

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.: RULE TITLE:
5E-2.040 Pesticide Active Ingredients Subject to Supplemental Registration Fee

PURPOSE AND EFFECT: The purpose of this rulemaking is to comply with the provisions of Section 487.041(1)(d)1., Florida Statutes. The effect will be the biennial publication of the active ingredients for which a registrant of a brand of pesticide is subject to the supplemental registration fee as required by Section 487.041, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Pesticide active ingredients subject to the supplemental registration fee.

RULEMAKING AUTHORITY: 487.041, 570.07(23) FS.

LAW IMPLEMENTED: 487.041 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Dr. Dennis F. Howard, Bureau Chief, Bureau of Scientific Evaluation and Technical Assistance, 3125 Conner Boulevard, Building 6, Tallahassee, FL 32399-1650; (850)617-7917; Dennis.Howard@FreshFromFlorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5E-2.040 Pesticide Active Ingredients Subject to Supplemental Registration Fee.

(+) The pesticide active ingredients subject to the supplemental registration fee established in Sections 487.041(1)(d) and (2), F.S., is published in the list entitled, of “Registered Pesticide Active Ingredients for which a Brand of Pesticide is Subject to a Supplemental Fee”, (Version 08-08-14 04 21 11), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX> or may be obtained from the Florida Department of Agriculture and Consumer Services, Bureau of Scientific Evaluation and Technical Assistance, 3125 Conner Boulevard, Building 6, Tallahassee, Florida 32399-1650; (850)617-7917, are subject

~~to the supplemental registration fee established in Sections 487.041(d) and (2), F.S.~~

~~(2) All forms, filing specifications, and materials contained in this rule are hereby adopted and incorporated by reference and may be obtained from the Florida Department of Agriculture and Consumer Services, Bureau of Pesticides, 3125 Conner Boulevard, Building 6, Tallahassee, Florida 32399-1650; (850)617-6917 or <http://www.flrules.org/Gateway/reference.asp?No=Ref-01258>. Rulemaking Authority 487.041(1)(d), (2), 570.07(23) FS. Law Implemented 487.041(1)(d), (2) FS. History—New 12-15-09, Amended 6-26-12, _____.~~

PUBLIC SERVICE COMMISSION

RULE NOS.: RULE TITLES:
25-4.0665 Lifeline Service
25-4.113 Refusal or Discontinuance of Service by Company

PURPOSE AND EFFECT: Rule 25-4.0665, F.A.C., would be amended to require eligible telecommunications carriers to comply with subscriber eligibility determinations and certifications as contained in CFR §§54.407, 54.409, 54.410, and 54.416, except as to obtaining and providing valid certification and re-certification forms, to eliminate Link-Up, to update Forms PSC/TEL 157 and 158, to require that a subscriber's Lifeline local service may not be discontinued because of nonpayment of charges for non-basic services and toll charges, to eliminate quarterly reporting requirements, and to clarify telecommunications carrier responsibilities regarding record retention, resale of Lifeline lines, and advertising, including developing outreach materials for specific consumer groups and outreach strategies. Consistent with the 2011 changes made to Ch. 364, F.S., Rule 25-4.113, F.A.C., would be repealed.

Undocketed.

SUBJECT AREA TO BE ADDRESSED: Telecommunications utility regulation.

RULEMAKING AUTHORITY: 350.127(2), 364.10(2)(j) FS.

LAW IMPLEMENTED: 364.10, 364.105, 364.183(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rosanne Gervasi, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6224, rgervasi@psc.state.fl.us

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.: RULE TITLES:
 59A-5.021 Plans Submission and Fee Requirements
 59A-5.022 Physical Plant Requirements for Ambulatory Surgical Centers

PURPOSE AND EFFECT: The Agency proposes to revise rules related to fire control, construction plans submission and fee requirements and physical plant requirements for ambulatory surgical centers, to conform to current statutory requirements.

SUBJECT AREA TO BE ADDRESSED: This rule revision will revise or repeal existing rules to conform to the current Florida Building Code and Florida Fire Prevention Code.

RULEMAKING AUTHORITY: 395.1055 FS.

LAW IMPLEMENTED: 395.0163 FS.

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

DATE AND TIME: October 6, 2014, 10:00 a.m. – 11:00 a.m.
 PLACE: Agency for Health Care Administration, Ft. Knox Bldg. 3, Conference Room D, 2727 Mahan Drive, Tallahassee, FL 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Scott Waltz, Bureau of Plans and Construction, 2727 Mahan Drive, MS #28A, Tallahassee, FL 32308, (850)412-4485. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Scott Waltz, Bureau of Plans and Construction, 2727 Mahan Drive, MS #28A, Tallahassee, FL 32308, (850)412-4485

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AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
 59G-6.080 Payment Methodology for Federally Qualified Health Center and Rural Health Center Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-6.080, F.A.C., is to incorporate by reference the Florida Title XIX Federally Qualified Health Center and Rural Health Center Reimbursement Plan, Version V, effective July 1, 2014. The amendment will reorganize the Plan for federally qualified health center and rural health center services, clarify existing language, and remove obsolete language.

SUBJECT AREA TO BE ADDRESSED: Payment Methodology for Federally Qualified Health Center and Rural Health Center Services.

An additional area to be addressed during the workshop will be the potential regulatory impact the amendment to Rule 59G-6.080, F.A.C., will have as provided for under Sections 120.54 and 120.541, F.S.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 FS.

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

DATE AND TIME: Thursday, October 9, 2014, 10:00 a.m. – 11:00 a.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: Edwin Stephens. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Edwin Stephens, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4077, e-mail: edwin.stephens@ahca.myflorida.com, Comments will be received until 5:00 p.m. on Thursday, October 16, 2014.

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-14.007 **RULE TITLE:** Standard of Care for Office Surgery

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to clarify several of the requirements with regard to office surgery, including clarification of the various levels of office surgery; updating of the anesthesia monitoring guidelines; clarification of required training; and updating and clarification of equipment and supplies.

SUBJECT AREA TO BE ADDRESSED: Clarifications and updates for the standard of care for office surgery.

RULEMAKING AUTHORITY: 459.005, 459.015(1)(z), 459.026 FS.

