</i>
<u>(k) Perdido Bay</u>	<u>For bay segments with criteria expressed as annual geometric means (AGM), the values shall not be exceeded more than once in a three year period. For all other bay segments, the criteria shall not be exceeded in more than 10 percent of the measurements. Nutrient and nutrient response values do not apply to tidally influenced areas that fluctuate between predominantly marine and predominantly fresh waters during typical climatic and hydrologic conditions.</u>		
<u>1. Big Lagoon</u>	<u>0.036 mg/L as AGM</u>	<u>0.61 mg/L as AGM</u>	<u>6.4 µg/L</u>
<u>2. Upper Perdido Bay</u>	<u>0.102 mg/L</u>	<u>1.27 mg/L</u>	<u>11.5 µg/L</u>
<u>3. Central Perdido Bay</u>	<u>0.103 mg/L</u>	<u>0.97 mg/L</u>	<u>7.5 µg/L</u>
<u>4. Lower Perdido Bay</u>	<u>0.110 mg/L</u>	<u>0.78 mg/L</u>	<u>6.9 µg/L</u>
<u>(l) Pensacola Bay</u>	<u>For bay segments with criteria expressed as annual geometric means (AGM), the values shall not be exceeded more than once in a three year period. For all other bay segments, the criteria shall not be exceeded in more than 10 percent of the measurements. Nutrient and nutrient response values do not apply to tidally influenced areas that fluctuate between predominantly marine and predominantly fresh waters during typical climatic and hydrologic conditions.</u>		
<u>1. Lower Escambia Bay</u>	<u>0.076 mg/L</u>	<u>0.56 mg/L as AGM</u>	<u>6.8 µg/L as AGM</u>
<u>2. East Bay</u>	<u>0.084 mg/L</u>	<u>0.83 mg/L</u>	<u>4.0 µg/L as AGM</u>
<u>3. Upper Pensacola Bay</u>	<u>0.084 mg/L</u>	<u>0.77 mg/L</u>	<u>6.0 µg/L as AGM</u>
<u>4. Lower Pensacola Bay</u>	<u>0.024 mg/L as AGM</u>	<u>0.48 mg/L as AGM</u>	<u>3.9 µg/L as AGM</u>
<u>5. Santa Rosa Sound</u>	<u>0.022 mg/L as AGM</u>	<u>0.41 mg/L as AGM</u>	<u>3.4 µg/L as AGM</u>
<u>6. Blackwater Bay</u>	<u>0.082 mg/L</u>	<u>0.61 mg/L</u>	<u>11.3 µg/L</u>
<u>(m) Choctawhatchee Bay</u>	<u>For bay segments with criteria expressed as annual geometric means (AGM), the values shall not be exceeded more than once in a three year period. For all other bay segments, the criteria shall not be exceeded in more than 10 percent of the measurements. Nutrient and nutrient response values do not apply to tidally influenced areas that fluctuate between predominantly marine and predominantly fresh waters during typical climatic and hydrologic conditions.</u>		
<u>1. Alaqua Bayou</u>	<u>0.027 mg/L as AGM</u>	<u>0.41 mg/L as AGM</u>	<u>4.0 µg/L as AGM</u>
<u>2. Basin Bayou</u>	<u>0.019 mg/L as AGM</u>	<u>0.31 mg/L as AGM</u>	<u>4.7 µg/L</u>
<u>3. Boggy Bayou</u>	<u>0.015 mg/L as AGM</u>	<u>0.33 mg/L as AGM</u>	<u>3.0 µg/L as AGM</u>
<u>4. East Bay</u>	<u>0.027 mg/L as AGM</u>	<u>0.46 mg/L as AGM</u>	<u>4.4 µg/L as AGM</u>
<u>5. Garnier Bayou</u>	<u>0.017 mg/L as AGM</u>	<u>0.91 mg/L as AGM</u>	<u>4.0 µg/L as AGM</u>
<u>6. LaGrange Bayou</u>	<u>0.029 mg/L as AGM</u>	<u>0.58 mg/L as AGM</u>	<u>5.1 µg/L as AGM</u>
<u>7. Middle Bay</u>	<u>0.020 mg/L as AGM</u>	<u>0.36 mg/L as AGM</u>	<u>3.1 µg/L as AGM</u>
<u>8. Rocky Bayou</u>	<u>0.016 mg/L as AGM</u>	<u>0.33 mg/L as AGM</u>	<u>3.1 µg/L as AGM</u>
<u>9. West Bay</u>	<u>0.049 mg/L as AGM</u>	<u>0.54 mg/L as AGM</u>	<u>4.1 µg/L as AGM</u>
<u>(n) St. Andrew Bay</u>	<u>Criteria for all bay segments are expressed as annual geometric mean values not to be exceeded more than once in a three year period. Nutrient and nutrient response values do not apply to tidally influenced areas that fluctuate between predominantly marine and predominantly fresh waters during typical climatic and hydrologic conditions.</u>		
<u>1. East Bay</u>	<u>0.016 mg/L</u>	<u>0.33 mg/L</u>	<u>3.9 µg/L</u>
<u>2. North Bay</u>	<u>0.014 mg/L</u>	<u>0.28 mg/L</u>	<u>3.1 µg/L</u>
<u>3. St. Andrew Bay</u>	<u>0.019 mg/L</u>	<u>0.34 mg/L</u>	<u>3.7 µg/L</u>

