

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: **RULE TITLE:**
6A-6.03023 Exceptional Student Education Eligibility
 for Students With Autism Spectrum
 Disorder

PURPOSE AND EFFECT: The purpose of this rule development is to reflect updates to Rules 6A-6.03012 and 6A-6.030121, F.A.C., and the recent revisions to Diagnostic and Statistical Manual of Mental Disorder, Fifth Edition (DSM-5). These updates will provide additional specificity related to autism spectrum disorder and the evaluations required to determine eligibility.

SUBJECT AREA TO BE ADDRESSED: State requirements for the determination of eligibility as a student with autism spectrum disorder. Definitions, procedures for referral, procedures for student evaluation and criteria for eligibility will all be addressed.

RULEMAKING AUTHORITY: 1003.01, 1003.57, 1003.571 FS.

LAW IMPLEMENTED: 1003.01, 1003.57, 1003.571 FS.

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

DATE AND TIME: November 19, 2014, 1:00 p.m.

PLACE: Via conference call: 1(877)465 4511, Conference ID#: 41036262. Participants may access a presentation by linking to <http://tlc-flmtss.adobeconnect.com/auditorium/>. Anyone wishing to attend in person: Department of Education, 325 West Gaines Street, Room 1721, Tallahassee, Florida at the time provided above.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Monica Verra-Tirado, Bureau Chief, Bureau of Exceptional Education and Student Services, 325 W. Gaines Street, Suite 614, Tallahassee, Florida 32399. To comment on this rule development, please contact: Cathy Schroeder, Agency Clerk, Department of Education, (850)245-9661 or e-mail: Cathy.Schroeder@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.: **RULE TITLES:**
59A-3.077 Fire Protection
59A-3.079 Codes and Standards to Be Used for
 Construction of Hospitals
59A-3.080 Plans Submission and Fee Requirements
59A-3.081 Physical Plant Requirements for General,
 Rehabilitation and Psychiatric Hospitals
59A-3.303 Facilities and Physical Plant Safety

PURPOSE AND EFFECT: The purpose is to update references to the outdated edition of the Life Safety Code which has been revised and incorporated in rule; correct rule references; delete unnecessary rule language already contained in the Life Safety Code and incorporate the Florida Building Code by reference.

SUBJECT AREA TO BE ADDRESSED: The revisions will conform the rules to requirements of the current Florida Fire Prevention Code and Life Safety Codes and Florida Building Code.

RULEMAKING AUTHORITY: 395.1055 FS.

LAW IMPLEMENTED: 395.0163, 395.1055 FS.

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

DATE AND TIME: Tuesday, December 9, 2014, 3:00 p.m. – 4:00 p.m.

PLACE: Agency for Health Care Administration, Bldg. 3, Conference Room B, 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 7 days before the workshop/meeting by contacting: Scott Waltz, Bureau of Plans and Construction, 2727 Mahan Drive, MS #28A, Tallahassee, FL 32308 or at (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 or at (850)412-4485

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-8.003 Licensure Requirements
59A-8.004 Licensure Procedure
59A-8.007 Geographic Service Area

PURPOSE AND EFFECT: The Agency is updating the home health agency licensing application form, incorporated by reference in Rule 59A-8.003, F.A.C., to conform to changes in Chapter 408, Part II, F.S., Section 400.471(2)(h), F.S., and Chapter 59A-35, F.A.C. Since Chapter 2014-142, Laws of Florida, exempts non-skilled home health agencies that are not Medicaid or Medicaid certified from accreditation, Rule 59A-8.003, F.A.C., adds that the home health agency shall notify AHCA if the agency elects to give up accreditation. Language regarding the investigation of complaints is deleted since the content is in Section 408.811, F.S. In Rule 59A-8.004, F.A.C., the reference for the location of the applications forms is changed to refer to Rule 59A-8.003, F.A.C., instead of Chapter 59A-35, F.A.C. In Rule 59A-8.007, F.A.C., the rule is amended to modify requirements pertaining to a change in geographic service areas.