LAW IMPLEMENTED: 459.015(1)(g), (x), (z), (aa), 459.026 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Christy Robinson, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

**Section II
Proposed Rules**

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement

RULE NO.: 60S-4.020 **RULE TITLE:** Retiree Health Insurance Subsidy

PURPOSE AND EFFECT: To bring the Retiree Health Insurance Subsidy Section up to date.

SUMMARY: Update the Retiree Health Insurance Subsidy Section.

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: Not required because there are no adverse impacts on economic growth, business competitiveness or regulatory costs of more than \$1M in the aggregate within five years of implementation.

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: 112.363(7), 121.031(1) FS.
 LAW IMPLEMENTED: 112.363 FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
 DATE AND TIME: Monday, October 13, 2014, 10:30 a.m., ET
 PLACE: Division of Retirement of the Department of Management Services, Director’s Conference Room, Suite 208, 1317 Winewood Blvd., Bldg. 8, Tallahassee, Florida 32399-1560

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: Beth Rissinger, Senior Benefits Analyst, Division of Retirement, Department of Management Services at (850)778-4404. 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: Garry Green, Operations and Management Consultant Manager, Department of Management Services, Division of Retirement, 1317 Winewood Blvd., Bldg. 8, Tallahassee FL 32399-1560, (850)488-5706

THE FULL TEXT OF THE PROPOSED RULE IS:

- 60S-4.020 Retiree Health Insurance Subsidy.
 - (1) through (2) No change.
 - (3) The Retiree Health Insurance Subsidy shall be paid to eligible persons by the Division. The amount of the monthly retiree health insurance subsidy payment shall be equal to the number of years of creditable service included in the calculation of the member’s retirement benefit multiplied by:
 - (a) \$1, beginning January 1, 1988, the subsidy amount not to exceed \$30, or be less than \$10.
 - (b) \$2, beginning January 1, 1989, the subsidy amount not to exceed \$60, or be less than \$20.
 - (c) \$3, beginning January 1, 1991, the subsidy amount not to exceed \$90, or be less than \$30.
 - (d) \$5, beginning January 1, 1999, the subsidy amount not to exceed \$150, or be less than \$50.
 - (e) \$5, beginning July 1, 2001, the subsidy amount not to exceed \$150, or be less than \$30.
 - (4) No change.

Rulemaking Authority 112.363(7), 121.031(~~1~~) FS. Law Implemented 112.363 FS. History–New 5-18-88, Amended 11-14-91, Formerly 22B-4.020, Amended 3-18-93, 2-24-99, 4-17-12, 3-25-13,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Dan Drake, Director
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Craig J Nichols, Agency Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 25, 2014
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 17, 2014

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.009
 RULE TITLE: Standard of Care for Office Surgery

PURPOSE AND EFFECT: The proposed rule amendments are intended to clarify several of the requirements with regard to office surgery, including clarification of the various levels of office surgery; updating of the anesthesia monitoring guidelines; clarification of required training; and updating and clarification of equipment and supplies.

SUMMARY: The proposed rule amendments clarify the various levels of office surgery; update the anesthesia monitoring guidelines; clarify the training requirements and provide updates and clarifications to required equipment and supplies.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION:

The agency, after conferring with representatives of the Florida Society of Anesthesiologists and interested physicians, determined that the rules in question may very well have some adverse impact on office surgery facilities that will qualify as small business. A SERC has 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. In summary, the rule is expected to require some offices performing Level I procedures to obtain additional equipment and supplies and to provide additional training to employees. However, as set forth in the SERC, many of these offices already have the requisite equipment, supplies, and training. Additionally, some Level I offices are exempt from the additional requirements because they perform only minor procedures. Level II and Level III offices will also have some additional impact with regard to the required list of medications and training. However, most of these offices are already in compliance with the proposed changes and will see minimal impact from the rule amendments. The requirement for Level III facilities to review policies and procedures will require additional staff time and will also result in additional costs to these offices. The SERC prepared by the Board staff estimates that the costs to small business to be approximately \$213,245 in one year and \$983,005 over five years.

Representatives from the Florida Society of Anesthesiologists, various risk management consultants, and others who perform office surgery procedures appeared and provided testimony to the Board of Medicine and Board of Osteopathic Medicine Office Surgery Joint Subcommittee at several meetings and submitted additional information regarding the economic impact and the various costs associated with the proposed changes in equipment, supplies and training.

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: 458.309(1), 458.331(1)(v) FS.
LAW IMPLEMENTED: 458.331(1)(v), 458.351 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: Allison M. Dudley, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-9.009 Standard of Care for Office Surgery.

NOTHING IN THIS RULE RELIEVES THE SURGEON OF THE RESPONSIBILITY FOR MAKING THE MEDICAL DETERMINATION THAT THE OFFICE IS AN APPROPRIATE FORUM FOR THE PARTICULAR PROCEDURE(S) TO BE PERFORMED ON THE PARTICULAR PATIENT.

(1) Definitions.

(a) through (b) No change.

(c) Equipment. For the purpose of this rule, implicit within the use of the term of equipment is the requirement that the specific item named must meet current performance standards according to manufacturer's guidelines.

(d) through (g) No change.

(2) General Requirements for Office Surgery.

(a) The surgeon must examine the patient immediately before the surgery to evaluate the risk of anesthesia and of the surgical procedure to be performed. The surgeon may delegate the preoperative heart lung evaluation to a qualified anesthesia provider within the scope of the provider's practice and, if applicable, protocol. The surgeon must maintain complete records of each surgical procedure, as set forth in Rule 64B8-9.003, F.A.C., including anesthesia records, when applicable and the records shall contain written informed consent from the patient reflecting the patient's knowledge of identified risks, consent to the procedure, type of anesthesia and anesthesia provider, and that a choice of anesthesia provider exists, i.e.,

anesthesiologist, anesthesiologist assistant, another appropriately trained physician as provided in this rule, certified registered nurse anesthetist, or physician assistant qualified as set forth in subparagraph 64B8-30.012(2)(b)6., F.A.C.

(b) No change.

