

**Section I**  
**Notice of Development of Proposed Rules**  
**and Negotiated Rulemaking**

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.:           RULE TITLE:  
 64B16-28.810   Special Pharmacy – Limited Community  
                           Permit

PURPOSE AND EFFECT: The board proposes the rule development to allow a class II institutional pharmacy to obtain a limited community permit to dispense multi-dose medicinal drugs under a doctor's order to patients being discharged from the hospital. This allows for continued use of the multi-dose medicine originally prescribed while the patient was in the hospital.

SUBJECT AREA TO BE ADDRESSED: Special Pharmacy – Limited Community Permit.

RULEMAKING AUTHORITY: 465.005, 465.022 FS.

LAW IMPLEMENTED: 465.0196 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 IS: Mark Whitten, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254

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

**NAVIGATION DISTRICTS**

**Florida Inland Navigation District**

RULE NOS.:       RULE TITLES:  
 66B-1.004       Policy  
 66B-1.008       Project Eligibility  
 66B-1.009       Project Administration  
 66B-1.015       Small-Scale Derelict Vessel Removal  
                           Projects

PURPOSE AND EFFECT: The purpose of the proposed rule development is to include the following provisions in the program rule: add email as a form of notification, remove limit on plans per county, increase funding amount for derelict vessels and require a final project report summary at the completion of the grant.

SUBJECT AREA TO BE ADDRESSED: Waterways Assistance Program rule sections: policy, project eligibility, project administration and small-scale derelict vessel removal projects.

RULEMAKING AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3) 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: November 4, 2013, 11:00 a.m.

PLACE: The FIND district office, 1314 Marcinski Road, Jupiter Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Janet Zimmerman, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Rd, Jupiter, Florida 33477, Telephone Number: (561)627-3386, Email: JZimmerman@aicw.org

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

**NAVIGATION DISTRICTS**

**Florida Inland Navigation District**

RULE NOS.:       RULE TITLES:  
 66B-2.004       Policy  
 66B-2.005       Funds Allocation  
 66B-2.006       Application Process  
 66B-2.008       Project Eligibility  
 66B-2.009       Project Administration  
 66B-2.015       Small-Scale Derelict Vessel Removal  
                           Projects

PURPOSE AND EFFECT: The purpose of the proposed rule development is to include the following provisions in the program rule: add email as a form of notification, rename and revise forms, add funding for other navigation projects, increase funding amount for derelict vessels and require a final project report summary at the completion of the grant.

SUBJECT AREA TO BE ADDRESSED: Waterways Assistance Program rule sections: policy, funds allocations, project eligibility, project administration and small-scale derelict vessel removal projects.

RULEMAKING AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3) 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: November 4, 2013, 11:00 a.m.  
 PLACE: The FIND district office, 1314 Marcinski Road, Jupiter Florida  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Janet Zimmerman, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Rd, Jupiter, Florida 33477, Telephone Number: (561)627-3386, Email: JZimmerman@aicw.org  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

## Section II Proposed Rules

### AGENCY FOR HEALTH CARE ADMINISTRATION

#### Medicaid

RULE NO.: RULE TITLE:  
 59G-4.027 Behavioral Health Overlay Services  
 PURPOSE AND EFFECT: The purpose of new Rule 59G-4.027, F.A.C., is to incorporate by reference the Florida Medicaid Behavioral Health Overlay Services Coverage and Limitations Handbook, \_\_\_\_\_.

SUMMARY: The incorporated handbook will specify coverage and limitation policies, provider qualifications, and reimbursement information for behavioral health overlay services in juvenile justice and child welfare settings.

#### 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: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to Section 120.541, Florida Statutes, the rule will not 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: 409.919 FS.  
 LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.9081, 409.912, 409.913 FS.

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

DATE AND TIME: Tuesday, November 19, 2013, 2:00 p.m. – 3:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, 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 IS: Melissa Eddleman, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4192, e-mail: melissa.eddleman@ahca.myflorida.com.

Please note that a preliminary draft of the reference material, if available, will be posted prior to the public hearing at <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

THE FULL TEXT OF THE PROPOSED RULE IS:

#### 59G-4.027 Behavioral Health Overlay Services.

(1) This rule applies to all providers of behavioral health overlay services who are enrolled in the Florida Medicaid program.

(2) All providers of behavioral health overlay services must be in compliance with the provisions of the Florida Medicaid Behavioral Health Overlay Services Coverage and Limitations Handbook, \_\_\_\_\_, incorporated by reference. The handbook is available on the Medicaid fiscal agent's Web site at [www.mymedicaid-florida.com](http://www.mymedicaid-florida.com). Select Public Information for Providers, then Provider Support, and then Provider Handbooks. Paper copies of the handbook may be obtained by calling the Provider Services Contact Center at 1-800-289-7799 and selecting Option 7.

(3) The following forms are included in the Florida Medicaid Behavioral Health Overlay Services Coverage and Limitations Handbook and are incorporated by reference: Certification of Eligibility, AHCA Form 5000-3522, Revised ; Provider Agency Self-Certification, AHCA Form 5000-3523, Revised . These forms are available by photocopying them from the Florida Medicaid Behavioral Health Overlay Services Coverage and Limitations Handbook.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.9081, 409.912, 409.913 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Melissa Eddleman  
NAME OF AGENCY HEAD WHO APPROVED THE  
PROPOSED RULE: Elizabeth Dudek  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: October 14, 2013  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAR: May 24, 2013

#### AGENCY FOR HEALTH CARE ADMINISTRATION

##### Medicaid

RULE NO.: RULE TITLE:

59G-4.295 Specialized Therapeutic Services

PURPOSE AND EFFECT: The purpose of new Rule 59G-4.295, F.A.C., is to incorporate by reference the Florida Medicaid Specialized Therapeutic Services Coverage and Limitations Handbook, \_\_\_\_\_.

SUMMARY: The incorporated handbook will specify coverage and limitation policies, provider qualifications, and reimbursement information for specialized therapeutic services.

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: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to Section 120.541, Florida Statutes, the rule will not 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: 409.919 FS.

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

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

DATE AND TIME: Tuesday, November 19, 2013, from 3:30 p.m. – 5:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, 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 IS: Melissa Eddleman, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4192, e-mail: melissa.eddleman@ahca.myflorida.com.

Please note that a preliminary draft of the reference material, if available, will be posted prior to the public hearing at <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

THE FULL TEXT OF THE PROPOSED RULE IS:

##### 59G-4.295 Specialized Therapeutic Services.

(1) This rule applies to all providers of specialized therapeutic services who are enrolled in the Florida Medicaid program.

(2) All providers of specialized therapeutic services must be in compliance with the provisions of the Florida Medicaid Specialized Therapeutic Services Coverage and Limitations Handbook \_\_\_\_\_, incorporated by reference. The handbook is available on the Medicaid fiscal agent's Web site at [www.mymedicaid-florida.com](http://www.mymedicaid-florida.com). Select Public Information for Providers, then Provider Support, and then Provider Handbooks. Paper copies of the handbook may be obtained by calling the Provider Services Contact Center at 1-800-289-7799 and selecting Option 7.

(3) The following forms are included in the Florida Medicaid Specialized Therapeutic Services Coverage and Limitations Handbook and are incorporated by reference: Authorization for Comprehensive Behavioral Health Assessment, AHCA Form 5000-3511, Revised \_\_\_\_\_, Comprehensive Behavioral Health Assessment Agency and Practitioner Self-Certification, AHCA Form 5000-3512, Revised \_\_\_\_\_, Specialized Therapeutic Foster Care Provider Agency Self-Certification, AHCA Form 5000-3513, Revised \_\_\_\_\_, Authorization for Specialized Therapeutic Foster Care, AHCA Form 5000-3514, Revised \_\_\_\_\_, Authorization for Crisis Intervention, AHCA Form 5000-3515, Revised \_\_\_\_\_, Provider Agency Acknowledgement for Therapeutic Group Care Services, AHCA Form 5000-3519, Revised \_\_\_\_\_, and Authorization for Therapeutic

Group Care Services, AHCA Form 5000-3521, Revised. These forms are available by photocopying them from the Florida Medicaid Specialized Therapeutic Services Coverage and Limitations Handbook.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.9081, 409.912, 409.913 FS. History—New\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Melissa Eddleman

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 14, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 24, 2013

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NO.: 61G15-22.001  
RULE TITLE: Continuing Education Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to add new language to clarify continuing education requirements and to comply with statutory requirements.

SUMMARY: The rule amendment will add new language to clarify continuing education requirements.

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: 455.2177, 471.008, 471.017(3), 471.019, 471.0195 FS.

LAW IMPLEMENTED: 455.2177, 471.017(3), 471.019, 471.0195 FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-22.001 Continuing Education Requirements.

(1) Each licensee shall complete eight professional development hours during each license renewal biennium as a condition of license renewal. Four hours shall relate to the licensee’s area(s) of practice and four hours shall relate to Chapter 471, F.S., and the rules of the Board, Chapter 61G15-22, F.A.C.

(2) There shall be no carryover of hours permitted from one licensure renewal biennium to the next.

(3) Beginning with the 2013 Update Edition of the Florida Building Code, all licensees actively participating in the design of engineering works or systems in connection with buildings, structures, or facilities and systems covered by the Florida Building Code, as identified within Section 553.73(1)(a), F.S., shall:

(a) Complete at least one “Advanced” Florida Building Code course, approved by the Florida Building Commission, within 12 months of each update edition of the Florida Building Code effective date, and

(b) Provide the Board with a copy of a certificate of completion which shows: course number, course hours, Florida Building Commission approval as “Advanced”, Code edition year, and Code or course focus.

Rulemaking Authority 455.2177, 471.008, 471.017(3), 471.019, 471.0195 FS. Law Implemented 455.2177, 471.017(3), 471.019, 471.0195 FS. History—New 8-19-80, Formerly 21H-22.01, Amended 5-14-86, Formerly 21H-22.001, Amended 6-22-99, 6-13-00, 2-22-01, 9-16-01, 3-7-13,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Professional Engineers

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 7, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 3, 2013

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: 64B5-14.003  
 RULE TITLE: Training, Education, Certification, and Requirements for Issuance of Permits

PURPOSE AND EFFECT: The proposed rule amendment is intended to update and clarify the rule.

SUMMARY: The proposed rule amendments are necessary to update the criteria for training, education, certification, and the requirements for issuance of permits.

**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: 466.004(4), 466.017(3), (6) FS.

LAW IMPLEMENTED: 466.017(3), (5), (6) 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: Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

64B5-14.003 Training, Education, Certification, and Requirements for Issuance of Permits.

- (1) through (2) No change.
- (3) Pediatric Conscious Sedation Permit.