4. West Bay	0.017 mg/L	0.35 mg/L	3.8 µg/L
(o) St. Joseph Bay	Criteria for all bay segments are expressed as annual geometric mean values not to be exceeded more than once in a three year period. Nutrient and nutrient response values do not apply to tidally influenced areas that fluctuate between predominantly marine and predominantly fresh waters during typical climatic and hydrologic conditions.		
St. Joseph Bay	0.021 mg/L	0.34 mg/L	3.8 µg/L
(p) Apalachicola Bay	For bay segments with criteria expressed as annual geometric means (AGM), the values shall not be exceeded more than once in a three year period. For all other bay segments, the criteria shall not be exceeded in more than 10 percent of the measurements. Nutrient and nutrient response values do not apply to tidally influenced areas that fluctuate between predominantly marine and predominantly fresh waters during typical climatic and hydrologic conditions.		
1. Apalachicola Bay	0.063 mg/L as AGM	0.84 mg/L as AGM	8.4 µg/L as AGM
2. St. George Sound	0.083 mg/L	0.92 mg/L	6.1 µg/L as AGM
3. East Bay	0.101 mg/L	1.12 mg/L	9.7 µg/L as AGM
4. St. Vincent Sound	0.116 mg/L	1.10 mg/L	17.4 µg/L

(2) Estuarine and marine areas for the Southwest and South Florida estuaries listed in paragraphs 62-302.532(1)(a) – (j), F.A.C., are delineated in the eight maps of the Florida Marine Nutrient Regions, dated October 19, 2011, which are incorporated by reference. Estuarine and marine areas for the Panhandle estuaries listed in paragraphs 62-302.532(1)(k) – (p), F.A.C., are delineated in the six maps of the Florida Marine Nutrient Regions, dated October 1, 2012, which are incorporated by reference. Copies of these maps may be obtained from the Department’s internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs.htm> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400.

(3) No change.

Rulemaking Authority 403.061, 403.062, 403.087, 403.504, 403.704, 403.804 FS. Law Implemented 403.021(11) FS. History—New 7-3-12, _____.

Editorial Note: Rule subsections 62-302.532(1)-(2) became effective on 7-3-12, 20 days after filing the rule certification package for Florida’s numeric nutrient standards. Rule subsection 62-302.532(3) will become effective upon approval by EPA in its entirety, conclusion of rulemaking by EPA to repeal its federal numeric nutrient criterion for Florida, and EPA’s determination that Florida’s rules address its January 2009 determination that numeric nutrient criteria are needed in Florida.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Drew Bartlett
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr.
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 9, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 8, 2012

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-6.001
RULE TITLE: Manner of Application

PURPOSE AND EFFECT: The Board proposes the rule amendment to update versions of the incorporated forms.