(c) The surgeon must maintain a log of all liposuction procedures where more than 1,000 cubic centimeters of supernatant fat is removed, and Level II and Level III surgical procedures performed, which must include a confidential patient identifier, time of arrival in the operating suite, documentation of completion of the ~~the name of the physician who provided~~ medical clearances as performed by the anesthesiologist or the operating physician, the surgeon's name, diagnosis, CPT Codes, patient ASA classification, and the type of procedure, the level of surgery, the anesthesia provider, the type of anesthesia used, the duration of the procedure, and any adverse incidents, as identified in Section 458.351, F.S. If not documented elsewhere in the patient record, the surgical log must note the type of post-operative care, duration of recovery, disposition of the patient upon discharge, and list of medications used during surgery and recovery. ~~and any adverse incidents, as identified in Section 458.351, F.S.~~ The log and all surgical records shall be provided to investigators of the Department of Health upon request and must be maintained for six (6) years from the last patient contact.

(d) through (f) No change.

(g) The Board of Medicine adopts the "Standards of the American Society of Anesthesiologists for Basic Anesthetic Monitoring," approved by House Delegates on October 21, 1986, and last amended on October 20, 2010 ~~21, 1998~~, as the standards for anesthetic monitoring by any qualified anesthesia provider.

1. These standards apply to general anesthetics, regional anesthetics, and monitored anesthesia care (Level II and III as defined by this rule) although, in emergency circumstances, appropriate life support measures take precedence. These standards may be exceeded at any time based on the judgment of the responsible supervising physician or anesthesiologist. They are intended to encourage quality patient care, but observing them cannot guarantee any specific patient outcome. They are subject to revision from time to time, as warranted by the evolution of technology and practice. This set of standards addresses ~~address~~ only the issue of basic anesthesia monitoring, which is one component of anesthesia care.

2. No change.

3. Under extenuating circumstances, the responsible supervising physician or anesthesiologist may waive the requirements marked with an asterisk (*); it is recommended that when this is done, it should be so stated (including the reasons) in a note in the patient's medical record. These standards are not intended for the application to the care of the

obstetrical patient in labor or in the conduct of pain management.

- a. No change.
- b. Standard II.

I. No change.

II. OXYGENATION.

(A) No change.

(B) METHODS.

(I) Inspired gas: During every administration of general anesthesia using an anesthesia machine, the concentration of oxygen in the patient breathing system shall be measured by an oxygen analyzer with a low oxygen concentration limit alarm in use.*

(II) Blood oxygenation: During all anesthetics, a quantitative method of assessing oxygenation such as a pulse oximetry shall be employed.* When the pulse oximeter is utilized, the variable pitch pulse tone and the low threshold alarm shall be audible to the anesthesiologist or the anesthesia care team personnel.* Adequate illumination and exposure of the patient are necessary to assess color.*

III. VENTILATION.

(A) OBJECTIVE. To ensure adequate ventilation of the patient during all anesthetics.

(B) METHODS.

(I) Every patient receiving general anesthesia shall have the adequacy of ventilation continually evaluated. Qualitative clinical signs such as chest excursion, observation of the reservoir breathing bag and auscultation of breath sounds are useful. Continual monitoring for the presence of expired carbon dioxide shall be performed unless invalidated by the nature of the patient, procedure or equipment. Quantitative monitoring of the volume of expired gas is strongly encouraged.*

(II) When an endotracheal tube or supraglottic airway laryngeal mask is inserted, its correct positioning must be verified by clinical assessment and by identification of carbon dioxide in the expired gas. Continual end-tidal carbon dioxide analysis, in use from the time of endotracheal tube/supraglottic airway laryngeal mask placement, until extubation/removal or initiating transfer to a postoperative care location, shall be performed using a quantitative method such as capnography, capnometry or mass spectroscopy.* When capnography or capnometry is utilized, the end tidal carbon dioxide alarm shall be audible to the anesthesiologist or the anesthesia care team personnel.*

(III) When ventilation is controlled by a mechanical ventilator, there shall be in continuous use a device that is capable of detecting disconnection of components of the breathing system. The device must give an audible signal when its alarm threshold is exceeded.

(IV) During regional anesthesia (with no sedation) or local anesthesia (with no sedation) and monitored anesthesia care, the

adequacy of ventilation shall be evaluated, ~~at least,~~ by continual observation of qualitative clinical signs. During moderate or deep sedation the adequacy of ventilation shall be evaluated by continual observation of qualitative clinical signs. Monitoring for the presence of exhaled carbon dioxide is recommended.

IV. through V. No change.

(h) through (j) No change.

(k) The surgeon shall report to the Department of Health any adverse incidents that occur within the office surgical setting. This report shall be made within 15 days after the occurrence of an incident as required by Section 458.351, F.S. 197, Chapter 99-397, Laws of Florida.

(l) through (m) No change.

(3) Level I Office Surgery.

(a) Scope. Level I office surgery includes the following:

1. Minor procedures such as excision of skin lesions, moles, warts, cysts, lipomas and repair of lacerations or surgery limited to the skin and subcutaneous tissue performed under topical or local anesthesia not involving drug-induced alteration of consciousness other than minimal pre-operative tranquilization of the patient. The patient's level of sedation is that of minimal sedation and anxiolysis. Minimal sedation and anxiolysis is a drug-induced state during which patients respond normally to verbal commands. Although cognitive function and physical coordination may be impaired, airway reflexes, and ventilatory and cardiovascular functions are unaffected.

2. through 3. No change.

4. ~~Anesthesia Pre-operative medications not required or used other than minimal pre-operative tranquilization of the patient; anesthesia is local, topical, or none, and preoperative medicines are limited to a single anxiolytic drug not in the opiate class. The cumulative dose of the anxiolytic drug shall not exceed the maximum recommended dose (as per the manufacturer's recommendation). No drug induced alteration of consciousness other than minimal pre-operative tranquilization of the patient is permitted in level I Office Surgery.~~

5. No change.

(b) Standards for Level I Office Surgery.

1. Training Required. Surgeon's continuing medical education should include: proper dosages; management of toxicity or hypersensitivity to regional anesthetic drugs. One assistant must hold current certification in an American Heart Association approved Basic Life Support course, and the surgeon must hold current certification in an American Heart Association approved Advanced Cardiac Life Support course ~~Basic Life Support Certification is recommended but not required.~~

2. Equipment and Supplies Required. Intravenous access supplies, oxygen, oral airways, and a Oxygen, positive pressure ventilation device shall be available in the office, along with the

following medications, stored per manufacturer's recommendations:

- (a) Atropine 3 mg;
- (b) Diphenhydramine 50 mg;
- (c) Epinephrine 1 mg in 10 ml;
- (d) Epinephrine 1 mg in 1 ml vial, 3 vials total; and
- (e) Hydrocortisone 100 mg, Epinephrine (or other vasopressor), Corticoids, Antihistamine and Atropine if any anesthesia is used.