(a) A permit shall be issued to a dentist authorizing the use of pediatric conscious sedation at a specified practice location or locations on an outpatient basis for dental patients provided such dentist:

1. Has received formal training in the use of pediatric conscious sedation. This formal training program shall be sponsored by or affiliated with a university, teaching hospital or ~~other facility approved by the Board of Dentistry~~ or part of the undergraduate curriculum of an accredited dental school; and

2. Is certified by the institution where the training was received to be competent in the administration of pediatric conscious sedation. This certification shall specify the type, the number of hours, the number of patients treated and the length of training. The minimum number of didactic hours shall be sixty, which must include four (4) hours of airway management. Clinical training shall include personal administration management of sedation for at least twenty patients including supervised training, management of sedation, clinical experience and demonstrated competence in airway management of the compromised airway. ~~;~~ The program must certify that three (3) hours of clinical training was dedicated to hands-on simulated competence in airway management of the compromised airway; and

3. Is competent to handle all emergencies relating to pediatric conscious sedation. A dentist utilizing pediatric conscious sedation shall maintain a properly equipped facility for the administration of pediatric conscious sedation, staffed with supervised assistant/dental hygienist personnel, capable of reasonably handling procedures, problems, and emergencies incidental thereto. The facility must have the equipment capability of delivering positive pressure oxygen ventilation. Administration of pediatric conscious sedation requires at least two individuals: a dentist, and an auxiliary trained in basic cardiac life support. It shall be incumbent upon the operating dentist to insure that the patient is appropriately monitored.

(b) A dentist utilizing pediatric conscious sedation and his assistant/dental hygienist personnel shall be certified in an American Heart Association or American Red Cross or equivalent agency sponsored cardiopulmonary resuscitation course at the basic life support level to include one person ~~man~~ CPR, two person ~~man~~ CPR, infant resuscitation, and obstructed airway with a periodic update not to exceed two years. Starting with the licensure biennium commencing on March of 2000, a dentist and all assistant/dental hygienist personnel shall also be trained in the use of either an Automated External Defibrillator or a defibrillator and electrocardiograph as part of their cardiopulmonary

resuscitation course at the basic life support level. In addition to CPR certification, a dentist utilizing pediatric conscious sedation must be currently trained in ACLS (Advanced Cardiac Life Support), PALS (Pediatric Advanced Life Support), or a course providing similar instruction which has been approved by the Board. An entity seeking approval of such a course shall appear before the Board and demonstrate that the content of such course and the hours of instruction are substantially equivalent to those in an ACLS or PALS course.

- (c) through (d) No change.
- (4) through (5) No change.

Rulemaking Authority 466.004(4), 466.017(3), (6) FS. Law Implemented 466.017(3), (5), (6) FS. History—New 1-31-80, Amended 4-20-81, 2-13-86, Formerly 21G-14.03, Amended 12-31-86, 11-8-90, 2-1-93, Formerly 21G-14.003, Amended 12-20-93, Formerly 61F5-14.003, Amended 8-8-96, 10-1-96, Formerly 59Q-14.003, Amended 2-17-98, 12-20-98, 5-31-00, 6-7-01, 11-4-03, 6-23-04, 6-11-07, 2-8-12, 8-16-12 (1)(a)-(f), 8-16-12 (5), 8-19-13,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Anesthesia Committee  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 22, 2013  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 1, 2013

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: 64B5-14.0032  
RULE TITLE: Itinerate/Mobile Anesthesia – Physician Anesthesiologist

PURPOSE AND EFFECT: The Board proposes this rule amendment to update and clarify the requirements of Itinerate/Mobile Anesthesia – Physician Anesthesiologist.

SUMMARY: The proposed rule amendments are necessary to clarify and update the requirements of dentists treating patients who have been administered anesthesia by a physician anesthesiologist in dental outpatient facilities.

**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: 466.004(4), 466.017(3) FS.

LAW IMPLEMENTED: 466.017(3) 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: : Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

64B5-14.0032 Itinerate/Mobile Anesthesia – Physician Anesthesiologist.

The provisions of this rule control the treatment of dental patients in an outpatient dental office setting where a physician anesthesiologist has performed the sedation services. This rule shall control notwithstanding any rule provision in this Chapter that prohibits such conduct. The level of sedation is not restricted to the level of the permit held by the treating dentist. The level of sedation may be any level necessary for the safe and effective treatment of the patient.

- (1) through (5) No change.
- (6) Equipment:

A dentist may comply with the electrocardiograph and end tidal carbon dioxide monitor equipment standards set by Rule 64B5-14.008, F.A.C., by utilizing mobile or non-fixed equipment if the dentist meets the following conditions:

(a) During the required board inspection, the equipment is available for inspection, ~~or and~~ the dentist supplies an inspection of the equipment, which a licensed health care risk manager performed. A licensed health care risk manager inspection is valid for a period of twelve months; and

(b) The dentist shall make the inspected equipment available during all required inspections, if specifically requested within 48 hours in advance of the inspection, and the equipment must be immediately available for an adverse incident inspection.

(7) No change.

Rulemaking Authority 466.004(4), 466.017(3) FS. Law Implemented 466.017(3) FS. History—New 8-20-12, Amended 11-19-12, 2-21-13,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Anesthesia Committee  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 22, 2013  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 1, 2013

**FLORIDA HOUSING FINANCE CORPORATION**

RULE NOS.:	RULE TITLES:
67-59.001	Purpose and Intent
67-59.005	Definitions
67-59.010	Programs
67-59.020	Eligibility for UMAP or UMAP/MLRP
67-59.030	Eligibility for MLRP Only
67-59.201	Overview
67-59.210	Eligibility for PR
67-59.220	Application
67-59.230	Form of Assistance

PURPOSE AND EFFECT: The purpose of this Rule Chapter is to establish the procedures by which the Corporation shall develop eligibility criteria, administer the Application process, determine loan amounts and make mortgage loans for existing homeowners.

SUMMARY: Florida Housing Finance Corporation (“Florida Housing” or “Corporation”) received Hardest Hit Funds from the United States Department of Treasury to create and administer foreclosure prevention assistance programs that address the unique issues of the state of Florida.

**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: 420.507(33) FS.

LAW IMPLEMENTED: 420.507(33) 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: David R. Westcott, Director of Homeownership Programs, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850)488-4197

THE FULL TEXT OF THE PROPOSED RULE IS:

67-59.001 Purpose and Intent.

In 2010, the United States Department of the Treasury (“U.S. Treasury”) created the Housing Finance Agency Innovation Fund for the Hardest Hit Housing Markets (“Hardest Hit Fund”) and allocated funds under the Emergency Economic Stabilization Act of 2008 (“EESA”) to Florida and other states. Florida Housing was directed by U.S. Treasury to create and administer foreclosure prevention assistance programs and to use a portion of these funds specifically for targeted unemployment programs that provide temporary assistance to eligible homeowners. Florida Housing’s use of these funds is governed by written agreements with U.S. Treasury. The Agreements, FHFF-01 Rev 8/13 5/42, are hereby adopted and incorporated by reference. Copies may be obtained at no cost, by contacting Florida Housing, HHF program at (850)488-4197.

Rulemaking Authority 420.507(33) FS. Law Implemented 420.507(33) FS. History—New 12-4-12, Amended\_\_\_\_\_.

67-59.005 Definitions.

(1) “Applicant” means a person who has applied for Hardest Hit Fund assistance.

(2) “Florida Housing” means the Florida Housing Finance Corporation as defined in Section 420.503, F.S.

(3) “Hardest Hit Fund” means the Housing Finance Agency Innovation Fund for the Hardest Hit Housing Markets as established by the U.S. Treasury.

(4) “Programs” mean the Unemployment Mortgage Assistance Program (UMAP), ~~and~~ the Mortgage Loan Reinstatement Program (MLRP) and the Principal Reduction (PR) Program created under the Hardest Hit Fund.

(5) “Substantially Underemployed” means having a reduction in income of at least 10% due to an employment-related hardship.

~~(6)(5)~~ “U.S. Treasury” means the United States Department of the Treasury.

~~(7)(6)~~ “Unencumbered Assets” means assets including savings, checking and money market accounts, certificates of

deposit, stocks, bonds, mutual funds, taxable investment accounts and cash, but does not include qualified retirement accounts such as an IRA, 401(k), 403(b) and 457 and Keough Accounts. It also does not include qualified education accounts such as a Florida Prepaid College Plan, 529 accounts and Coverdell Education Savings Accounts.

Rulemaking Authority 420.507(33) FS. Law Implemented 420.507(33) FS. History–New 12-4-12, Amended.

67-59.010 Programs.

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

(c) Principal Reduction Program will provide up to \$50,000 to pay down the principal balance on mortgage loans for eligible Applicants.

(d) The maximum amount of HHF assistance available to a household from any combination of Programs is \$50,000.

Rulemaking Authority 420.507(33) FS. Law Implemented 420.507(33) FS. History–New 12-4-12; Amended.

Part I – Unemployment Mortgage Assistance Program (UMAP) and Mortgage Loan Reinstatement Program (MLRP)

67-59.020 Eligibility for UMAP or UMAP/MLRP.

To be eligible for assistance under the UMAP Program or the MLRP Program when used in conjunction with the UMAP Program:

(1) The Applicant must document that he or she is a borrower or co-borrower on the mortgage loan and document that he or she:

(a) Has suffered a temporary employment-related hardship, meaning that they have become unemployed or Substantially Underemployed through no fault of his or her own;

(b) Is a Florida resident;

(c) Occupies the property as his or her primary residence;

(d) Has a total household income, adjusted for household size, that is below 140% of the county area median income. The Area Median Income List, AMI-01, Rev 12/12 ~~12/11~~, for counties in Florida is hereby adopted and incorporated by reference. Copies may be obtained at no cost, by contacting Florida Housing, HHF program at (850) 488-4197.

(e) through (i) No change.

(2)(a) No change.

(b) Is a single family home, a townhouse, a condominium where financial reporting for the condominium association, pursuant to Section 718.111(13), F.S., for the most recent two years is provided by the Applicant, a 1 to 4 family home where the owner occupies one unit or a mobile or manufactured home or mobile home on a foundation permanently affixed to real estate owned by the borrower ~~on a permanent foundation~~;

(c) through (d) No change.

(3) through (5) No change.

Rulemaking Authority 420.507(33) FS. Law Implemented 420.507(33) FS. History–New 12-4-12, Amended.

67-59.030 Eligibility for MLRP Only.

To be eligible for assistance under the MLRP Program:

(1) The Applicant must document that he or she is a borrower or co-borrower on the mortgage loan and document that he or she:

(a) Has suffered a temporary employment-related hardship, meaning that they have become unemployed or Substantially Underemployed through no fault of his or her own, from which he or she has now recovered;

(b) through (c) No change.