SUMMARY: The incorporated forms will be revised.

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: 483.805(4) FS.

LAW IMPLEMENTED: 456.013, 456.022, 483.815, 483.823 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-6.001 Manner of Application.

(1) All applicants for licensure as a Clinical Laboratory Personnel Director shall apply to the Department on Form #DH-MQA 3008 (07 02/12) "Application for Clinical Laboratory Personnel Director" <http://www.flrules.org/Gateway/reference.asp?No=Ref-01295>, which is incorporated by reference herein. All applicants for licensure as a Clinical Laboratory Personnel Supervisor shall apply to the Department on Form #DH-MQA 3009 (0702/12) "Application for Clinical Laboratory Personnel Supervisor" <http://www.flrules.org/Gateway/reference.asp?No=Ref-01296>, which is incorporated by reference herein. All applicants for licensure as a Clinical Laboratory Personnel Technologist shall apply to the Department on Form #DH-MQA 3011 (0702/12) "Application for Clinical Laboratory Personnel Technologist" <http://www.flrules.org/Gateway/reference.asp?No=Ref-01298>, which is incorporated by reference herein. All applicants for licensure as a Clinical Laboratory Personnel Technician shall apply to the Department on Form #DH-MQA 3010 (0702/12) "Application for Clinical Laboratory Personnel Technician" <http://www.flrules.org/Gateway/reference.asp?No=Ref-01297>, which is incorporated by reference herein. Any licensee requesting to add a specialty to his or her current license shall apply to the Department on Form #DH-MQA 3012 (02/12) "Application for Clinical Laboratory Personnel Adding Specialty" <http://www.flrules.org/Gateway/reference.asp?No=Ref-01299>, which is incorporated by reference herein. Copies of all forms can be obtained from the Board office at 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or from the its website at <http://www.doh.state.fl.us/mqa/ClinLab/index.html>. The application must be accompanied by the appropriate application fee required by Rules 64B3-9.001 and 64B3-9.002, F.A.C.

(2) through (3) No change.

Rulemaking Authority 483.805(4) FS. Law Implemented 456.013, 456.022, 483.815, 483.823 FS. History—New 12-29-93, Formerly 61F3-6.001, Amended 5-29-95, 8-1-95, Formerly 590-6.001, Amended 8-27-97, 9-20-98, 1-5-00, 3-24-02, 4-13-04, 6-17-09, 7-14-10, 6-14-12,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 31, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 14, 2012

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.00821
 RULE TITLE: Florida Educational Leadership Examination

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. 40, October 1, 2012 issue of the Florida Administrative Register.

Paragraph (6)(f) is amended to read:

(6)(f) Test accommodation appeals procedure. An examinee who is denied test accommodations may appeal the denial to the Commissioner of Education. Such appeal may necessitate testing at a later date. The Commissioner of Education shall determine whether the Department appropriately considered the criteria set forth in paragraphs (6)(a) through (e) above.

New paragraph (a) of subsection (7) is deleted with the remaining paragraphs of subsection (7) renumbered:

(7) Scoring of the examination.

~~(a) If the State Board of Education revises the competencies and skills for an examination and the revisions require the State Board of Education to modify the passing scores, until the State Board adopts the modifications by rule, the Commissioner shall use calculations for scoring the assessment which adjust scores on the revised examination for statistical equivalence to scores on the former examination.~~

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-1.603
 RULE TITLE: Permit Application Procedures

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. 54, October 19, 2012 issue of the Florida Administrative Register.

40D-1.603 Permit Application Procedures.

(1) through (4) No change.

(5) Each notice of application receipt shall further advise that if notice of intended agency action or opportunity to request an administrative hearing pursuant to Chapter 120,

F.S., regarding a permit application is desired, a written or electronic mail request referencing the permit application number must be filed with and received by the District.