3. When performing minor procedures such as excision of skin lesions, moles, warts, cysts, lipomas, and repair of lacerations or surgery limited to the skin and subcutaneous tissue performed under topical or local anesthesia, physicians are exempt from subsections (3)(b)1. and 2., above. Current Basic Life Support certification is recommended but not required.

4. ~~3.~~ Assistance of Other Personnel Required. No other assistance is required, unless the specific surgical procedure being performed requires an assistant.

(4) Level II Office Surgery.

(a) Scope.

1. ~~Level II Office Surgery is that in which peri-operative medication and sedation are used by any means altering the level of consciousness, thus making intra and post operative monitoring necessary. Such procedures shall include, but not be limited to: hemorrhoidectomy, hernia repair, reduction of simple fractures, large joint dislocations, breast biopsies, colonoscopy, and liposuction involving the removal of up to 4000cc supernatant fat.~~

2. Level II Office surgery includes any surgery in which the patient's level of sedation is that of moderate sedation and analgesia or conscious sedation patient. Moderate sedation and analgesia or conscious sedation is a drug-induced depression of consciousness during which patients respond purposefully to verbal commands, either alone or accompanied by light tactile stimulation. No interventions are required to maintain a patent airway, and spontaneous ventilation is adequate. Cardiovascular function is maintained. Reflex withdrawal from a painful stimulus is not considered a purposeful response is placed in a state which allows the patient to tolerate unpleasant procedures while maintaining adequate cardiorespiratory function and the ability to respond purposefully to verbal command and/or tactile stimulation. Patients whose only response is reflex withdrawal from a painful stimulus are sedated to a greater degree than encompassed by this definition.

(b) Standards for Level II Office Surgery.

1. No change.

2. Training Required.

a. No change.

b. One (1) assistant must be currently certified in and by an American Heart Association approved Basic Life Support course and the surgeon must be currently certified in and by an American Heart Association approved Advanced Cardiac Life Support course.

3. Equipment and Supplies Required.

a. Full and current crash cart at the location the anesthetizing is being carried out. Medicines shall be stored per the manufacturer's recommendations and multi-dose vials shall be dated once opened. The crash cart must include, at a minimum, the following intravenous or inhaled resuscitative medications:

- I. Adenosine ~~18 mg~~ 6 mg/2 ml x 3
- II. Albuterol 2.5 mg with small volume nebulizer Inhaler
- III. Amiodarone ~~300 mg~~ 150 mg x 2
- IV. Atropine 3 mg ~~0.4 mg/ml;~~ 3 ml
- V. Calcium chloride 1 gram 10%; 10 ml
- VI. Dextrose 50%; 50 ml
- VII. Diphenhydramine 50 mg
- VIII. Dopamine 200 mg minimum
- IX. Epinephrine ~~1 mg in 1:10,000 dilution;~~ 10 ml
- X. Epinephrine 1 mg in 1 ml vial, 3 vials total 1:1000 dilution; 1 ml x 3
- XI. Flumazenil 1 mg 0.1 mg/ml; 5 ml x 2
- XII. Furosemide 40 mg
- XIII. Hydrocortisone ~~100 mg or Methylprednisolone or Dexamethasone~~
- XIV. Lidocaine 100 mg
- XV. Magnesium sulfate 2 grams 1 gm x 2
- XVI. Naloxone 1.2 mg 0.4 mg/ml; 3 ml
- XVII. A beta blocker class drug
- XVIII. Sodium bicarbonate 50 mEq/50 ml
- XIX. Short acting muscle relaxant Succinylcholine 1 vial
- XX. Vasopressin ~~40~~ 20 units x 2
- XXI. A calcium channel blocker class drug ~~Verapamil 5 mg x 2~~

XXII. Intralipid 20% 500 ml solution (only if non-neuraxial regional blocks are performed)

In the event of a drug shortage, the physician is allowed to substitute a therapeutically equivalent drug that meets the prevailing standard of care. The office must maintain documentation of its unsuccessful efforts to obtain the required drug.

b. A Benzodiazepine must be present in the office stocked, but not on the crash cart.

c. through f. No change.

g. Defibrillator with defibrillator pads or defibrillator gel, or an Automated External Defibrillator unit (AED).

h. Sufficient back up power is required to allow the physician to safely terminate the procedure and to allow the patient to emerge from the anesthetic, all without compromising the sterility of the procedure or the environment of care. Emergency power source able to produce adequate power to run required equipment for a minimum of two (2) hours.

i. Sterilization equipment.

j. IV solution and IV equipment.

4. Assistance of Other Personnel Required. The surgeon must be assisted by a qualified anesthesia provider as follows: An Anesthesiologist, Certified Registered Nurse Anesthetist, Anesthesiologist Assistant, or Physician Assistant qualified as set forth in subparagraph 64B8-30.012(2)(b)6., F.A.C., or a registered nurse may be utilized to assist with the anesthesia, if the surgeon is ACLS certified. An assisting anesthesia provider cannot function in any other capacity during the procedure. If additional assistance is required by the specific procedure or patient circumstances, such assistance must be provided by a physician, osteopathic physician, registered nurse, licensed practical nurse, or operating room technician. A physician licensed under Chapter 458 or 459, F.S., a licensed physician assistant, a licensed registered nurse with post-anesthesia care unit experience or the equivalent, credentialed by an American Heart Association approved ~~in~~ Advanced Cardiac Life Support course or, in the case of pediatric patients, by an American Heart Association approved Pediatric Advanced Life Support course and, must be available to monitor the patient in the recovery room until the patient is recovered from anesthesia.

(5) Level IIA Office Surgery.

(a) No change.

(b) Standards for Level IIA Office Surgery.

1. No change.

2. Assistance of Other Personnel Required. During the procedure, the surgeon must be assisted by a physician or physician assistant who is licensed pursuant to Chapter 458 or 459, F.S., or by a licensed registered nurse or a licensed practical nurse. Additional assistance may be required by specific procedure or patient circumstances. Following the procedure, a physician or physician assistant who is licensed pursuant to Chapter 458 or 459, F.S., or a licensed registered nurse must be available to monitor the patient in the recovery room until the patient is recovered from anesthesia. The monitor must be certified by an American Heart Association approved ~~in~~ Advanced Cardiac Life Support course, or, in the case of pediatric patients, by an American Heart Association approved Pediatric Advanced Life Support course.