(d) Has a total household income, adjusted for household size, that is below 140% of the county area median income. The Area Median Income List, AMI-01, Rev 12/12 ~~12/11~~, for counties in Florida is ~~hereby adopted and incorporated by reference. Copies may be obtained at no cost, by contacting Florida Housing, HHF program at (850) 488-4197.~~

(e) No change.

(f) Has a total monthly housing debt less than 31% of the gross monthly household income, unless the Applicant can provide documentation that he or she has recovered from the hardship and is no longer Substantially Underemployed;

(g) through (i) No change.

(2)(a) No change.

(b) Is a single family home, a townhouse, a condominium where financial reporting for the condominium association, pursuant to Section 718.111(13), F.S., for the most recent two years is provided by the Applicant, a 1 to 4 family home where the owner occupies one unit or a mobile or manufactured home or mobile home on a foundation permanently affixed to real estate owned by the borrower ~~on a permanent foundation~~;

(c) through (d) No change.

(3) through (5) No change.

Rulemaking Authority 420.507(33) FS. Law Implemented 420.507(33) FS. History–New 12-4-12, Amended.

Part II – Principal Reduction Program

67-59.201 Overview.

The PR Program is designed to assist low-to-moderate income homeowners who have consistently paid their mortgage payments, are not delinquent on their mortgage payments, but whose unpaid principal balance is greater than the current market value of their home, by providing Hardest Hit Funds to reduce the amount of their outstanding principal loan balance to an amount as close to 100% loan-to-value as possible and also reduce their monthly mortgage payment.



Rulemaking Authority 420.507(33) FS. Law Implemented 420.507(33) FS. History–New \_\_\_\_\_.

67-59.210 Eligibility for PR.

To be eligible for assistance under the PR Program:

(1) The Applicant must document that he or she is a borrower or co-borrower on the mortgage loan and also document that he or she:

(a) Has a loan-to-value ratio on their first mortgage loan of 125% or greater;

(b) Is a legal U.S. Citizen or lawful permanent resident;

(c) Occupies the property as his or her primary residence;

(d) Has a total household income, adjusted for household size, that is below 140% of the county area median income. The Area Median Income List, AMI-01, Rev 12/12, for counties in Florida.

(e) Does not have a bankruptcy that has not been discharged or dismissed;

(f) Has not been convicted of a mortgage related felony in the last ten years;

(g) Have not been more than 60 days late on their first mortgage loan payments within the last two years; and

(h) The Applicant’s mortgage loan servicer must agree to recast the loan pursuant to The Agreements, after applying the principal reduction payment except in the case of Federal Housing Administration (“FHA”), Veterans Administration (“VA”) and United States Department of Agriculture Rural Development (“USDA-RD”) loans.

(2) The Applicant must document that his or her primary residence:

(a) Is located in Florida;

(b) Is a single family home, a townhouse, a condominium, a 1 to 4 family home where the owner occupies one unit or a mobile or a manufactured or mobile home on foundation permanently affixed to real estate owned by the mortgagor;

(c) Is not abandoned, vacant or condemned;

(d) Is not the subject of any pending litigation; and

(e) Was acquired prior to January 1, 2010.

(3) The Applicant must document that the mortgage loan for his or her primary residence:

(a) Is serviced by a regulated financial institution, Habitat for Humanity, the United States Department of Agriculture or other servicer whose servicing activities are regulated by the State of Florida or the United States Government;

(b) Has an outstanding principal balance that does not exceed \$350,000; and

(c) Is in first lien position.

(4) Procedures for determining eligibility are detailed in the Florida Hardest Hit Fund Procedures Manual, HHFM-01, Rev. 6/12, which is hereby adopted and incorporated by

reference. Copies may be obtained at no cost, by contacting Florida Housing, HHF program at (850) 488-4197.

(5) Should Florida Housing or its third party advisor agency determine at any time that an Applicant has provided false or misleading information in an attempt to improperly obtain Hardest Hit Fund assistance, the Applicant will be deemed ineligible for all Programs and the matter will be referred to the U.S. Treasury and other authorities, as appropriate.

Rulemaking Authority 420.507(33) FS. Law Implemented 420.507(33) FS. History–New \_\_\_\_\_.

67-59.220 Application.

(1) Applicants may apply online at www.principalreductionflhhf.org. Applicants without internet access may call (877) 863-5244 for assistance.

(2) Once their application has been received, Applicants will be assigned to a Florida Housing-approved third party advisor agency that will work with the Applicant and collect the information necessary to make a preliminary eligibility determination.

(3) An Applicant whom an advisor agency determines to be preliminarily eligible for the PR Program will be submitted to Florida Housing for review and underwriting of the preliminary determination of eligibility.

(4) An Applicant deemed ineligible will be issued a letter specifying the reason(s) for ineligibility and provided information on how to dispute the determination.

(5) Upon confirmation of the preliminary determination that an Applicant has met the eligibility criteria, Florida Housing will offer to make payments to the Applicant’s mortgage servicer pursuant to the terms of the PR Program. Should the Applicant’s mortgage servicer decline to participate in the Hardest Hit Fund Programs or decline to accept payments on the Applicant’s loan, then Florida Housing will be unable to provide any assistance to the Applicant. Applicants will be notified if they have been declined by their mortgage servicer.

Rulemaking Authority 420.507(33) FS. Law Implemented 420.507(33) FS. History–New \_\_\_\_\_.

67-59.230 Form of Assistance.

(1) Eligible Applicants who have not been declined by their mortgage servicer will receive assistance under the PR Program in the form of a forgivable loan. Applicants must execute Hardest Hit Fund loan documents before any funds are provided. Funding will be paid by Florida Housing directly to the Applicant’s mortgage servicer.

(2) For loans that are recast pursuant to The Agreements, after the application of the PR assistance, the loan will be in the form of a 0% interest, non-recourse, deferred payment,

forgivable loan. The loan will be forgiven over a five year period at a rate of 20% per year.

(3) For Federal Housing Administration (“FHA”), Veterans Administration (“VA”) and United States Department of Agriculture Rural Development (“USDA-RD”) loans, if the borrower fails to refinance the loan within 180 days from the date that the principal reduction payment is made on their behalf, then the loan will only be forgiven 100% at the end of the fifth year (no incremental forgiveness).

(4) If the home is sold or refinanced prior to the maturity date of the HHF loan and there are sufficient funds to the Applicant out of the transaction, then the balance of the loan that has not been forgiven must be repaid.

Rulemaking Authority 420.507(33) FS. Law Implemented 420.507(33) FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
David R. Westcott, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850)488-4197

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Len Tylka, Chairman of the Board, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850)488-4197

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 20, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 39, Number 56, March 21, 2013

### Section III Notice of Changes, Corrections and Withdrawals

**DEPARTMENT OF EDUCATION**

**Florida's Office of Early Learning**

RULE NO.:       RULE TITLE:  
6M-4.610        Statewide Provider Contract for the School Readiness Program

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 27, July 6, 2012 issue of the Florida Administrative Register has been withdrawn.

**DEPARTMENT OF EDUCATION**

**Florida's Office of Early Learning**

RULE NO.:       RULE TITLE:  
6M-8.201        Child Registration Procedures; Application; Parent Orientation Session

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 25, June 22, 2012 issue of the Florida Administrative Register has been withdrawn.

**DEPARTMENT OF EDUCATION**

**Florida's Office of Early Learning**

RULE NO.:       RULE TITLE:  
6M-8.500        VPK Specialized Instructional Services

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 40, October 1, 2012 issue of the Florida Administrative Register has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

RULE NO.:       RULE TITLE:  
61G7-10.002    Reporting of Change of Status Required; Effect on Licensees; Change of Licensee Name

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 45, March 6, 2013 issue of the Florida Administrative Register.

Subsection (1)(a) of the Notice of Change which published on October 10, 2013, in Vol. 39, No. 198 of the Florida Administrative Register, had an incorrect effective date for DBPR ELC 1, an incorporated form. The incorrect date was inadvertently placed in the rule. Subsection (1)(a) shall now read as follows:

(a) DBPR ELC 1 (as adopted in Rule 61-35.013, F.A.C.), effective 08/2013;

THE PERSON TO BE CONTACTED REGARDING THE ABOVE CORRECTION IS: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.:       RULE TITLE:  
61H1-33.006    Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees

**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. 39, No. 163, August 21, 2013 issue of the Florida Administrative Register.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The rule shall now read as follows:

1. Subsection (1) shall now read as follows:

(1) Each Florida certified public accountant who has requested inactive status or became delinquent, as distinguished from a Florida certified public accountant whose certificate or license has been suspended, who desires to become an active Florida certified public accountant, i.e., engage or reengage in the practice of public accounting in Florida, shall apply for such reactivation by completing and submitting to the Department Form DBPR CPA 5011-1 – Request for Change of Status, hereby incorporated by reference and effective 7-23-06; copies of the form may be obtained from the Board office. However, if a license is delinquent on January 1 for failure to comply with Rule 61H1-33.003, F.A.C., through failure to report compliance with continuing professional education requirements by the immediately prior December 31st, a Florida certified public accountant may reactivate, pursuant to Section 473.311, by certifying the required hours have been completed, paying the fees required by Rules 61H1-31.003, 31.004, and 31.006, F.A.C., by March 15 of the same year of the delinquency.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76<sup>th</sup> Dr., Suite A, Gainesville, Florida 32607

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:	RULE TITLES:
62-716.460	Annual Recycling Reports
62-716.470	Voluntary Certification Program for Materials Recovery Facilities
62-716.480	Methods and Criteria for Calculating County Recycling Rates
62-716.900	Forms

**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. 39, No. 204, October 18, 2013 issue of the Florida Administrative Register.

62-716.460 Annual Recycling Reports.

(1) Section 403.7032(3), F.S., requires each state agency, ~~K-12 public school,~~ public institution of higher learning, community college, and state university, including all buildings that are occupied by municipal, county, or state employees and entities occupying buildings managed by the Department of Management Services, to annually report all recycled materials to the county using the Department's designated reporting format. That designated format is Form

62-716.900(5), Annual Recycling Report from Public Sector Entities to Counties, effective [eff. date], hereby adopted and incorporated by reference, and which may be submitted electronically or on paper. Copies of this form are available on the internet at [http://www.dep.state.fl.us/waste/quick\\_topics/forms/pages/62-716.htm](http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-716.htm), from a local District Office or by writing to the Department of Environmental Protection, Waste Reduction Section, 4555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

(2) through (3) No change.

Rulemaking Authority 403.704, FS. Laws Implemented 403.7032, 403.706, FS. History–New [eff. date].

62-716.470 Voluntary Certification Program for Materials Recovery Facilities.