(6) Publication or posting of the notice of application pursuant to subsection (2) shall constitute constructive notice of the permit application to all substantially affected persons. Notices of intended agency action will be issued only to applicants and persons who have filed ~~such~~ requests for notification in writing or by electronic mail that specifically reference the relevant permit application number.

(7) through (8) No change.

(9) In addition to, and concurrent with the noticing required pursuant to subsection (2), when the applicant is an entity with the power of eminent domain that does not have current ownership or control of the entire project area described in the application, the applicant shall provide the property owner(s) identified in the application:

(a) No change.

(b) With a written notice of the intended agency action on the application. The owners of property, not owned by the applicant, identified in the application shall be those identified in the County Property Appraiser’s records within 30 days prior to the filing of the application.

(10) No change.

(11) Published notices of receipt of an application for a surface water management permit or Environmental Resource Permit shall contain information and be in a format substantially as follows:

Notice is hereby given that the Southwest Florida Water Management District has received [surface water or Environmental Resource] permit application number [application number] from [name and address of applicant]. Application received: [date]. Proposed activity: [specify commercial, industrial, residential or other development]. Project name: [name or description of project]. Project size: [specify acres] Location: Section(s) [specify] Township [specify] East, Range [specify] South, in [specify] County. Outstanding Florida Water: [yes or no]. Aquatic preserve: [yes or no]. The application is available for public inspection Monday through Friday at [specify District office and address]. Interested persons may inspect a copy of the application and submit written comments concerning the application. Comments must include the permit application number and be received within 14 days from the date of this notice. If you wish to be notified of intended agency action or an opportunity to request an administrative hearing regarding the application, you must send a written request referencing the permit application number to the Southwest Florida Water Management District, Regulation Performance Management Department, 2379 Broad Street, Brooksville, FL 34604-6899 or submit your request through the District’s website at www.watermatters.org. The District does not discriminate based on disability. Anyone requiring accommodation under

the ADA should contact the Regulation Performance Management Department at (352)796-7211 or 1(800)423-1476, TDD only 1(800)231-6103.

(12) Published notices of receipt of an application for a water use permit shall contain information and be in a format substantially as follows:

Notice is hereby given that the Southwest Florida Water Management District has received an application for a water use permit to withdraw water from wells and/or surface waters from [applicant name and address]. Application number: [insert application number]. Application received: [date]. Predominant use type(s): [specify public supply, recreation/aesthetic, commercial, agricultural, mining/dewatering]. Total requested withdrawal average daily gallons per day: [specify]. Peak month average gallons per day: [specify]. Maximum daily gallons per day: [specify]. From [number of] [wells or other withdrawal points]. Location: Section(s) [specify] Township [specify] East, Range [specify] South, in [specify] County. The application is available for public inspection Monday through Friday at [specify District service office and address]. Interested persons may inspect a copy of the application and submit written comments concerning the application. Comments must include the permit application number and be received within 14 days from the date of this notice. If you wish to be notified of intended agency action or an opportunity to request an administrative hearing regarding the application, you must send a written request referencing the permit application number to the Southwest Florida Water Management District, Regulation Performance Management Department, 2379 Broad Street, Brooksville, FL 34604-6899 or submit your request through the District’s website at www.watermatters.org. The District does not discriminate based on disability. Anyone requiring accommodation under the ADA should contact the Regulation Performance Management Department at (352)796-7211 or 1(800)423-1476: TDD only 1(800)231-6103.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010: Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on October 09, 2012, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Paragraph 61C-1.004(1)(a), Florida Administrative Code, Section 5-203.13, 2001 FDA Food Code, Subparagraph 61C-1.004(2)(a), Florida Administrative Code, Paragraph 61C-4.010(7), Florida Administrative Code, Paragraph 61C-4.010(6), Florida Administrative Code, and Section 6-402.11, 2001 FDA Food Code from 2 Sisters Cafe located in Wildwood. The above referenced F.A.C. addresses the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water and at least one accessible bathroom be provided for use by customers and employees. They are requesting to share the mop sink and bathrooms located within the Cherokee Trading Post complex.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010: Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on October 12, 2012, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Subparagraph 61C-1.004(2)(a), Florida Administrative Code, Paragraph 61C-4.010(7), Florida Administrative Code, Paragraph 61C-4.010(6), Florida Administrative Code, and Section 6-402.11, 2001 FDA Food Code from J & K Food located in Orlando. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers and employees. They are requesting to share bathroom facilities with an adjacent business for use by both customers and employees.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004: General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on October 15, 2012, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2001 FDA Food Code from Amazon Forest located in Coral Springs. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash and three-compartment sinks.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on October 12, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for 9th Fairway Condominium @ Green Dolphin Park. Petitioner seeks an emergency variance of the requirements of ASME A17.1a, Section 303.3d, as adopted by 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators shut off valve 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 (VW2012-335).