SUBJECT AREA TO BE ADDRESSED: Licensure of Home Health Agencies.

RULEMAKING AUTHORITY: 400.497 FS.

LAW IMPLEMENTED: 400.464, 400.471, 400.474, 400.484, 400.497, 408.806, 408.807, 408.810 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.

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: Nashia LeConte, Home Care Unit, Bureau of Health Facility Regulation, (850)412-4405 or Nashia.LeConte@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If 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: Anne Menard, Home Care Unit, Bureau of Health Facility Regulation, HQAHOMEHEALTH@ahca.myflorida.com or (850)412-4385. The preliminary draft text will be available by October 13, 2014 at <http://www.ahca.myflorida.com/homecare>, select "Home Health Agency".

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 NO.: RULE TITLE:
59A-8.025 Registration Requirements for Homemaker,
Companion and Sitter Agencies

PURPOSE AND EFFECT: The Agency is proposing to amend the rules governing Registration Requirements for Homemaker, Companion and Sitter Agencies to update forms incorporated by reference and remove duplicative language found in Chapter 408, Part II, F.S. and Chapter 59A-35, F.A.C. to conform to current statutory provisions. In addition, the minimum information to be included in client records will be added and geographic service areas for new registrations will be established as required in Section 400.497(8) and (9), F.S.

SUBJECT AREA TO BE ADDRESSED: Registration Requirements for Homemaker, Companion and Sitter Agencies.

RULEMAKING AUTHORITY: 400.509 FS.

LAW IMPLEMENTED: 400.509 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, November 20, 2014, 1:30 p.m. – 2:30 p.m.

PLACE: Agency for Health Care Administration, Bldg. 3, Conference Room C, 2727 Mahan Drive, Tallahassee, Florida 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 7 days before the workshop/meeting by contacting: 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: Nashia LeConte, Home Care Unit, Bureau of Health Facility Regulation, (850)412-4405 or Nashia.LeConte@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If 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: Noël Cronin Lawrence via e-mail: HQAHOMEHEALTH@ahca.myflorida.com or by phone: (850)412-4403. The preliminary draft text will be available by October 21, 2014 at <http://www.ahca.myflorida.com/homecare>, select "Homemaker Companion."

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-10.025
 RULE TITLE: Advertising

PURPOSE AND EFFECT: The amendment proposes to update the rule.

SUBJECT AREA TO BE ADDRESSED: Rule update.

RULEMAKING AUTHORITY: 120.53, 475.05, 475.25(1)(c) FS.

LAW IMPLEMENTED: 475.01, 475.25, 475.42, 475.421, 475.4511 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: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, N801, Orlando, Florida 32801, (850)487-1395

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-28.100
 RULE TITLE: Pharmacy Permits – Applications and Permitting

PURPOSE AND EFFECT: The Board proposes the rule amendment to implement Ch. 2014-148, Laws of Fla. (HB 323) and to develop and adopt an application process for a nonresident sterile compounding permit.

SUBJECT AREA TO BE ADDRESSED: Pharmacy Permits – Applications and Permitting.

RULEMAKING AUTHORITY: 465.005, 465.022 FS.

LAW IMPLEMENTED: 456.013, 456.025(3), 456.0635, 465.018, 465.019, 465.0193, 465.0196, 465.0197, 465.022 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: Patrick Kennedy, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-28.905
 RULE TITLE: Non Resident Pharmacies Inspection for Obtaining Nonresident Sterile Compounding Permits.

PURPOSE AND EFFECT: The Board proposes the rule promulgation to set the parameters for required inspections, acceptable circumstances for a current inspection; determining how, when, and under what circumstances an inspection must be conducted; and to adopt rules for evaluating and approving entities that may perform an inspection in lieu of an onsite inspection by the department. The rule promulgation is to implement Ch. 2014-148, Laws of Florida (HB 323).

SUBJECT AREA TO BE ADDRESSED: Non Resident Pharmacies Inspections for Obtaining Nonresident Sterile Compounding Permits.