(1) Any owner or operator of a materials recovery facility that wishes to participate in the voluntary certification program established in Section 403.705(4), F.S, shall submit an application electronically or on paper for annual certification using form 62-716.900(1), Application for Voluntary Materials Recovery Facility Certification, effective [eff. Date], hereby adopted and incorporated by reference. Copies of this form are available at [http://www.dep.state.fl.us/waste/quick\\_topics/forms/pages/62-716.htm](http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-716.htm) or by contacting the Waste Reduction Section, MS 4555, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. This form may be submitted along with a request to modify the facility's permit, or it may be submitted as part of a new or renewal permit application.

(2) To qualify for certification, the owner or operator must demonstrate that:

(a) The facility recycles at least 50% of the municipal solid waste received, on an average annual basis, as reported on Form 62-701.900(7), Annual Report for a Construction and Demolition Debris Facility, as required by Rule 62-701.710(8)(b) which is hereby adopted and incorporated by reference; and

(b) Neither the facility nor the owner or operator have been the subject of a formal enforcement action that resulted in a finding that a violation of Florida statutes, rules, orders, or permit conditions occurred within 12 months prior to the submittal of the certification application.

(3) Where the applicant qualifies for certification in accordance with subsection (2) above, the certification shall be issued for the corresponding calendar year. The department will annually verify eligibility for certification via the form referenced in paragraph (2)(a) to determine the continued eligibility of the certificate holder during the tenure of its permits. Where the certificate holder qualifies for certification

for subsequent calendar years during the tenure of its permit, a certification shall be issued annually for each of the corresponding subsequent calendar years.

Rulemaking Authority 403.704, FS. Laws Implemented 403.705, 403.7032, 403.706, FS. History–New [eff. date].

62-716.480 Methods and Criteria for Calculating County Recycling Rates.

(1) through (2) No change.

(3) No change.

(a) through (c) No change.

(d) Recycling does not include any process that is a use that constitutes disposal, even if that process does have some beneficial use. For example, the use of municipal solid waste as fill material in a manner that constitutes disposal, such as filling a borrow pit with unprocessed construction and demolition debris, would not be considered recycling for the purpose of calculating county recycling rates. The use of processed clean debris as fill material, or the use of other processed municipal solid waste authorized by the department pursuant to a permit or other order issued under Part IV of Chapter 373, Chapter 378 or Chapter 403, F.S., for use as fill material, is not considered a use that constitutes disposal, as long as such use is integral to a land improvement project (including environmental land reclamation or restoration) or is necessary for the construction of appurtenant structures or facilities as part of a real property improvement.

Rulemaking Authority 403.704, 403.706, 403.708, FS. Laws Implemented 403.7032, 403.706, 403.708, FS. History–New [eff. date].

62-716.900 Forms. No change.

(1) Form 62-716.900(1), Application for Voluntary Materials Recovery Facility Certification, as required by Rule 62-716.470(1), F.A.C., effective \_\_\_\_\_.

(2) Form 62-716.900(2), Small County Consolidated Solid Waste Grant Application, as required by Rule 62-716.500(2), F.A.C., effective [eff. date].

(3) Form 62-716.900(3), Waste Tire Grant Application, as required by Rule 62-716.600, F.A.C., effective [eff. date].

(4) Form 62-716.900(4), County Annual Report, as required by Rule 62-716.450, F.A.C., effective [eff. date].

(5) Form 62-716.900(5), Annual Recycling Report from Public Sector Entities to Counties, as required by Rule 62-716.460(1), F.A.C., effective [eff. date].

(6) Form 62-716.900(6), Annual Voluntary Recycling Recognition Form, as required by subsections 62-716.460(2) and (3), F.A.C. [eff. date].

Rulemaking Authority 120.55, 403.061, 403.704, FS. Laws Implemented 120.55, 403.7032, 403.706, 403.7095, FS. History–New 5-16-89, Amended 7-14-91, Formerly 17-716.900, Amended 11-16-94, 2-20-96, [eff. date].

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.: RULE TITLES:

62-722.200 Definitions

62-722.400 Procedures for Certification and Reporting  
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. 39, No. 204, October 18, 2013 issue of the Florida Administrative Register.

62-722.200 Definitions.

In addition to applicable definitions in Rule 62-701.200, F.A.C., the following words, phrases, or terms as used in this chapter, unless the context clearly indicates otherwise, shall have the following meanings:

(1) through (8) No change.

(9) "Recovered materials" means metal, paper (including cardboard), glass, plastic, textile, or rubber materials that have known recycling potential, can be feasibly recycled, and have been diverted and source separated or have been removed from the solid waste stream for sale, use, or reuse as raw materials, whether or not the materials require subsequent processing or separation from each other, but does not include materials destined for any use that constitutes disposal. Recovered materials as described above are not solid waste. Recovered materials do not include other important recyclable materials such as lumber, concrete, brick, wallboard, waste tires, used oil filters, and other materials that are not one of the six types of recovered materials that are specifically identified according to Section 403.703, F.S. ~~in this subsection.~~

(10) through (13) No change.

Rulemaking Authority 403.061, 403.704, 403.7046 FS. Law Implemented 403.703, 403.704, 403.7046 FS. History–New 1-1-95, Amended [eff. date].

62-722.400 Procedures for Certification and Reporting.

(1) through (8) No change.

(9) No change.

(a) Form 62-722.400(9)(a), Application for Recovered Materials Certification, as required by Rule 62-722.400(1), F.A.C., effective [eff. date].

(b) Form 62-722.400(9)(b), Reporting Form for Recovered Materials, as required by subsection 62-722.400(2), F.A.C., effective date [eff. date].

Rulemaking Authority 403.061, 403.704, 403.7046 FS. Law Implemented 403.705, 403.7046 FS. History–New 1-1-95, Amended 12-17-96, [eff. date].

## Section IV Emergency Rules

### DEPARTMENT OF THE LOTTERY

RULE NO.:        RULE TITLE:

53ER13-66        Retailer Application and Fee Schedule.

SUMMARY: This emergency rule sets forth the provisions regarding the application(s) to be filed and related fees for persons desiring to contract with the Lottery as a retailer. This emergency rule replaces Emergency Rule 53ER12-66, Fla. Admin. Code.

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:

53ER13-66 Retailer Application and Fee Schedule.

(1) New Applicants.

(a) Any person interested in contracting with the Lottery as a retailer shall file Form DOL-129, Retailer Application; or Form DOL-129-1, Retailer Application in Spanish; or Form DOL-129C, Chain Account Retailer Application, as applicable.

(b) For the initial sales location, each applicant shall submit a fee of \$100.00 along with the appropriate retailer application set forth in paragraph (a), above.

(c) An application for an additional location must be submitted to the Lottery on Form DOL-129, DOL-129-1, DOL-129C, or Form DOL-129CA, Chain Account Retailer Additional Location Application, as applicable, and must be accompanied by a fee of \$25.00 for each additional location.

(d) Each applicant shall be subject to a background investigation, which can include fingerprinting.

(e) Organizations which are publicly traded on a national securities exchange must submit the following:

1. Form DOL-129C, including Section 4 entitled "Information on Publicly Traded Organizations"; and

2. Form DOL-374, Affidavit. Form DOL-374 will be provided to the applicant during the application process and must be completed by a corporate officer or legal counsel to state whether the corporation, any of its executive officers or its chairperson has been convicted of, or entered a plea of guilty or nolo contendere to a felony committed in the preceding ten years, regardless of adjudication.

(f) Organizations which are not publicly traded on a national securities exchange shall be subject to the background investigation provisions set forth in accordance with rules of the Florida Lottery governing retailer applicant background

investigations. A copy of the current rule can be obtained from the Florida Lottery, Retailer Contracting, 250 Marriott Drive, Tallahassee, Florida 32399-6573.

(2) Renewal Application.

Retailer contracts shall be renewed by execution of a new retailer contract. Prior to the expiration of a retailer contract, a retailer shall submit Form DOL-307, Application for Contract Renewal, or Form DOL-320, Application for Chain Account Contract Renewal, and a new retailer contract signed by the retailer, along with a fee of \$10.00 per location and \$25.00 for each new officer, director, or shareholder of 10% or more of the corporation since the last application. Renewal applicants shall be subject to a background investigation and fingerprinting may be required.

(3) Change of Location.

An application to change a location must be submitted to the Lottery at least thirty days in advance of the change, on Form DOL-129, DOL-129-1, or DOL-129C, as applicable, and must be accompanied by a fee of \$10.00.

(4) All application fees shall be non-refundable unless the initial application is denied because the applicant or the location fails the Lottery's marketing evaluation, in which case the application fee for that location shall be refunded to the applicant.

(5) Applications and subsequent contracts, if any, are not assignable or transferable to any person or entity.

(6) Any department, commission, agency, or instrument of the state, or its subdivisions, or any municipality or county, that seeks a contract as a retailer shall bear the burden of securing approval of any other person, board, commission, agent, or instrumentality of the state, or its subdivisions, or municipality or county, which may have controlling authority over the applicant.

(7) The following forms are incorporated herein by reference and may be obtained by writing to the Department of the Lottery, Retailer Contracting, 250 Marriott Drive, Tallahassee, Florida 32399-6573:

Form DOL-129, Retailer Application, revised 8/13,

Form DOL-129-1, Retailer Application in Spanish, revised 9/13,

Form DOL-129C, Chain Account Retailer Application, revised 10/12,

Form DOL-129CA, Chain Account Retailer Additional Location Application, revised 10/12,

Form DOL-374, Affidavit, revised 06/08,

Form DOL-307, Application for Contract Renewal, revised 10/12, and

Form DOL-320, Application for Chain Account Contract Renewal, revised 10/12.

Forms DOL-129, DOL-129-1, DOL-129C, and DOL-129CA may also be obtained from the Lottery’s website at [www.flalottery.com](http://www.flalottery.com).

(8) This emergency rule replaces Emergency Rule 53ER12-66, Fla. Admin. Code. Rulemaking Authority 24.105(15), 24.109(1), 24.112(1) FS. Law Implemented 24.112 FS. History–New 10-17-13, Replaces 53ER12-66, Fla. Admin. Code.

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: October 17, 2013

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER13-67 RULE TITLE: MEGA MILLIONS® Retailer Promotion  
SUMMARY: The rule sets forth the provisions for the MEGA MILLIONS® Retailer Promotion.  
THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Department of the Lottery, 250 Marriott, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER13-67 MEGA MILLIONS® Retailer Promotion.

(1) Beginning October 19, 2013, through November 8, 2013, the Florida Lottery will conduct the MEGA MILLIONS® Retailer Promotion.

(2) During the promotion period, for every \$5 in MEGA MILLIONS or MEGA MILLIONS with Megaplier® sales in their stores, Florida Lottery retailers will receive an entry into one of eighteen drawings for a chance to win \$5,000. Drawings will be held on November 13, 2013.