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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on October 15, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Riverwalk Condominium. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.10.4(q), as adopted by 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators normal terminal stopping devices 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 (VW2012-336).

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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on October 16, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Georgia-Pacific Consumer Operations, LLC. Petitioner seeks an emergency variance of the requirements of ASME A17.1a, Section 2.14.1.9.1, as adopted by 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators equipment inside cars 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 (VW2012-338).

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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on October 17, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Hawaiian Inn. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.4.4, as adopted by 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators emergency exits 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 (VW2012-339).

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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on October 18, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Banyan Tree Village Condominium. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by 61C-5.001(1), 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 (VW2012-341).

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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010: Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on October 17, 2012, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Paragraph 61C-4.010(7) Florida Administrative Code and Paragraph 61C-4.010(6), Florida Administrative Code from Ryan's Meat Market & Deli located in St. Petersburg. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within another adjacent establishment for use by customers only.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on October 18, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Castro Office Building. Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 2.2.2.5, as adopted by 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators drain/sump pump 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 (VW2012-340).

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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on October 11, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Daffin Mercantile. Petitioner seeks a variance of the requirements of an unspecified Section of A17.3, as adopted by 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2012-334).

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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010: Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On September 19, 2012 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, Paragraph 61C-4.010(1), Florida Administrative Code, and Paragraph 61C-4.010(6), Florida Administrative Code from Ray's Catering located in Largo. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol. 38/40 on October 01, 2012. The Order for this Petition was signed on October 08, 2012 and after a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:

64B5-2.0135: Dental Hygiene Examination

NOTICE IS HEREBY GIVEN that on October 17, 2012, the Board of Dentistry, received a petition for Miriam Halpern, seeking a variance or waiver of Rule 64B5-2.0135, Florida Administrative Code, asking the board to waive the ADEX Dental Hygiene Examination requirement, as she is currently licensed in three different states and passed the North East Regional Board exam.

Comments on this petition should be filed with the Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: For a copy of the petition, contact: Sue Foster, Executive Director, at the above address or telephone (850) 245-4474.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

****PLEASE NOTE CHANGE IN LOCATION AND TIME****The State Advisory Council on Early Education and Care announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 31, 2012, 9:00 a.m. - 12:00 p.m. ****PLEASE NOTE CHANGE IN LOCATION AND TIME****

PLACE: Early Learning Coalition of Miami-Dade/Monroe, 2555 Ponce de Leon Blvd., 5th Floor, Coral Gables, Florida 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: State Advisory Council business.

A copy of the agenda may be obtained by contacting: Courtnie.wheelless@oel.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 5 days before the workshop/meeting by contacting: Courtnie.wheelless@oel.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: Courtnie.wheelless@oel.myflorida.com

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation District 2 announces a hearing to which all persons are invited.

DATE AND TIME: October 29, 2012 from 4:30 p.m. to 6:30 p.m.