RULEMAKING AUTHORITY: 465.0158 FS.

LAW IMPLEMENTED: 465.0158 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: Patrick Kennedy, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-28.907 RULE TITLE: Outsourcing Facility Inspections for Obtaining a Nonresident Sterile Compounding Permit.

PURPOSE AND EFFECT: The Board proposes the rule promulgation to set the parameters for required inspections, acceptable circumstances for a current inspection; determining how, when, and under what circumstances an inspection must be conducted; and to adopt rules for evaluating and approving entities that may perform an inspection in lieu of an onsite inspection by the department. The rule promulgation is to implement Ch. 2014-148, Laws of Florida (HB 323).

SUBJECT AREA TO BE ADDRESSED: Outsourcing Facility Inspections for Obtaining a Nonresident Sterile Compounding Permit.

RULEMAKING AUTHORITY: 465.0158 FS.

LAW IMPLEMENTED: 465.0158 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: Patrick Kennedy, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**Section II
Proposed Rules**

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-4.0161 RULE TITLE: Mobile Food Dispensing Vehicles and Theme Park Food Carts

PURPOSE AND EFFECT: To correct rule citations to point to the applicable subsections.

SUMMARY: The proposed rule corrects rule subsection references that apply to hot dog carts.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 509.032, 509.221 FS.

LAW IMPLEMENTED: 509.032, 509.101, 509.211, 509.215, 509.221 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: Michelle Comingore, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-1133, chr.rules@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-4.0161 Mobile Food Dispensing Vehicles and Theme Park Food Carts.

(1) through (2) No change.

(3) Mobile food dispensing vehicles which limit the preparation of food to frankfurters only shall comply with all applicable requirements set forth in Rules 61C-4.010 and 61C-4.023, F.A.C., as well as the additional requirements set forth in ~~paragraph (2)(a) and~~ subsections (2), (4), (5) and (8)-(10) of this rule; except that:

(a) through (b) No change.

(c) Potentially hazardous foods such as chili, cooked onions and peppers, cheese, and cheese sauce may only be served in individually portioned and packaged or pre-packaged containers ~~that which~~ are maintained at proper temperatures on the unit. Non-potentially hazardous foods such as relish, raw onions and peppers, and other such condiments may be served directly from the unit.

(4) No change.

(5) Mobile food dispensing vehicles may temporarily connect to an approved utility system for no more than one day's operation, if the utility system provides water, wastewater, or electricity adequate to meet the needs of the unit; ~~bathroom~~ ~~bathroom~~ facilities are available for employees in accordance with the local building authority having jurisdiction or, where no plumbing code has been adopted locally, with Chapter 64E-10, F.A.C.; and the unit returns to its base commissary as described in paragraph (2)(c) of this rule.

(6) through (9) No change.

Rulemaking Authority 509.032, 509.221 FS. Law Implemented 509.032, 509.101, 509.211, 509.215, 509.221 FS. History--New 2-21-91, Formerly 10D-13.0291, 7C-4.0161, Amended 3-31-94, 9-25-96, 5-11-98, 7-2-98, 2-12-08, 8-12-08, 6-13-10, 11-1-12, 7-4-13,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diann Worzalla, Director, Division of Hotels and Restaurants, Department of Business and Professional Regulation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 20, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 19, 2014

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: 61J1-10.004
RULE TITLE: Certified General Appraiser

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify the language for the minimum education, experience, and examination requirements for certification as a general real estate appraiser.

SUMMARY: The rule amendment will modify the language for the minimum education, experience, and examination requirements for certification as a general real estate appraiser.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The 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 statutory requirements, 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: 475.614 FS.

LAW IMPLEMENTED: 475.613(2), 475.615(2), 475.617(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: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-10.004 Certified General Appraiser.

An applicant for certification as a general real estate appraiser must present evidence satisfactory to the Board that the applicant meets the following minimum education, experience, and examination requirements:

(1) Education requirement.