(6) Level III Office Surgery.

(a) Scope.

1. Level III Office Surgery is that surgery in which the patient's level of sedation is that of deep sedation and analgesia or general anesthesia. Deep sedation and analgesia is a drug-

induced depression of consciousness during which patients cannot be easily aroused but respond purposefully following repeated or painful stimulation. The ability to independently maintain ventilatory function may be impaired. Patients may require assistance in maintaining a patent airway, and spontaneous ventilation may be inadequate. Cardiovascular function is usually maintained. Reflex withdrawal from a painful stimulus is not considered a purposeful response. General anesthesia is a drug-induced loss of consciousness during which patients are not arousable, even by painful stimulation. The ability to independently maintain ventilatory function is often impaired. Patients often require assistance in maintaining a patent airway, and positive pressure ventilation may be required because of depressed spontaneous ventilation or drug-induced depression of neuromuscular function. Cardiovascular function may be impaired. The use of spinal or epidural anesthesia shall be considered Level III ~~involves, or reasonably should require, the use of a general anesthesia or major conduction anesthesia and pre-operative sedation. This includes the use of:~~

~~a. Intravenous sedation beyond that defined for Level II office surgery;~~

~~b. General Anesthesia: loss of consciousness and loss of vital reflexes with probable requirement of external support of pulmonary or cardiac functions; or~~

~~e. Major conduction anesthesia.~~

2. Only patients classified under the American Society of Anesthesiologist's (ASA) risk classification criteria as Class I or II are appropriate candidates for Level III office surgery.

a. No change.

b. For all ASA II patients above the age of 40, the surgeon must obtain, at a minimum, an EKG and a complete workup performed prior to the performance of Level III surgery in a physician office setting. If the patient is deemed to be a complicated medical patient, the patient must be referred to an appropriate consultant for medical optimization an independent medical clearance. This requirement may be waived after evaluation by the patient's anesthesiologist.

(b) Standards for Level III Office Surgery. In addition to the standards for Level II Office Surgery, the surgeon must comply with the following:

1. Training Required.

a. No change.

b. One assistant must be currently certified by an American Heart Association approved ~~in~~ Basic Life Support course and the surgeon must be currently certified by an American Heart Association approved ~~in~~ Advanced Cardiac Life Support course.

2. Emergency policies and procedures related to serious anesthesia complications shall ~~should~~ be formulated, periodically reviewed, practiced, updated, and posted in a

conspicuous location. Topics to be covered shall include the following:

- a. Airway Blockage (foreign body obstruction);
- b. Allergic Reactions;
- c. Bradycardia;
- d. Bronchospasm;
- e. Cardiac Arrest;
- f. Chest Pain;
- g. Hypoglycemia;
- h. Hypotension;
- i. Hypoventilation;
- j. Laryngospasm;
- k. Local Anesthetic Toxicity Reaction; and
- l. Malignant Hyperthermia.

3. Equipment and Supplies Required.

a. Equipment ~~and~~ medication, including at least 720 mg ~~36 ampules~~ of dantrolene on site (if halogenated anesthetics or succinylcholine are utilized), and monitored post-anesthesia recovery must be available in the office.

b. No change.

c. Blood pressure monitoring equipment; EKG; end tidal CO₂ monitor; pulse oximeter, ~~precordial or esophageal~~ stethoscope, emergency intubation equipment and a temperature monitoring device.

~~d. Defibrillator or an Automated External Defibrillator Unit (AED).~~

~~d.e.~~ Table capable of trendelenburg and other positions necessary to facilitate the surgical procedure.

~~f. IV solutions and IV equipment.~~

4. Assistance of Other Personnel Required. An Anesthesiologist, Certified Registered Nurse Anesthetist, Anesthesiologist Assistant, or Physician Assistant qualified as set forth in subparagraph 64B8-30.012(2)(c)6., F.A.C., must administer the general or regional anesthesia and an M.D., D.O., Registered Nurse, Licensed Practical Nurse, Physician Assistant, or Operating Room Technician must assist with the surgery. The anesthesia provider cannot function in any other capacity during the procedure. A physician licensed under Chapter 458 or 459, F.S., a licensed anesthesiologist assistant, a licensed physician assistant, or a licensed registered nurse with post-anesthesia care unit experience or the equivalent, and credentialed by an American Heart Association approved ~~in~~ Advanced Cardiac Life Support course, or in the case of pediatric patients, by an American Heart Association approved Pediatric Advanced Life Support course, must be available to monitor the patient in the recovery room until the patient has recovered from anesthesia.

Rulemaking Authority 458.309(1), 458.331(1)(v) FS. Law Implemented 458.331(1)(v), 458.351 FS. History—New 2-1-94, Amended 5-17-94, Formerly 61F6-27.009, Amended 9-8-94, 11-15-94, Formerly 59R-9.009, Amended 2-17-00, 12-7-00, 2-27-01, 8-1-01, 8-12-01, 3-25-02, 3-22-05, 4-19-05, 10-23-05, 10-10-06, 4-18-07, 9-3-07, 3-25-10, 8-6-12, 11-22-12, 1-9-13, 3-3-13, 7-22-14, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Medicine and Board of Osteopathic Medicine Joint Office Surgery Subcommittee

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 1, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 2, 2014

Section III
Notice of Changes, Corrections and
Withdrawals

NONE

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT
Criminal Justice Standards and Training Commission

RULE NO. :RULE TITLE:

11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers

NOTICE IS HEREBY GIVEN that on September 11, 2014, the Florida Department of Law Enforcement, Criminal Justice Standards and Training Commission, received a petition for a temporary waiver of paragraph 11B-27.002(4)(a), F.A.C., from Michael Dean Sutherland, II. The Petitioner wishes to waive for 180 days that portion of the rule that states within four years of the beginning date of a Commission-approved Basic Recruit Training Program, an individual shall successfully complete the program, achieve a passing score on the applicable State Officer

Certification Examination, and gain employment, and certification as an officer. Petitioner states that he began basic recruit training on October 18, 2010, and completed it in April 2011. Petitioner states that he has diligently and persistently attempted to gain employment at 15 different agencies. Petitioner states that for reasons other than his qualifications he has yet to become employed as a law enforcement officer. Petitioner states that he is currently in the hiring process with the Town of Palm Beach, Florida; that he has passed the oral, written and physical aspects of the hiring process and is currently awaiting a final decision. Petitioner states the Town of Palm Beach indicated an interest in hiring him. Petitioner also states that he is eligible to re-apply to the City of West Palm Beach, Florida and that city has also expressed an interest in hiring him.