PLACE: Grace Baptist Church of East Springfield, 1553 E. 21st Street, Jacksonville, FL 32206

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic and environmental effects of Financial Project ID: 424494-1, otherwise known as SR 115 (MLK Jr Parkway). Please join the Florida Department of Transportation for a public hearing to discuss proposed plans for the SR 115 (MLK Jr. Parkway) from the Hart Expressway to Boulevard Street in Jacksonville, Duval County, Florida. The proposed transportation improvements include roadway concrete rehabilitation, milling and resurfacing of asphalt pavement on all on/off ramps within the project limits. Also included is the removal of on/off ramps at Pearl Street and Liberty Street to improve safety. Public participation is solicited without regard to race, color, sex, age, religion, national origin, disability or family status.

A copy of the agenda may be obtained by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874.

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. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874. 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).

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

The Southwest Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 1, 2012 at 10:00 a.m.

PLACE: Southwest Florida Regional Planning Council - 1st Floor Conference Room at 1926 Victoria Avenue in Fort Myers

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SWFRPC's Budget & Finance Committee's regular monthly meeting.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at 239-338-2550 #232 or 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: The offices of the SWFRPC at 239-338-2550. 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 at www.swfrpc.org.

REGIONAL UTILITY AUTHORITIES

Withlacoochee Regional Water Supply Authority

The Withlacoochee Regional Water Supply Authority announces that the following public meetings to which all persons are invited have been RESCHEDULED.

DATE AND TIME: as follows:

- November 21, 2012, RESCHEDULED
- November 28, 2012, New meeting date
- December 19, 2012, CANCELLED
- January 16, 2013, New meeting date

PLACE: Room 166, Lecanto Government Building, 3600 W. Sovereign Path, Lecanto, FL 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct regular business of the Withlacoochee Regional Water Supply Authority.

A copy of the agenda may be obtained by contacting: The WRWSA at 3600 W. Sovereign Path, Suite 228, Lecanto, Florida, by calling (352) 527-5795, or at www.wrwsa.org under "minutes and notices," "current agenda."

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 25, 2012, 1:30 p.m. -2:30 p.m.

PLACE: Any person interested in participating by telephone may dial: 1(888)670-3525, conference code 754-865-7238. If you have difficulty, please contact: Judy Mathews at (850)412-3763.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This conference call will be the fifth meeting of the Child Death Data Review Workgroup. This meeting will be held to discuss potential legislation to implement workgroup recommendations.

A copy of the agenda may be obtained by contacting: Judy Mathews at 850-412-3763 or by email at Judy.Mathews@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 5 days before the workshop/meeting by contacting: Judy Mathews at (850) 412-3763. 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: Judy Mathews at 850-412-3763 or by email at Judy.Mathews@ahca.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Probable Cause Panel of the Florida Real Estate Commission announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, November 15, 2012, 10:00 a.m. or soonest thereafter.

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Probable Cause Panel will meet to conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Probable Cause Panel or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772. Only public portions of the agenda are available upon request.

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: Division of Real Estate, (407) 481-5662. 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 BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Florida Real Estate Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 13, 2012, 8:30 a.m.; meeting will reconvene on Wednesday, November 14, 2012, 8:30 a.m.

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget

discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Lori Crawford at lori.crawford@dbpr.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 5 days before the workshop/meeting by contacting: Division of Real Estate, (407) 481-5662. 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.

FLORIDA HOUSING FINANCE CORPORATION

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

DATE AND TIME: Tuesday, November 6, 2012, 1:30 p.m.; Wednesday, November 14, 2012, 2:00 p.m.

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The first Review Committee meeting will be to discuss the proposals and answer any questions the Review Committee may have regarding the proposals submitted in response to Florida Housing Finance Corporation's Request for Proposals No. 2012-03 from qualified Offerors for Investment Manager Services. The second Review Committee meeting will be to give the scores, rank the proposals and to submit a recommendation to Florida Housing's Board of Directors.

A copy of the agenda may be obtained by contacting: Sherry Green at 850-488-4197 or sherry.green@floridahousing.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 5 days before the workshop/meeting by contacting: Sherry Green (850) 488-4197 or sherry.green@floridahousing.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.