(3) One corporate retailer drawing and one independent retailer drawing will be held for each of the nine Florida Lottery sales districts to randomly select winning retailers. One corporate and one independent retailer winner will be selected in the Tallahassee, Pensacola, Jacksonville, Gainesville, Ft. Myers and West Palm Beach sales districts; two corporate and two independent retailer winners will be selected in the Orlando and Tampa sales districts; and two corporate and four independent retailer winners will be selected in the Miami sales district. Each winning retailer will be awarded \$5,000. Prizes will be awarded in accordance with the following table.

Lottery Sales District	Prize Per Retailer	Number of Corporate Retailer Prizes	Number of Independent Retailer Prizes
District 1- Tallahassee	\$5,000	1	1
District 3- Pensacola	\$5,000	1	1
District 4- Jacksonville	\$5,000	1	1
District 5- Gainesville	\$5,000	1	1
District 6- Orlando	\$5,000	2	2
District 9- Tampa	\$5,000	2	2
District 10- Ft. Myers	\$5,000	1	1
District 11- West Palm Beach	\$5,000	1	1
District 13- Miami	\$5,000	2	4

(4) A total of twenty-six \$5,000 prizes will be awarded in the MEGA MILLIONS Retailer Promotion.

(5) Retailers will receive their MEGA MILLIONS Retailer Promotion prize check within three weeks of the drawing.

(6) Retailers whose Florida Lottery contracts are terminated or inactivated prior to the promotional prize award shall be paid the promotional prize provided the termination or inactivation was not due to non-compliance with Chapter 24, Fla. Stat., Chapter 53, Fla. Admin. Code or contract terms.

(7) A promotional prize will be considered compensation to the retailer for Internal Revenue Service purposes. The Florida Lottery reserves the right to apply the promotional prize awarded against a retailer’s outstanding debt to the Florida Lottery.  
Rulemaking Authority 24.105(9)(i), 24.109(1) FS. Specific Authority 24.105(9)(i), 24.112(1) FS. History–New 10-17-13.

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: October 17, 2013

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER13-68 RULE TITLE: Retailer MEGA MILLIONS® Bonus Commission Program.  
SUMMARY: The rule describes the Retailer MEGA MILLIONS® Bonus Commission Program in which the Florida Lottery will award bonus commissions to Florida

Lottery retailers that sell a winning MEGA MILLIONS jackpot ticket for a Tuesday or Friday MEGA MILLIONS drawing. This rule replaces Emergency Rule 53ER13-30, F.A.C.

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:

53ER13-68 Retailer MEGA MILLIONS® Bonus Commission Program.

(1) The Florida Lottery will conduct, as a retailer sales incentive, a Retailer MEGA MILLIONS® Bonus Commission Program (“Program”) in which the Florida Lottery will award bonus commissions to Florida Lottery retailers who sell a winning jackpot MEGA MILLIONS ticket for a Tuesday or Friday MEGA MILLIONS drawing.

(2) The bonus commission will start at \$10,000 for a \$15 million starting jackpot. In the event no winning jackpot ticket is sold for a MEGA MILLIONS drawing, the bonus commission amount will increase by \$5,000 per drawing until a winning jackpot ticket is sold, up to a maximum bonus commission of \$100,000.

(3) If multiple winning jackpot tickets are sold in Florida for the same MEGA MILLIONS drawing, the retailers selling such tickets will share the bonus commission. Each retailer selling a winning jackpot ticket will receive a share of the bonus equal to the number of winning jackpot tickets sold by that particular retailer divided by the total number of winning jackpot tickets sold in Florida for that drawing.

(4) If a winning jackpot ticket is a MEGA MILLIONS with Megaplier® ticket, an additional \$5,000 bonus commission will be paid to the retailer selling such ticket. If multiple winning jackpot tickets are MEGA MILLIONS with Megaplier tickets, each retailer selling such a ticket will be paid the additional bonus commission.

(5) Florida Lottery retailers who sell a MEGA MILLIONS ticket that matches 5+0 numbers will receive a \$1,000 bonus commission.

(6) Florida Lottery retailers who sell a MEGA MILLIONS with Megaplier® ticket that matches 5+0 numbers will receive a \$2,000 bonus commission.

(7) Award of a bonus commission is not dependent upon the MEGA MILLIONS winning jackpot ticket, MEGA MILLIONS 5+0 winning ticket or MEGA MILLIONS with Megaplier 5+0 winning ticket being claimed by the winner.

(8) Retailers whose Florida Lottery contracts are terminated or inactivated prior to the bonus commission award shall be paid the bonus commission earned provided said

termination or inactivation was not due to noncompliance with Chapter 24, Fla. Stat., Chapter 53, Fla. Admin. Code or contract terms.

(9) A bonus commission will be considered compensation to the retailer for Internal Revenue Service purposes. The Florida Lottery reserves the right to apply a bonus commission earned against a retailer’s outstanding debt to the Florida Lottery, and to award the remaining balance of the bonus commission, if any.

(10) MEGA MILLIONS bonus commissions are subject to availability of funds appropriated for retailer incentives. This Program is subject to cancellation by future emergency rule if retailer incentive funding is not appropriated or if the Florida Lottery determines that it is no longer in the state’s best interest to use such funds for this purpose.

(11) This emergency rule replaces Emergency Rule 53ER13-30, Fla. Admin. Code.

(12) The effective date of this emergency rule is October 19, 2013.

Rulemaking Authority 24.105(9)(i), 24.109(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History—New 10-19-13, Replaces 53ER13-30, Fla. Admin. Code.

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 October 19, 2013

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER13-69  
 RULE TITLE: Retailer POWERBALL® Bonus Commission Program.

SUMMARY: The Florida Lottery will conduct the Retailer POWERBALL® Bonus Commission Program in which bonus commissions will be awarded to the retailer(s) that sells a POWERBALL® or POWERBALL with Power Play® jackpot winning ticket, a POWERBALL 5+0 winning ticket or a POWERBALL with Power Play 5+0 winning ticket. The emergency rule replaces Emergency Rule 53ER12-8.

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:

53ER13-69 Retailer POWERBALL® Bonus Commission Program.

(1) The Florida Lottery will conduct, as a retailer sales incentive, a Retailer POWERBALL® Bonus Commission Program (“Program”) in which the Florida Lottery will award bonus commissions to Florida Lottery retailers who sell a

winning jackpot POWERBALL ticket for a Wednesday or Saturday POWERBALL drawing.

(2) The bonus commission will start at \$20,000 for a \$40 million starting jackpot. In the event that no winning jackpot ticket is sold for a POWERBALL drawing, the bonus commission amount will increase by \$5,000 per drawing until a winning jackpot ticket is sold, up to a maximum bonus commission of \$100,000.

(3) If multiple winning jackpot tickets are sold in Florida for the same POWERBALL drawing, the retailers selling such tickets will share the bonus commission. Each retailer selling a winning jackpot ticket will receive a share of the bonus equal to the number of winning jackpot tickets sold by that particular retailer divided by the total number of winning jackpot tickets sold in Florida for that drawing.

(4) If a winning jackpot ticket is a POWERBALL with Power Play® ticket, an additional \$20,000 bonus commission will be paid to the retailer selling such ticket. If multiple winning jackpot tickets are POWERBALL with Power Play tickets, each retailer selling such a ticket will be paid the additional bonus commission.

(5) Florida Lottery retailers who sell a POWERBALL ticket that wins \$1,000,000 for matching 5+0 numbers will receive a \$1,000 bonus commission.

(6) Florida Lottery retailers who sell a POWERBALL with Power Play ticket that wins \$2,000,000 for matching 5+0 numbers will receive a \$5,000 bonus commission.

(7) Award of a bonus commission is not dependent upon the POWERBALL jackpot winning ticket, POWERBALL 5+0 winning ticket or POWERBALL with Power Play 5+0 winning ticket being claimed by the winner.

(8) Retailers whose Florida Lottery contracts are terminated or inactivated prior to the bonus commission award shall be paid the bonus commission earned provided said termination or inactivation was not due to noncompliance with Chapter 24, Florida Statutes, Chapter 53, F.A.C. or contract terms.

(9) A bonus commission will be considered compensation to the retailer for Internal Revenue Service purposes. The Florida Lottery reserves the right to apply a bonus commission earned against a retailer's outstanding debt to the Florida Lottery, and to award the remaining balance of the bonus commission, if any.

(10) Bonus commissions are subject to availability of funds appropriated for retailer incentives. This Program is subject to cancellation by future emergency rule if retailer incentive funding is not appropriated or if the Florida Lottery determines that it is no longer in the state's best interest to use such funds for this purpose.

(11) This emergency rule replaces Emergency Rule 53ER12-8, Fla. Admin. Code.

Rulemaking Authority 24.105(9)(i), 24.109(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History—New 10-17-13, Replaces 53ER12-8, Fla. Admin. Code.

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: October 17, 2013

#### **DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER13-70  
RULE TITLE: MEGA MILLIONS®.

SUMMARY: This emergency rule replaces Emergency Rule 53ER13-47 and sets forth the provisions for the conduct of MEGA MILLIONS®.

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:

#### 53ER13-70 MEGA MILLIONS®.

##### (1) Definitions.

The following words and terms, when used in this rule, have the following meanings, unless the context clearly indicates otherwise:

(a) Annuity prize – A Jackpot Prize paid in annual installments.

(b) MEGA MILLIONS Lottery or Lotteries – Lotteries that have joined under the MEGA MILLIONS Lottery Agreement; the group of lotteries that has reached a Cross-Selling Agreement with the MUSL Product Group for the selling of the MEGA MILLIONS Game.

(c) MUSL – The Multi-State Lottery Association.

(d) Product Group – The group of lotteries that has joined together to offer the MEGA MILLIONS lottery game under the terms of its Cross-Selling Agreement with the MEGA MILLIONS Lotteries, the MUSL Agreement and the MUSL MEGA MILLIONS Product Group rules.

(e) Set prize – All prizes except the Jackpot Prize that are advertised to be paid by a single lump-sum payment and, except as set forth in paragraph (7)(e), will be equal to the prize amount established by MUSL for the prize level.

##### (2) How to Play MEGA MILLIONS.

(a) MEGA MILLIONS is a multi-state lottery online terminal game. In MEGA MILLIONS, players select five numbers from a field of one through seventy-five and one number (the “Mega Ball”) from a separate field of one through fifteen.

(b) Players may make their ticket selections by marking a play slip or by telling the retailer their desired selections.



There are five panels on a play slip, each containing an upper play area and a lower play area. Each panel played will cost \$1.00 per drawing. Players may mark their desired numbers on the play slip by selecting five numbers in the upper play area and one number in the lower play area from each panel played. Players may also mark the "QP" (Quick Pick) box located at the bottom of each play area for the terminal to randomly select one or more numbers from the applicable play area. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. For each panel played, the first five of the six numbers appearing in a single horizontal row on a ticket shall be the numbers selected from the upper play area of the play slip, and the last number shall be the number selected from the lower play area of the play slip.