(a) A Bachelors degree, or higher, from an accredited college or university; ~~and~~ ~~or~~

(b) No change.

(2) through (3) No change.

Rulemaking Authority 475.614 FS. Law Implemented 475.613(2), 475.615(2), 475.617(3) FS. History—New 12-27-07, Amended 3-31-09, 7-17-11, 9-8-14,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Florida Real Estate Appraisal Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: September 19, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: October 3, 2014

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:

61J2-24.005 Revocation

PURPOSE AND EFFECT: This rule is being repealed because it is no longer necessary.

SUMMARY: This rule is being repealed.

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: 455.227, 475.05 FS.

LAW IMPLEMENTED: 455.227 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: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, N801, Orlando, Florida 32801, (850)487-1395

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-24.005 Revocation.

~~Rulemaking Specific~~ Authority 455.227, 475.05 FS. Law Implemented 455.227 FS. History—New 2-13-96, Amended 4-28-98, 2-5-04, Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Florida Real Estate Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: September 16, 2014

DEPARTMENT OF HEALTH

Division of Children’s Medical Services

RULE NOS.: RULE TITLES:

64C-7.001 Definitions

64C-7.002 Collection Procedures for Newborn Screening

64C-7.0025 Procedures for Newborn Screening Referral Centers

64C-7.004 Designated State Laboratory

64C-7.006 Newborn Screening Records

64C-7.007 Criteria for Designating Newborn Screening Disorders

64C-7.008 Objection to Prenatal and Infant (Postnatal) Risk Screening

64C-7.010 Prenatal and Infant (Postnatal) Risk Screening Records

PURPOSE AND EFFECT: The purpose of this rulemaking is to add two disorders to the newborn screening panel of disorders and incorporate the panel by reference, eliminate duplicative or unnecessary terms and rule language, and update risk screening forms.

SUMMARY: Rule 64C-7.001, F.A.C., provides definition of terms as used in this chapter. Rule 64C-7.002, F.A.C., identifies and incorporates by reference those disorders that infants must be screened for and addresses procedures for collection. Rule 64C-7.0025, F.A.C., provides procedures for the newborn screening centers to follow and is not statutorily supported. Rule 64C-7.004, F.A.C., states that all newborn screening laboratory tests are to be conducted by the State Public Health Laboratory and is duplicative of statute. Rule 64C-7.006, F.A.C., addresses newborn screening records and is unnecessary. Rule 64C-7.007, F.A.C., provides criteria for the designation of disorders for inclusion on the screening panel and is unnecessary. Rule 64C-7.008, F.A.C., addresses objections to prenatal and postnatal risk screening and updates or clarifies the risk screening instruments to be used. Rule 64C-7.010, F.A.C., addresses prenatal and postnatal risk screening records and has been updated to simplify language.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based on the SERC checklist, this rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 383.14(2) FS.

LAW IMPLEMENTED: 383.14 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: Whitney Jones at (850)245-4672 or Whitney.Jones@flhealth.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

64C-7.001 Definitions.

~~(1) "Advisory councils" means the Genetics and Newborn Screening Advisory Council established by Section 383.14, F.S.~~

(2) through (3) renumbered (1) through (2) No change.

~~(3)(4) "Congenital disorder" means a disorder existing before or at birth, regardless of cause, that is designated by the department in accordance with Rule 64C-7.007, F.A.C.~~

(5) through (8) renumbered (4) through (7) No change.

~~(8)(9) "Healthy Start services" mean those services provided to participants that maximize access to and participation in comprehensive prenatal and infant health care such as client and participant identification (case finding), care coordination, childbirth education, parenting education and support, nutritional counseling, psychosocial counseling, smoking cessation counseling, breastfeeding education and support, and other services that optimize health and developmental outcomes and improve access to care. Home visiting is a strategy for providing Healthy Start services. In addition to the home, Healthy Start services can also be provided in the neighborhood, school, workplace, or clinic; wherever the concerns, priorities, and resources of the participant or family can best be met. Healthy Start Coalitions have the responsibility to assess the maternal and infant health needs and services necessary to authority to determine which specific Healthy Start services will have the greatest impact on pregnancy, health and developmental outcomes in their geographic regions.~~

(10) through (13) renumbered (9) through (12) No change.