THE STUDY COMMITTEE ON INVESTOR-OWNED WATER AND WASTEWATER UTILITY SYSTEMS

NOTICE OF CORRECTION – The Study Committee on Investor-Owned Water and Wastewater Utility Systems announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 1, 2012, 1:00 p.m. – until adjourned.

PLACE: NOTICE OF CORRECTION The Telephone Conference Call noticed in the Florida Administrative Register on October 5, 2012, in Issue 38, Volume 44, will now be an IN PERSON PUBLIC MEETING at the House Office Building, Morris Hall, Room LL-17, Capitol Complex, Tallahassee, FL 32399.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion by the Committee of topics and issues which are to be studied by the Committee. Please refer to the Committee's website at www.floridawaterstudy.com for more information.

A copy of the agenda may be obtained by contacting: JoAnn Chase, (850) 413-6978 or JChase@psc.state.fl.us, or from the Committee's website, at least seven (7) days prior to the call.

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: Katherine Pennington (850)413-6960. 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: JoAnn Chase, (850) 413-6978, JChase@psc.state.fl.us.

FLORIDA INSURANCE GUARANTY ASSOC., INC.

The FIGA Finance & Audit Committee announces a public meeting to which all persons are invited.

DATE AND TIME: November 6, 2012 at 12:30 p.m.

PLACE: Tampa Airport Marriott Hotel, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to discuss general business of the Association. The agenda will include but not limited to: Minutes, Investment Report, FIAIA Update and Proposed Budget.

A copy of the agenda may be obtained by contacting: Cathy Irvin at (850) 386-9200.

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: Cathy Irvin at (850)386-9200. 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).

FLORIDA INSURANCE GUARANTY ASSOC., INC.

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

DATE AND TIME: November, 6, 2012 at 2:00 p.m.

PLACE: Tampa Airport Marriott Hotel, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet regarding general business of the Association. The agenda will include but not limited to: Minutes, Receivers Report, Financial Reports, Claims Report, Legal Report, Committee Report and Operations Report.

A copy of the agenda may be obtained by contacting: Cathy Irvin (850) 386-9200.

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: Cathy Irvin (850) 386-9200. 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).

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC

The FWCJUA Audit Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 15, 2012 beginning at 10:00 a.m.

PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at 941-378-7408.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda items may include the 2013 meeting schedule, Audit Committee Charter procedures checklist, and market conduct exam.

A copy of the agenda may be obtained by contacting: Kathy Coyne at 941-378-7408, or from the FWCJUA's website, www.fwcjua.com.

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

NONE

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:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

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

NONE

Section XII
Miscellaneous

DEPARTMENT OF HEALTH
Board of Dentistry

Notice of Emergency Action

On October 15, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Sharon Ann Day-Osteen, DN, License # DN 14278. 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 (2011). 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.

DEPARTMENT OF HEALTH
Board of Nursing

Notice of Emergency Action

On October 17, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Martha Hernandez Baraban, RN, License # RN 1678082. 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 (2011).

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.

DEPARTMENT OF HEALTH
Board of Nursing

Notice of Emergency Action

On October 15, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Maria R Thurman, CNA, License # CNA 115951. 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 (2011). 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.

DEPARTMENT OF HEALTH
Board of Nursing

Notice of Emergency Action

On October 15, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Sophia Wright, CNA, License # CNA 128229. 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 (2011). 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.

DEPARTMENT OF HEALTH
Board of Nursing

Notice of Emergency Action

On October 15, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Cherish E Rice, CNA, License # CNA 158587. 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 (2011). 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.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On October 15, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Crystal Lucille Lewis, CNA, License # CNA 164060. 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 (2011). 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.

DEPARTMENT OF HEALTH

Board of Respiratory Care

Notice of Emergency Action

On October 15, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Douglas A Walker, CRT, License # TT 13506. 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 (2011). 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.

Section XIII
Index to Rules Filed During Preceding Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012.