(c) For an additional \$1.00 per play, players may mark the Megaplier® box to multiply the second through ninth prizes. Megaplier will apply to all panels and advance play marked.

(d) Players must use only blue or black ink or pencil for making selections. Play slips must be processed by a retailer in order to obtain a ticket. Retailers also are authorized to manually enter numbers selected by a player.

(e) Advance Play. Players may play up to twenty-six consecutive drawings by using the "advance play" feature. To use the advance play feature, players may either mark the number of available drawings desired in the "Advance Play" section of a play slip or tell the retailer their desired number of consecutive advance drawings. The number of consecutive drawings marked will include the next available drawing and will apply to each panel (A-E) played. Advance play is not available with Jackpot Combo. In the event that a planned change in the MEGA MILLIONS game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Lottery's website.

(f) Jackpot Combo. Players may elect to play "Jackpot Combo" by marking the "Jackpot Combo \$5" box on the play slip or by telling the retailer. Players will receive three (3) Quick Pick tickets for the next available drawing consisting of one (1) \$2.00 FLORIDA LOTTO® with XTRA ticket, one (1) \$2.00 POWERBALL® ticket and one (1) \$1.00 MEGA MILLIONS® ticket. Tickets in Jackpot Combo play cannot be player selected and cannot be canceled.

#### (3) Drawings.

(a) MEGA MILLIONS drawings shall be conducted two times per week, on Tuesdays and Fridays, at approximately 11:00 p.m. Eastern Time (ET).

(b) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

#### (4) Determination of Prize Winners.

In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket must match the official winning numbers in any order for the drawing date for which the ticket was purchased, in one of the following combinations:

(a) Jackpot Prize: Five numbers selected from the first set of balls plus the number selected from the second set of balls.

(b) Second Prize: Five numbers selected from the first set of balls and not the number selected from the second set of balls.

(c) Third Prize: Four numbers selected from the first set of balls plus the number selected from the second set of balls.

(d) Fourth Prize: Four numbers selected from the first set of balls and not the number selected from the second set of balls.

(e) Fifth Prize: Three numbers selected from the first set of balls plus the number selected from the second set of balls.

(f) Sixth Prize: Three numbers selected from the first set of balls and not the number selected from the second set of balls.

(g) Seventh Prize: Two numbers selected from the first set of balls plus the number selected from the second set of balls.

(h) Eighth Prize: One number selected from the first set of balls plus the number selected from the second set of balls.

(i) Ninth Prize: No numbers selected from the first set of balls and the number selected from the second set of balls.

(5) Limited to Highest Prize Won. The holder of a winning ticket may win only one prize per play in connection with the winning numbers drawn, and shall be entitled only to the prize won by those numbers in the highest matching prize category.

#### (6) Odds of Winning.

(a) The odds of winning the prizes described in subsection (4) are as follows:

1. Jackpot Prize- 1: 258,890,850.00

2. Second Prize- 1: 18,492,203.57

3. Third Prize- 1: 739,688.14

4. Fourth Prize- 1: 52,834.87

5. Fifth Prize- 1: 10,720.12

6. Sixth Prize- 1: 765.75

7. Seventh Prize- 1: 472.95

8. Eighth Prize- 1: 56.47

9. Ninth Prize- 1: 21.39

(b) The overall odds of winning a prize in a MEGA MILLIONS drawing are 1:14.71.

#### (7) Prize Pool.

(a) Prize Pool. The prize pool for all categories shall consist of up to fifty-five percent of each drawing period's sales, but may be higher or lower based upon the number of

winners at each prize level, as well as the funding required to meet a guaranteed annuity prize.

(b) Expected Prize Payout Percentages. The Jackpot Prize shall be determined on a pari-mutuel basis. Except as provided in these rules, all other prizes awarded shall be paid as set prizes with the following expected prize payout percentages:

<u>Tickets Containing the Following in a Single Horizontal Row</u>	<u>Prize Category</u>	<u>Prize Payment</u>	<u>Approximate Percentage of Winnings Pool Allocated to Prize Category</u>
<u>Five first set numbers and the one number of the second set</u>	<u>Jackpot Prize</u>	<u>Jackpot Prize</u>	<u>65.154%</u>
<u>Five first set numbers and none of the second set</u>	<u>Second Prize</u>	<u>\$1,000,000.00</u>	<u>10.815%</u>
<u>Four first set numbers and the one number of the second set</u>	<u>Third Prize</u>	<u>\$5,000.00</u>	<u>1.352%</u>
<u>Four first set numbers and none of the second set</u>	<u>Fourth Prize</u>	<u>\$500.00</u>	<u>1.893%</u>
<u>Three first set numbers and the one number of the second set</u>	<u>Fifth Prize</u>	<u>\$50.00</u>	<u>0.933%</u>
<u>Three first set numbers and none of the second set</u>	<u>Sixth Prize</u>	<u>\$5.00</u>	<u>1.306%</u>
<u>Two first set numbers and the one number of the second set</u>	<u>Seventh Prize</u>	<u>\$5.00</u>	<u>2.114%</u>
<u>One first set number and the one number of the second set</u>	<u>Eighth Prize</u>	<u>\$2.00</u>	<u>7.083%</u>
<u>None of the first set numbers and the one number of the second set</u>	<u>Ninth Prize</u>	<u>\$1.00</u>	<u>9.350%</u>

(c) Prize money allocated to the Jackpot Prize category will be paid on a pari-mutuel basis, divided equally by the number of plays determined to be winners of the Jackpot Prize.

(d) The number of plays determined to be winners of the Second through Ninth Prize levels will be paid as set prizes, except as provided in paragraph (9)(i) below. If all or any portion of the set prize pool is not awarded in the current MEGA MILLIONS drawing, that portion of the set prize pool shall be carried forward to subsequent MEGA MILLIONS drawings.

(e) Any interest or earnings accrued on a set prize prior to prize payment shall accrue to the State of Florida and not to the winner.

(8) Jackpot Prize.

(a) The prize money available in the Jackpot Prize pool will be divided equally among all jackpot prize winning plays in all participating lotteries. Jackpot prizes won shall be funded in accordance with the formula set by the MEGA MILLIONS Lotteries. The minimum guaranteed annuity prize

amount is \$15 million. If the Jackpot Prize is not won in a drawing, the prize money allocated for the Jackpot Prize shall roll over and be added to the Jackpot Prize pool for the following drawing.

(b) Players can choose one of two payment options for receiving their portion of the MEGA MILLIONS Jackpot Prize. Payment options are “Cash Option” and “Annual Payment.”

(c) Jackpot Prize winners have sixty days after the winning draw date to choose between the two payment options. Once the Jackpot Prize winner signs the Winner Claim Form, files a claim and exercises the winner's chosen option, the election of that option shall be final and cannot be revoked, withdrawn or otherwise changed except as provided in paragraph (8)(j) below.

(d) In order to select the Cash Option, the Jackpot Prize winner must submit his or her ticket for payment within sixty days after the winning draw date. If the Jackpot Prize winner does not elect the Cash Option within sixty days after the winning draw date, the Annual Payment option will be applied, except as provided in paragraph (8)(g) below.

(e) A Jackpot Prize winner who chooses the Cash Option will be paid in a single cash payment, less applicable withholding taxes. The Cash Option amount offered shall be the amount determined by multiplying the annuitized prize amount by a discount value set by the MEGA MILLIONS Lotteries Finance Committee prior to each drawing, divided by the number of total individual winner’s shares for the MEGA MILLIONS game.

(f) If a Jackpot Prize winner elects the Annual Payment option, his or her share of the Jackpot Prize will be paid in thirty graduated annual installments, each less applicable withholding taxes. The initial payment shall be paid upon completion of internal validation procedures. The subsequent twenty-nine payments shall be paid annually to coincide with the month of the Federal auction date at which the bonds were purchased to fund the annuity. Payments shall escalate by a factor of five percent annually, and annual payments shall be rounded down to the nearest even one thousand dollar increment. All such payments shall be made within seven days of the anniversary of the annual auction date. MUSL shall purchase securities through a competitive purchase with a minimum of three primary brokerage firms of its choice.

(g) If individual winners’ shares of the cash held to fund Annual Payments are less than \$250,000.00, the Product Group is authorized to pay the winners their share of the cash held in the Jackpot Prize pool.

(h) Annuitized payment of the Jackpot Prize or a share of the Jackpot Prize will be rounded to facilitate the purchase of an appropriate funding mechanism. Rounding differences on an annuitized Jackpot Prize win shall be added to the first cash

payment to the winner or winners. Prizes other than the Jackpot Prize, which under this rule may become single-payment, pari-mutuel prizes, will be rounded down so that prizes can be paid in multiples of whole dollars. Rounding differences resulting from rounding these prizes shall be carried forward to the prize pool for the next drawing.

(i) The Florida Lottery will make the initial and any subsequent payments of a prize upon receipt of funds for such prize from MUSL.

(j) In the event of the death during the annuity payment period of a MEGA MILLIONS winner who elected the Annual Payment option, the estate of the deceased winner (the "Estate") may file a petition with the Florida Lottery to accelerate payment of all the remaining prize proceeds to the Estate. Such petition will be forwarded by the Florida Lottery to MUSL for processing.

(k) Federal income taxes shall be applied and withheld from the prize amount at the time payment is made, pursuant to applicable provisions of the Internal Revenue Code and Code of Federal Regulations.

(l) Any interest or earnings accrued on a MEGA MILLIONS Jackpot Prize prior to prize payment shall accrue to MUSL and not to the winner.

(9) MEGA MILLIONS Megaplier®.

(a) The Megaplier option shall be available in association with the MEGA MILLIONS game.

(b) At the time of purchasing a ticket, a player may choose the Megaplier feature for an additional \$1.00 per play for each play on the MEGA MILLIONS ticket to increase the guaranteed prize amount for the second through ninth tier prizes.

(c) Megaplier drawing. A separate random Megaplier drawing will occur before every MEGA MILLIONS drawing to determine one multiplier number for that drawing, which will be a 2, 3, 4, or 5. The multiplier number drawn will be used to multiply the value of the prizes for the second through ninth tiers. In the event the multiplier drawing does not occur prior to the MEGA MILLIONS drawing, the multiplier number will be a 5. The multiplier number may also be referred to as the Megaplier number.

(d) The following table sets forth the probability of the various multiplier numbers being drawn during a single Megaplier drawing.

Multiplier	Probability of Prize Increase
5X	6 in 15
4X	3 in 15
3X	4 in 15
2X	2 in 15
Multiplier numbers do not apply to the MEGA MILLIONS Jackpot Prize	

(e) Application of multiplier number.