~~(13)(14) "Newborn screening disorder" means a disorder designated by the department in accordance with Rule 64C-7.007, F.A.C., which may have pathologic consequences at birth or later in life.~~

~~(14)(15) "Newborn screening" means a procedure requiring the use of selected laboratory criteria capable of detecting the presumptive presence of disorders designated in accordance with Rule 64C-7.007, F.A.C.~~

(16) through (17) renumbered (15) through (16) No change.

~~(18) A "Newborn Screening Referral Center" is a center designated by the Florida Department of Health Children's Medical Services Central Office to which newborns with presumptive positive screening results are referred by the department. These centers must have the professional capabilities to confirm the diagnosis, initiate and monitor therapy, and provide counseling to the families of children with presumptive positive screening results.~~

(19) through (22) renumbered (17) through (20) No change.

~~(21)(23) "Screening test" means a non-diagnostic laboratory procedure that is capable of detecting the presumptive presence of those disorders incorporated by reference in subsection 64C-7.002(1), F.A.C. phenylketonuria, congenital hypothyroidism, galactosemia, congenital adrenal hyperplasia, hemoglobin sickle beta thalassemia, hemoglobin~~

~~sickle cell disease, sickle cell anemia, 3-methylcrotonyl CoA carboxylase deficiency, 3-OH-3-CH₃-glutaric aciduria, arginosuccinic acidemia, mitochondrial acetoacetyl-CoA thiolase (betaketothiolase) deficiency, citrullinemia, glutaric acidemia type I, homocystinuria, isovaleric acidemia, long-chain L-3-OH acyl CoA dehydrogenase deficiency, maple syrup urine disease, medium chain acyl CoA dehydrogenase deficiency, methylmalonic acidemia, propionic acidemia, tyrosinemia type I, very long chain acyl CoA dehydrogenase deficiency, carnitine/acylcarnitine translocase deficiency, carnitine palmitoyl transferase deficiency type I, carnitine palmitoyl transferase deficiency type II, multiple acyl CoA dehydrogenase deficiency, short chain acyl CoA dehydrogenase deficiency, tyrosinemia type II, biotinidase deficiency, carnitine uptake defect, methylmalonic acidemia (mutase deficiency), multiple carboxylase deficiency, trifunctional protein deficiency and cystic fibrosis, that shall be prescribed by the department as recommended by the American College of Medical Genetics after consultation with the Genetics and Newborn Screening Advisory Council in accordance with Rule 64C-7.007, F.A.C.~~

~~(22)(24) No change.~~

~~Rulemaking Specific Authority 383.14(2) FS. Law Implemented 383.14 FS. History—New 10-25-79, Formerly 10D-76.01, Amended 12-5-84, Formerly 10J-8.01, Amended 3-29-92, 9-20-94, 8-14-95, 3-28-96, Formerly 10J-8.001, Amended 4-1-08, _____.~~

~~64C-7.002 Collection Procedures for Newborn Screening.~~

~~(1) Each live born infant shall be screened for those core and secondary conditions listed in the “Newborn Screening Disorders.” (12/17/2013), phenylketonuria, congenital hypothyroidism, galactosemia, congenital adrenal hyperplasia, hemoglobin sickle beta thalassemia, hemoglobin sickle cell disease, sickle cell anemia, 3-methylcrotonyl CoA carboxylase deficiency, 3-OH-3-CH₃-glutaric aciduria, arginosuccinic acidemia, mitochondrial acetoacetyl CoA thiolase (betaketothiolase) deficiency, citrullinemia, glutaric acidemia type I, homocystinuria, isovaleric acidemia, long-chain L-3-OH acyl CoA dehydrogenase deficiency, maple syrup urine disease, medium chain acyl CoA dehydrogenase deficiency, methylmalonic acidemia, propionic acidemia, tyrosinemia type I, very long chain acyl CoA dehydrogenase deficiency, carnitine/acylcarnitine translocase deficiency, carnitine palmitoyl transferase deficiency type I, carnitine palmitoyl transferase deficiency type II, multiple acyl CoA dehydrogenase deficiency, short chain acyl CoA dehydrogenase deficiency, tyrosinemia type II, biotinidase deficiency, carnitine uptake defect, methylmalonic acidemia (mutase deficiency), multiple carboxylase deficiency, trifunctional protein deficiency, and cystic fibrosis, as recommended by the American College of Medical Genetics after consultation with the Genetics and Newborn Screening~~