Petitioner states that strict application of the rule would result in unreasonable, unfair and unintended results in this instance. Petitioner states that he is currently employed as a finance manager with a motorsport dealership. Petitioner states that if he were forced to re-take basic recruit training he would have to give up his present job which would create an extreme economic hardship.

Petitioner states that the purpose of Section 943.13, F.C. would be served if the waiver were granted.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Linton B. Eason, Assistant General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302 or by telephone: (850)410-7676.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on September 16, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Wellington G. Petitioner seeks an emergency variance of the requirements of an unspecified Section of A17.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-339).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on September 16, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Reed @ Encore. Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 2.20.4, 2.18.5.1, and 2.24.2.1 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires the use of a 9.5 mm steel rope and requirement of a metallic sheave which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-340).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On September 16, 2014, the Division issued an order. The Final Order was in response to a Petition for a Variance from Tampa International Airport, filed August 8, 2014, and advertised on August 25, 2014, in Vol. 40, No. 165, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 6.1.4 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires rated speed because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2014-298).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On September 16, 2014, the Division issued an order. The Final Order was in response to a Petition for a Variance from American Addiction Center, filed August 25, 2014, and advertised on August 29, 2014, in Vol. 40, No. 169, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.1, 2.18.5.1 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2014-305).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On September 16, 2014, the Division issued an order. The Final Order was in response to a Petition for a Variance from FPL Parking Garage, filed August 25, 2014, and advertised on August 29, 2014, in Vol. 40, No. 169, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.19.4.1, 3.19.4.4, 3.19.4.5, and 3.26.8, ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators shutoff valve, manual lowering valve, pressure gauge fittings and pressure switch (Endura design) because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2014-303).

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

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

Division of Florida Colleges

The Florida State College at Jacksonville (FSCJ) District Board of Trustees announces the following meetings pertaining to the Association of Florida Colleges Trustee Commission Annual Conference, which is open to the public:

DATE AND TIME: Thursday, September 25, 2014, 1:00 p.m. – 4:00 p.m.

PLACE: FSCJ Advanced Technology Center, Room T-140/141, 401 W. State Street, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative Presentations and Updates (attendees must be registered in advance to attend).

DATE AND TIME: Thursday, September 25, 2014, 5:30 p.m. – 6:30 p.m.

PLACE: Hyatt Regency Jacksonville Riverfront, 225 E. Coastline Drive, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida College System Trustee Reception (attendees must be registered in advance to attend).

DATE AND TIME: Friday, September 26, 2014, 7:30 a.m. – 11:30 a.m.

PLACE: Hyatt Regency Jacksonville Riverfront, 225 E. Coastline Drive, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative Presentations and Updates (attendees must be registered in advance to attend).

Should registration be requested or special accommodations required, please advise Association of Florida Colleges (AFC) forty-eight (48) hours in advance of the conference by contacting AFC Executive Assistant (to CEO) and Publications Coordinator Ms. Tina Ingramm at (850)222-3222 or tingramm@myafchome.org.

Florida State College at Jacksonville hereby reaffirms the principle of equal opportunity for all persons regardless of race, disability, color, ethnicity, national origin, religion, gender, age, marital status or genetic information. Equal opportunity principle applies with regard to employment, delivery of educational programs and services, and all other appropriate areas in which the College is involved.

Florida State College at Jacksonville, Dr. Cynthia A. Bioteau, College President.

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

RULE NOS.:RULE TITLES:

6M-8.601 Voluntary Prekindergarten (VPK) Provider Kindergarten Readiness Rate

6M-8.603 Voluntary Prekindergarten (VPK) Provider Placed on Probation Good Cause Exemption

6M-8.605 VPK Staff Development Plan for Providers on Probation

6M-8.700 Provider on Probation; Voluntary Prekindergarten Education Program Improvement Plan and Implementation; First Year Probation

6M-8.701 Provider on Probation; Voluntary Prekindergarten Education Program Annual Probation Progress Report; Second and Subsequent Year Probation

6M-8.702 Provider on Probation; Removal From Voluntary Prekindergarten Education Program Eligibility

The Office of Early Learning announces the cancellation of a previously noticed rulemaking workshop.

DATE AND TIME: Cancelled – Tuesday, September 30, 2014, 1:00 p.m. – 3:00 p.m., EDT; Wednesday, October 1, 2014, 9:30 a.m.– 11:30 p.m., EDT; Wednesday, October 1, 2014, 1:00 p.m. – 3:00 p.m., EDT

GENERAL SUBJECT MATTER TO BE CONSIDERED: Cancellation of the September 30, 2014 and October 1, 2014 workshops. These rulemaking workshops, which were noticed in the Florida Administrative Register, Volume 40, Number 179, September 15, 2014, have been cancelled. If rescheduled, a notice will be published in the Florida Administrative Register.

For more information, you may contact: Tara Huls, 250 Marriott Drive, Tallahassee, FL 32399, (850)717-8635 or email: tara.huls@oel.myflorida.com.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: September 25, 2014, 4:30 p.m.

PLACE: Hyatt Regency, Jacksonville-Riverfront, 225 East Coastline Drive, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of Financial Project ID: 435845-1, otherwise known as the proposed closure of on-ramp from Independent Drive to the Main Street (SR-5) Bridge in Jacksonville, Florida. Please join the Florida Department of Transportation for a public hearing to discuss the proposed closure of the on-ramp from

Independent Drive to the Main Street (SR-5) Bridge. The proposed ramp closure is being requested by the City of Jacksonville and is consistent with their plans for the redevelopment of the Jacksonville Landing. For this reason, southbound access to the Main Street Bridge is being studied to determine if the two existing southbound access points can be modified to a single access point. Currently, southbound bridge traffic can cross the bridge by entering eastbound Independent Drive or from southbound Main Street. The proposed improvements recommend closing the Independent Drive ramp to the Main Street Bridge. Public participation is solicited without regard to race, color, sex, age, religion, national origin, disability or family status.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation, District 2, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: September 23, 2014, 9:00 a.m.