1. Second through Ninth Prizes. The multiplier number selected is the number that is used to increase the prize amount for the Second through Ninth Prizes. A Second through Ninth Prize winner who purchases the Megaplier feature with his or her MEGA MILLIONS ticket shall be paid a prize in the amount of the set prize amount multiplied by the multiplier number for that drawing.

2. Jackpot Prize. The Megaplier feature does not apply to the Jackpot Prize.

(f) The Product Group is authorized to conduct sales promotions in which the multiplier features are changed.

(g) MEGA MILLIONS tickets that win the Second through Ninth Prizes with the Megaplier option will pay the amounts shown below:

Match	Prize	Without Megaplier	With Megaplier 2X	With Megaplier 3X	With Megaplier 4X	With Megaplier 5X
Match 5+0	Second	\$1,000,000.00	\$2,000,000.00	\$3,000,000.00	\$4,000,000.00	\$5,000,000.00
Match 4+1	Third	\$5,000.00	\$10,000.00	\$15,000.00	\$20,000.00	\$25,000.00
Match 4+0	Fourth	\$500.00	\$1,000.00	\$1,500.00	\$2,000.00	\$2,500.00
Match 3+1	Fifth	\$50.00	\$100.00	\$150.00	\$200.00	\$250.00
Match 3+0	Sixth	\$5.00	\$10.00	\$15.00	\$20.00	\$25.00
Match 2+1	Seventh	\$5.00	\$10.00	\$15.00	\$20.00	\$25.00
Match 1+1	Eighth	\$2.00	\$4.00	\$6.00	\$8.00	\$10.00
Match 0+1	Ninth	\$1.00	\$2.00	\$3.00	\$4.00	\$5.00

(h) The prize pool for Megaplier set prizes shall consist of up to fifty-five percent of each drawing period's sales. The Megaplier prize pool shall be carried forward to subsequent drawings if all or a portion of it is not needed to pay the Megaplier prizes awarded in the current drawing.

(i) If, with respect to a single MEGA MILLIONS drawing, the total of the MEGA MILLIONS set prizes and the Megaplier prizes awarded in a drawing exceeds the percentage of the prize pools allocated to the set prizes, and there are insufficient funds from all sources to pay the set prizes for a particular MEGA MILLIONS drawing (including Megaplier prize amounts), then the highest set prize (including the Megaplier prize amount) shall become a pari-mutuel prize. If the amount of the highest set prize, when paid on a pari-mutuel basis, drops to or below the next highest set prize and there are still not sufficient funds to pay the remaining set prizes, the next highest set prize, including the Megaplier prize amount, shall become a pari-mutuel prize. This procedure shall continue down through all set prize levels, if necessary, until all set prize levels become pari-mutuel. MEGA MILLIONS and Megaplier prizes will be reduced by the same percentage. For example, if the Match 4+1 MEGA MILLIONS set prize amount of \$5,000.00 becomes a pari-mutuel prize of \$2,000.00, a Megaplier player winning that prize amount with a 4X multiplier would win \$8,000.00 (\$2,000.00 x 4).

(j) MEGA MILLIONS set prizes that become pari-mutuel will be rounded down so that they can be paid in multiples of whole dollars. Funds remaining after rounding shall be carried forward to the prize pool for the next MEGA MILLIONS drawing.

(k) MEGA MILLIONS with Megaplier prizes shall be paid in single, lump-sum payment.

(10) MEGA MILLIONS Rules and Prohibitions.

(a) By purchasing a MEGA MILLIONS ticket, a player agrees to comply with and abide by all rules of the Florida Lottery.

(b) Florida MEGA MILLIONS prizes shall be claimed only through a Florida Lottery retailer or Lottery office beginning on the day following the drawing. The Florida Lottery is not authorized to accept claims or pay prizes for MEGA MILLIONS tickets purchased in other jurisdictions. MEGA MILLIONS prize payments 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.

(c) Subject to a retailer's hours of operation and on-line system availability, MEGA MILLIONS lottery tickets are available for purchase daily between the hours of 6:00 a.m. and 12:00 midnight, ET. Ticket sales for a specific MEGA MILLIONS drawing will close at 10:00 p.m., ET, on the night of the drawing. Any ticket sold after the close of game will be printed with the next MEGA MILLIONS drawing date.

(d) MEGA MILLIONS tickets cannot be canceled.

(11) The effective date of this emergency rule is October 19, 2013.

Rulemaking Authority 24.105(9)(a), (b), (c), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented, 24.105(9)(a), (b), (c) (e), (f), (h), 24.115(1), 24.116(1), 24.117(2), 24.124(1) FS. History—New 10-19-13, Replaces 53ER13-47.

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: October 19, 2013

## Section V

### Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NO.: RULE TITLE:

64B-1.013 Post-Examination Review

NOTICE IS HEREBY GIVEN that on October 15, 2013, the Florida Department of Health, received a petition for Variance.

Petitioner's Name: David A. Spande

Rule No.: subsection 64B-1.013(2), Florida Administrative Code

Nature of the rule for which variance or waiver is sought: A candidate who has taken and failed a department-developed computer-based examination shall request a post-examination review in writing to the contracted vendor. The request shall be emailed to the contracted vendor within 21 days from the date that official notification of the failing grade is posted. Official grades are posted on the Examination Services website at <http://www.doh.state.fl.us/mqa/Exam/index.htm>. Post-examination reviews shall be completed no later than 60 days following the date on which the grades for the examination are posted on the Examination Services website.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jennifer Quinn Miller, Florida Department of Health, 4052 Bald Cypress Way, Bin C90, Tallahassee, Florida 32399, (850)245-4252.

## Section VI

### Notice of Meetings, Workshops and Public Hearings

#### DEPARTMENT OF STATE

The Office of Cultural, Historical and Information Programs announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, October 25, 2013, 10:00 a.m.

PLACE: This is a webinar for which registration is required. Please use this link to register: <http://bit.ly/19y5BP5>. Telephone only access is available by dialing 1(888)670-3525 and entering passcode 1762906579.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Viva Florida 500 has proved to be a successful awareness campaign, collectively bringing more attention to Florida's history and diverse cultural heritage than ever before. This webinar will provide highlights of the Viva Florida 500 program to date, present results from research evaluating the impact of the initiative, and provide information on how Viva Florida will live on in 2014 and beyond. Find out how you and many other individuals, organizations and communities can utilize the Viva Florida brand to expand the visibility of your site, organization and business, while promoting Florida's history and cultural heritage.

A copy of the agenda may be obtained by contacting: Rachel Porter, Special Programs Coordinator, (850)245-6360.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Rachel Porter, Special Programs Coordinator, (850)245-6360. 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: Rachel Porter, Special Programs Coordinator, (850)245-6360.

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#### DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 5, 2013, 9:00 a.m. – 5:00 p.m.

PLACE: Conference call: 1(888)670-3525, conference code (7923533220)

GENERAL SUBJECT MATTER TO BE CONSIDERED: \*NOTE – This conference call replaces the FRC November Quarterly Meeting previously scheduled in Miami, Florida, November 5 – 7, 2013.

General FRC Business that includes but is not limited to: discussion of the FRC Annual Report, Directors Report, Public Forum, Vocational Rehabilitation Budget, Order of Selection and other issues.

A copy of the agenda may be obtained by contacting Roy Cosgrove at (850)245-3317 or at [roy.cosgrove@vr.fldoe.org](mailto:roy.cosgrove@vr.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: Roy Cosgrove at (850)245-3317 or at [roy.cosgrove@vr.fldoe.org](mailto:roy.cosgrove@vr.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 Roy Cosgrove at (850)245-3317 or at [roy.cosgrove@vr.fldoe.org](mailto:roy.cosgrove@vr.fldoe.org).

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#### DEPARTMENT OF EDUCATION

Division of Florida Colleges

The Gulf Coast State College District Board of Trustees announces a public meeting to which all persons are invited.

DATE AND TIME: November 7, 2013, 10:00 a.m. EST

PLACE: Gulf/Franklin Campus, Gulf Coast State College

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting.

A copy of the agenda may be obtained by contacting: Dr. Jim Kerley, President, Gulf Coast State College.

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#### DEPARTMENT OF EDUCATION

Division of Florida Colleges

The Gulf Coast State College District Board of Trustees announces a workshop to which all persons are invited.

DATE AND TIME: November 7, 2013, 12:00 Noon EST

PLACE: Gulf/Franklin Campus, Gulf Coast State College

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop.

A copy of the agenda may be obtained by contacting: Dr. Jim Kerley, President, Gulf Coast State College.

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#### DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

The Office of Early Learning announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 24, 2013, 1:00 p.m.

PLACE: Carrie D. Robinson Community Center, 2956 Edison Avenue, Fort Myers, Florida 33916

GENERAL SUBJECT MATTER TO BE CONSIDERED: State Advisory Council initiatives update.

A copy of the agenda may be obtained by contacting: [Lisa.Billups@oel.myflorida.com](mailto:Lisa.Billups@oel.myflorida.com).

**REGIONAL PLANNING COUNCILS**

**Tampa Bay Regional Planning Council**

The Tampa Bay Regional Planning Council's Clearinghouse Review Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** October 28, 2013, 9:30 a.m.

**PLACE:** 4000 Gateway Centre Blvd, #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: Mr. Avera Wynne, (727)570-5151, ext. 30.

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 4 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).

**REGIONAL PLANNING COUNCILS**

**South Florida Regional Planning Council**

The South Florida and Treasure Coast Regional Planning Councils announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, November 1, 2013, 10:15 a.m.

**PLACE:** Broward MPO Board Room, 100 West Cypress Creek Road, Suite 850, Fort Lauderdale, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Southeast Florida Regional Partnership Executive Committee provides oversight of the Sustainable Communities Regional Planning Grant; approves the overall work plan; provides guidance to the Project Director and Project Team; provides policy direction for the Seven50 Plan; ensures that all constituencies have meaningful opportunities to engage and shape the Seven50 process; identifies and resolves significant issues arising during the process; and recommends the final regional vision, Seven50 Plan, and implementation plan.

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.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

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

**DATE AND TIME:** October 29, 2013, 10:00 a.m.

**PLACE:** South Florida Water Management District Headquarters, 3301 Gun Club Road, West Palm Beach, FL 33406

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Quarterly meeting of the Everglades Technical Oversight Committee (TOC).

A copy of the agenda may be obtained by contacting: (1) District Website (<http://www.sfwmd.gov/toc>) or (2) by writing Kim Chuirazzi, South Florida Water Management District, Mail Stop 4442, PO Box 24680, West Palm Beach, FL 33416-4680.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: District Clerk, (561)682-2087. 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: Kim Chuirazzi, in the Water Quality Bureau, phone number (561)682-2425, South Florida Water Management District, Mail Stop 4442, PO Box 24680, West Palm Beach, FL 33416-4680.