PLACE: FDOT Burns Auditorium, 605 Suwannee Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Bicycle and Pedestrian issues.

A copy of the agenda may be obtained by contacting: Paula San Gregorio, (850)414-4811.

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: Paula San Gregorio, (850)414-4811. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Tuesday, September 30, 2014, 1:30 p.m.

PLACE: District 1 Headquarters, Executive Conference Room #328, 801 N. Broadway Ave., Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: The developer for a proposed Verizon store on the corner of US 41 and Roselawn Street in Sarasota, FL requested a meeting with the Access Management Review Committee. The proposed access driveway does not meet spacing standards for this portion of US 41. There is existing cross access with the adjacent property to the south although the owner does not have a copy of the legal document for cross access. FDOT stated reasonable and adequate access can be obtained from the side street.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

The Suwannee River Water Management District announces a public meeting to which all persons are invited.

DATES AND TIME: October 2, 2014 – October 4, 2014, 9:00 a.m.

PLACE: Monticello Opera House, 185 W Washington St., Monticello, FL 32345

GENERAL SUBJECT MATTER TO BE CONSIDERED: Sharing Water Conference, hosted by Main Street Monticello Florida, Inc. This conference will address the question of water supply for the growing world population, using the Floridan Aquifer as an example. This issue is especially appropriate for its location in the Big Bend area of Florida, surrounded by wetlands, numerous springs and pristine rivers.

A copy of the agenda may be obtained by contacting: Anne H. Holt, Conference Coordinator, email: ahholt@ahholt.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Anne H. Holt, Conference Coordinator, email: ahholt@ahholt.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).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 30, 2014, 1:00 p.m. (Note: this is a change in time from the published calendar)

PLACE: SWFWMD Tampa Service Office, 7601 US Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings, Public Hearing and Workshop (1:00 p.m.) and Governing Board Final Budget Hearing (5:01 p.m.): Consider SWFWMD business

including final hearing for adoption of District final millage rate and budget for Fiscal Year 2014-15. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, ext. 4703; TDD (FL only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Linda.dejonge@watermatters.org, 1(800)423-1476 (FL only) or (352)796-7211, ext. 4606 (Ad Order EXE0344).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Board of Professional Geologists announces a public meeting to which all persons are invited.

DATES AND TIMES: October 22, 2014, 9:00 a.m.; October 23, 2014, 9:00 a.m.

PLACE: Hilton St. Augustine Historic Bayfront, 32 Avenida Menendez, St. Augustine, Florida 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: Application Review and general board business.

A copy of the agenda may be obtained by contacting: Richard Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Richard Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399. 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: Richard Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

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

DATE AND TIME: September 24, 2014, 2:30 p.m. until all business is concluded

PLACE: Conference call, dial-in number: 1(888)670-3525, pass code number: 9801392456#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Budget Task Force will meet to discuss the board's fourth quarter financials.

A copy of the agenda may be obtained by contacting: Denise Graves, (352)333-2505.

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: Denise Graves. 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: Denise Graves.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection announces a public meeting to which all persons are invited.

DATE AND TIME: September 25, 2014, 5:00 p.m.

PLACE: Grand View RV and Golf Resort, 18545 45th Avenue Road, Citra, Florida 32113

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Environmental Protection and the Florida Fish and Wildlife Conservation Commission are hosting a public meeting to solicit input from the community on natural resource management and water quality concerns for Orange Lake, Lochloosa Lake, and Newnans Lake. These lakes are important fish and wildlife resources. Protecting and restoring water quality and aquatic habitat are important parts of managing these resources.

A copy of the agenda may be obtained by contacting: Ms. Mary Paulic, Department of Environmental Protection, 2600 Blair Stone Road, MS #3565, Tallahassee, Florida 32399-2400, by calling her at (850)245-8560 or by calling Ryan Hamm, Florida Fish and Wildlife Conservation Commission at (352)415-6961. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Mary Paulic, (850)245-8560. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

The Board of Orthotists and Prosthetists announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 17, 2014, 9:00 a.m.

PLACE: Embassy Suites Orlando – Lake Buena Vista, 4955 Kyngs Heath Road, Kissimmee, FL 34746

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Edith Rogers, Board of Orthotists & Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or by accessing the board's website: <http://floridasorthotistsprosthetists.gov/meeting-information/>.

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: Edith Rogers at edith.rogers@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Edith Rogers at edith.rogers@flhealth.gov.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Office on Homelessness

RULE NO.: RULE TITLE:

65I-1.006 Program Administration

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: October 14, 2014, 2:00 p.m.

PLACE: Conference call toll-free: 1(888)670-3525, press: 9798513235 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Veteran's Committee conference call.

A copy of the agenda may be obtained by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik_braun@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Erik Braun. 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: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik_braun@dcf.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Office on Homelessness

RULE NO.: RULE TITLE:

65I-1.006 Program Administration

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: October 22, 2014, 10:00 a.m.

PLACE: Conference call toll-free: 1(888)670-3525, press: 9798513235 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Employment and Self-Sufficiency Committee call.

A copy of the agenda may be obtained by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik_braun@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Erik Braun. 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: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik_braun@dcf.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Office on Homelessness

RULE NO.: RULE TITLE:

65I-1.006 Program Administration

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: October 28, 2014, 2:00 p.m.

PLACE: Conference call toll-free: 1(888)670-3525, press: 9798513235 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continuum of Care Committee conference call.

A copy of the agenda may be obtained by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik_braun@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Erik Braun. 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: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik_braun@dcf.state.fl.us.

NORTH FLORIDA BROADBAND AUTHORITY

The North Florida Broadband Authority announces a public meeting to which all persons are invited.

DATE AND TIME: The meeting of Wednesday, September 17, 2014 has been rescheduled to Monday, September 22, 2014, 10:00 a.m.

PLACE: City Hall of Lake City, 205 N. Marion Ave., Lake City, FL 32055

GENERAL SUBJECT MATTER TO BE CONSIDERED: The North Florida Broadband Authority (NFBA) Board of Directors announces that a regular monthly meeting will be held on Monday, September 22, 2014, and all interested persons are invited. The NFBA is a public body created by Interlocal Agreement pursuant to Section 163.01, Florida Statutes. The Board will address general policy and operational matters of the NFBA.

A copy of the agenda may be obtained by contacting: Chris Howlett, Springfield Law PA, Chris@SpringfieldLawPA.com, (352)371-9909.

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: Chris Howlett, Springfield Law PA, Chris@SpringfieldLawPA.com, (352)371-9909. 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: Chris Howlett, Springfield Law PA, Chris@SpringfieldLawPA.com, (352)371-9909.

KUTAK ROCK LLP

The Governor's Office announces a hearing to which all persons are invited.

DATE AND TIME: October 15, 2014, 2:00 p.m.

PLACE: The Capitol, Room 209, 400 South Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The hearing will be held with respect to a plan of finance by the Public Finance Authority (the “Authority”) to issue its Revenue Bonds (AIDS Healthcare Foundation Project), Series 2014, in an aggregate principal amount not to exceed \$25,000,000, in one or more series. The proceeds of the bonds issued under the plan of finance (the “Bonds”) will be used to: (a) finance, refinance or reimburse the costs of acquiring, constructing, renovating and equipping certain facilities set forth below; (b) provide one or more debt service reserve funds for the benefit of all or a portion of the Bonds, if deemed necessary or desirable; (c) pay a portion of the interest to accrue on the Bonds, if deemed necessary or desirable; (d) pay certain working capital expenditures, if deemed necessary or desirable; and (e) pay certain costs of issuance of the Bonds. The initial owner, operator or manager of the facilities described below will be the AIDS Healthcare Foundation or an affiliate thereof or related party thereto (the “Borrower”) which in all cases will be an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the “Code”). The proceeds of the Bonds will be loaned by the Authority to the Borrower and used to finance (i) a retail building - pharmacy / thrift store located at 1785 East Sunrise Boulevard, Ft. Lauderdale, Florida, in an amount not to exceed \$1,750,000; (ii) a retail building - pharmacy / thrift store located at 2097 Wilton Drive, Ft. Lauderdale, Florida, in an amount not to exceed \$1,250,000; (iii) a 4-story office building located at 700 SE 3rd Avenue, Ft. Lauderdale, Florida, and a 3-story office building located at 750 SE 3rd Avenue, Ft. Lauderdale, Florida, in an amount not to exceed \$4,250,000; (iv) vacant land located at 2601 34th Street South, St. Petersburg, Florida, in an amount not to exceed \$425,000; (v) a medical clinic building located at 2125 Illinois, Fort Myers, Florida, in an amount not to exceed \$125,000; and (vi) a 1-story office building located at 2231/2243 McGregor Boulevard, Fort Myers, Florida, in an amount not to exceed \$375,000. The balance of the proceeds of the Bonds will also be utilized to refinance facilities located in other jurisdictions. The Bonds will be limited obligations of the Authority payable solely from the loan repayments to be made by the Borrower to the Authority and certain funds and accounts established by the Indenture of Trust for the Bonds. The Bonds shall not constitute a debt, liability, or obligation of the State of Florida, or a pledge of the faith and credit of the State of Florida.

The public hearing is required by Section 147(f) of the Code. At such public hearing there will be an opportunity for persons to express their views concerning the foregoing. Anyone may appear in person at such public hearing or submit written comments to be considered thereat.

A copy of the agenda may be obtained by contacting: Ben Gibson, Assistant General Counsel, Office of Governor Rick Scott, State of Florida, The Capitol, Suite 209, Tallahassee, Florida 32399-0001, Telephone: (850)717-9310.

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: Ben Gibson, Assistant General Counsel at (850)717-9310. 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: Ben Gibson, Assistant General Counsel, Office of Governor Rick Scott, State of Florida, The Capitol, Suite 209, Tallahassee, Florida 32399-0001, Telephone: (850)717-9310.

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

NONE

**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

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

NONE

Section XII
Miscellaneous

AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need

EXEMPTION

The Agency for Health Care Administration approved the following exemption on September 17, 2014 pursuant to Section 408.036(3), Florida Statutes:

ID #E140023 District: 4-2 (Clay County)

Applicant/Facility: Five Points Health Care, Ltd./Park Ridge Nursing Center

Project Description: Add 16 community nursing home beds to the Park Ridge Nursing Center replacement facility approved via CON #10230

Proposed Project Cost: \$0.00

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Board of Pilot Commissioners

The Board of Pilot Commissioners announces a petition for a change in the rates of pilotage charged by the licensed state pilots and certified deputy pilots at Port Everglades has been filed with the Pilotage Rate Review Committee, pursuant to Section 310.151, Florida Statutes and Chapter 61G14, Florida Administrative Code.

The last rate change (increase) granted Port Everglades was June 13, 2001. The board intends to consider the following requested rate change (decrease) for Port Everglades:

The petition requests the following changes:

Draft charge decreased, for passenger vessels only, from \$13.30 per foot to \$9.975 per foot.

Tonnage charge decreased, for passenger vessels only, from \$0.0356 to \$0.0267 for GRT between 0-80,000; from \$0.0343 to \$0.0257 for the next 50,000 GRT (80,001 – 130,000); and from \$0.0330 to \$0.0247 for any additional tonnage over 130,000.

All other charges currently in place at Port Everglades would remain the same, with the exception that any fees that are based on, or otherwise includes charges for, draft and tonnage shall be subject to the 25% discount when applied to passenger vessels. All interested parties may file an answer, an additional or alternative application, or any other applicable pleading or response, including all documentation in support thereof within thirty (30) days of this publication by October 22, 2014.

The Committee's site visit to Port Everglades and the hearing of the Rate Review Committee will be announced at a later date.

A copy of the petition may be obtained by contacting: The Board of Pilot Commissioners/Pilotage Rate Review Committee, 1940 N. Monroe St, Tallahassee, FL 32399, (850)717-1981.

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: The Board of Pilot Commissioners/Pilotage Rate Review Committee, 1940 N. Monroe St., Tallahassee, FL 32399, (850)717-1981. 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: The Board of Pilot Commissioners/Pilotage Rate Review Committee, 1940 N. Monroe St., Tallahassee, FL 32399, (850)717-1981.

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.