**DEPARTMENT OF ELDER AFFAIRS**

The Area Agency on Aging of Central Florida, Inc. d/b/a Senior Resource Alliance announces a hearing to which all persons are invited.

**DATE AND TIME:** Friday, November 8, 2013, 10:00 a.m.

**PLACE:** 988 Woodcock Rd, Suite 105, Orlando, FL 32803

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Area Agency on Aging of Central Florida, Inc. d/b/a Senior Resource Alliance will hold a public hearing on the Central Florida Area Plan on Aging 2013-2015. Senior Resource Alliance Board of Directors Meeting

Your input provides valuable needs assessment information to prioritize federal and state funds for home and community-based services in Brevard, Orange, Osceola, and Seminole Counties.

A copy of the agenda may be obtained by contacting: (407)514-1800. For more information, directions, or to request

accommodations, please call (407)514-1800 or submit your request through the website contact link.

A copy of the Area Plan on Aging is available at: <http://www.seniorresourcealliance.org/about/psa-7-area-plan-on-aging-2009-2011/>.

For more information, you may contact: (407)514-1800.

#### DEPARTMENT OF HEALTH

##### Board of Chiropractic

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

DATE AND TIME: Thursday, November 7, 2013, 9:30 a.m. at meet me number 1(888)670-3525, participate code 9238150597

PLACE: Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Sherra W. Mears, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

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: Sherra W. Mears. 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 HEALTH

##### Board of Medicine

The Boards of Medicine and Osteopathic Medicine – Telemedicine Subcommittee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 14, 2013, 1:30 p.m.

PLACE: Tampa Airport Marriott, 4200 George J. Bean Pkwy., Tampa, Florida 33607, Hotel phone number: (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. Committee meetings may be cancelled prior to the meeting date. Please check the Board website at [www.FLBoardofMedicine.gov](http://www.FLBoardofMedicine.gov) for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Crystal Sanford at [crystal\\_sanford@doh.state.fl.us](mailto:crystal_sanford@doh.state.fl.us) or call at (850)245-4131.

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 10 days before the workshop/meeting by contacting: Crystal Sanford at [crystal\\_sanford@doh.state.fl.us](mailto:crystal_sanford@doh.state.fl.us) or call at (850)245-4131. 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: Crystal Sanford at [crystal\\_sanford@doh.state.fl.us](mailto:crystal_sanford@doh.state.fl.us) or call at (850)245-4131.

#### DEPARTMENT OF HEALTH

##### Board of Medicine

The Boards of Medicine and Osteopathic Medicine – Office Surgery Rule Subcommittee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 14, 2013, immediately following the Telemedicine Subcommittee meeting

PLACE: Tampa Airport Marriott, 4200 George J. Bean Pkwy., Tampa, Florida 33607, Hotel phone number: (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. Committee meetings may be cancelled prior to the meeting date. Please check the Board website at [www.FLBoardofMedicine.gov](http://www.FLBoardofMedicine.gov) for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Crystal Sanford at [crystal\\_sanford@doh.state.fl.us](mailto:crystal_sanford@doh.state.fl.us) or call at (850)245-4131.

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 10 days before the workshop/meeting by contacting: Crystal Sanford at [crystal\\_sanford@doh.state.fl.us](mailto:crystal_sanford@doh.state.fl.us) or call at (850)245-4131. 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: Crystal Sanford at [crystal\\_sanford@doh.state.fl.us](mailto:crystal_sanford@doh.state.fl.us) or call at (850)245-4131.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

The Boards of Medicine and Osteopathic Medicine Telemedicine Joint Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 14, 2013, 1:30 p.m., EST

PLACE: Tampa Airport Marriott, 4200 George J. Bean Parkway, Tampa, Florida 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee.

A copy of the agenda may be obtained by contacting: Christy Robinson at (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 10 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.

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DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

The Boards of Medicine and Osteopathic Medicine Office Surgery Rule Joint Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 14, 2013, immediately following the Telemedicine Joint Committee meeting

PLACE: Tampa Airport Marriott, 4200 George J. Bean Parkway, Tampa, Florida 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee.

A copy of the agenda may be obtained by contacting: Christy Robinson at (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 10 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.

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DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

The Board of Osteopathic Medicine announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 15, 2013, 9:00 a.m., EST

PLACE: Tampa Airport Marriott, 4200 George J. Bean Parkway, Tampa, Florida 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Board. This notice is to replace notice # 12485857.

A copy of the agenda may be obtained by contacting: Christy Robinson at (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.

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DEPARTMENT OF HEALTH

Office of Statewide Research

The Florida Department of Health announces a public meeting to which all persons are invited.

DATE AND TIME: November 21, 2013, 10:00 a.m. – 3:00 p.m.

PLACE: Orange County Health Department, 6101 Lake Ellenor Drive, Orlando, FL 32809, office: (407)858-1429

GENERAL SUBJECT MATTER TO BE CONSIDERED: Biomedical Research Advisory Council meeting pertaining to the James and Esther King Biomedical Research Program and the Bankhead-Coley Cancer Research Program.

A copy of the agenda may be obtained by contacting: Sarah Hofmeister, (850)245-4444, ext. 3591, Division of Community Health Promotion, Public Health Research Unit.

For more information, you may contact: Sarah Hofmeister, (850)245-4444, ext. 3591, Division of Community Health Promotion, Public Health Research Unit.



NAVIGATION DISTRICTS

West Coast Inland Navigation District

RULE NO.: RULE TITLE:

66A-2.003 Policy

The West Coast Inland Navigation District announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 1, 2013, 10:30 a.m.

PLACE: Venice City Hall, 401 W. Venice Ave., Venice, FL 34285

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Navigation District.

A copy of the agenda may be obtained by contacting: WCIND, 200 East Miami Ave., Venice, FL 34285.

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.

GULF CONSORTIUM

The Gulf Consortium announces a meeting of the Committee of Eight Disproportionately Affected Counties by conference call and public meeting to which all persons are invited.

DATE AND TIME: October 25, 2013, 10:00 a.m. Eastern Daylight Time

PLACE: Florida Department of Environmental Protection, Carr Building, Room 170, 3900 Commonwealth Boulevard, Tallahassee, Florida; conference call number, 1(888)670-3525; participant code: 998 449 5298#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Engagement of a federal consultant on RESTORE Act issues.

A copy of the agenda may be obtained by contacting: Doug Darling at (850)922-4300 or ddarling@fl-counties.com or see www.FACRestore.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: Doug Darling at (850)922-4300 or ddarling@fl-counties.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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 Doug Darling at (850)922-4300 or ddarling@fl-counties.com or see www.FACRestore.com.

HARDEE COUNTY ECONOMIC DEVELOPMENT AUTHORITY

The Hardee County Economic Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: October 29, 2013, 8:30 a.m.

PLACE: 412 West Orange Street, Room 102, Wauchula, FL 33873

GENERAL SUBJECT MATTER TO BE CONSIDERED: Extra grant cycles, general business, and CF Development Agreement.

A copy of the agenda may be obtained by contacting: Sandy Meeks, (863)773-9430.

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: Sandy Meeks, (863)773-9430. 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: Sandy Meeks, (863)773-9430.

METRIC ENGINEERING, INC.

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

DATE AND TIME: Tuesday, October 29, 2013, 4:30 p.m. – 6:30 p.m.

PLACE: Community Room of the Ocala Police Department, 402 South Pine Avenue, Ocala, Florida 34471

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Financial Management Nos. 431797-1-22-01 and 431798-1-22-01

Project Description: NE 25th Avenue and NE 36th Avenue, Marion County

Project Development and Environment Study (PD&E)

The Florida Department of Transportation (FDOT) is holding a public kickoff meeting for the NE 25th Avenue and NE 36th

Avenue, Project Development and Environment (PD&E) studies. The objective of the studies is to provide overall operational improvements along both study corridors. The studies will analyze the proposed widening of both avenues between NE 14th Street and NE 35th Street, as well as the feasibility of providing a bridge overpass at the CSX railroad crossings and improvements to pedestrian and bicycle accommodations.

Participants may review project information, watch a project presentation, and discuss the project with FDOT staff at any time during the meeting. You may also visit the project website at [www.ocalaroadwaystudies.com](http://www.ocalaroadwaystudies.com).

A copy of the agenda may be obtained by contacting: John Flora at [jflora@metriceng.com](mailto:jflora@metriceng.com) or (407)644-1898.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Jazlyn Heywood at (386)943-5388. 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: Ms. Jazlyn Heywood, the FDOT Project Manager at (386)943-5388 or email at [Jazlyn.heywood@dot.state.fl.us](mailto:Jazlyn.heywood@dot.state.fl.us).

**GEORGE & ASSOCIATES CONSULTING ENGINEERS, INC.**

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

DATE AND TIME: Thursday, October 24, 2013, 6:00 p.m. – 7:00 p.m. (EDT)

PLACE: Bethel A.M.E. Church, 501 West Orange Avenue, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The department is holding a Public Meeting to inform interested parties of the State Road (S.R.) 373 (Orange Avenue) Bridge Replacement over the St. Marks Bike Trail in Leon County. The project consists of the replacement of the

bridge, reconstruction of the roadway approaching each end of the bridge, drainage improvements and new sidewalk along the south side of S.R. 373. Due to the nature of this project, S.R. 373 in the area of the bridge will be closed to traffic along with the St. Marks Bike Trail. Additional details regarding the detour routes will be available at the meeting.

A copy of the agenda may be obtained by contacting: Eric Saggars, P.E., General Consultant Project Manager at (850)415-9010.

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: Eric Saggars, P.E., General Consultant Project Manager at (850)415-9010 or [esaggars@hntb.com](mailto:esaggars@hntb.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: Eric Saggars at the number or email address listed above.

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

NONE

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**Section VIII  
Notice of Petitions and Dispositions  
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filled with the Division of Administrative Hearings on the following rules:

NONE

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Notice of Disposition of Petition for Administrative Determination has been filled with the Division of Administrative Hearings on the following rules:

NONE

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Section IX  
Notice of Petitions and Dispositions  
Regarding Non-rule Policy Challenges

NONE

Section X  
Announcements and Objection Reports of the  
Joint Administrative Procedures Committee

NONE

Section XI  
Notices Regarding Bids, Proposals and  
Purchasing

NONE

Section XII  
Miscellaneous

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

DECISION ON EXPEDITED APPLICATION

The Agency for Health Care Administration made the following decision on Certificate of Need application for expedited review:

County: Broward Service District: 10

CON#: 10203 Decision Date: 10/16/2013 Decision: A

Facility/Project: John Knox Village of Pompano Beach

Applicant: John Knox Village of Florida, Inc.

Project Description: Add 17 sheltered nursing home beds

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Register pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

Section XIII  
Index to Rules Filed During Preceding  
Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.