~~Advisory Council in accordance with Rule 64C-7.007, F.A.C., unless the parent or guardian objects to the screening in accordance with Section 383.14(4), F.S. The “Newborn Screening Disorders.” (12/17/2013) is incorporated by reference and available at _____.~~

~~(2) through (4) No change.~~

~~(5) If a newborn requires neonatal intensive care services, the responsible physician must obtain a satisfactory blood specimen on admission to the Neonatal Intensive Care Unit (NICU), prior to any blood transfusion, and again at seven days of age or just prior to discharge from the NICU, whichever is sooner. If the newborn stays in the NICU for 21 days or longer, a third specimen shall be obtained prior to discharge. If a satisfactory blood sample is not collected prior to receiving a blood transfusion, then a repeat screening specimen must be collected 3-4 months after the last blood transfusion.~~

~~Rulemaking Specific Authority 383.14(2) FS. Law Implemented 383.14 FS. History—New 10-25-79, Formerly 10D-76.03, Amended 12-5-84, Formerly 10J-8.03, Amended 3-29-92, 9-20-94, 3-28-96, Formerly 10J-8.003, Amended 4-1-08, _____.~~

~~64C-7.0025 Procedures for Newborn Screening Referral Centers.~~

~~Rulemaking Specific Authority 383.14(2) FS. Law Implemented 383.14 FS. History—New 4-1-08, Repealed _____.~~

~~64C-7.004 Designated State Laboratory.~~

~~Rulemaking Specific Authority 383.14(2) FS. Law Implemented 383.14 FS. History—New 10-25-79, Formerly 10D-76.05, Amended 12-5-84, Formerly 10J-8.05, Amended 3-29-92, Formerly 10J-8.005, Amended 4-1-08, Repealed _____.~~

~~64C-7.006 Newborn Screening Records.~~

~~Rulemaking Specific Authority 383.14(2) FS. Law Implemented 383.14 FS. History—New 10-25-79, Formerly 10D-76.07, Amended 12-5-84, Formerly 10J-8.07, Amended 3-29-92, Formerly 10J-8.007, Amended 4-1-08, Repealed _____.~~

~~64C-7.007 Criteria for Designating Disorders.~~

~~Rulemaking Specific Authority 383.14(2) FS. Law Implemented 383.14 FS. History—New 12-5-84, Formerly 10J-8.08, Amended 3-29-92, Formerly 10J-8.008, Repealed _____.~~

~~64C-7.008 Objection to Prenatal and Infant (Postnatal) Risk Screening.~~

~~(1) The health care provider shall request any pregnant woman who objects to prenatal risk screening, after the purpose of the screening has been fully explained, to indicate her objection in writing on the screening instrument, and to sign the instrument. The screening instrument to be used is the Healthy Start Prenatal Risk Screen Screening Instrument, DOH Form 3134, 04/08 2/01 (English version), or DOH Form 3134 H, 04/08 2/01 (Creole version), or DOH Form 3134 S, 04/08 2/01 (Spanish version), which are incorporated by reference and~~

available at _____. Copies of the ~~Healthy Start Prenatal Risk Screening Instrument can be obtained by writing to: the Office of Maternal and Child Health, Bin A-13 (HSFFM), 4052 Bald Cypress Way, Tallahassee, FL 32399-1723. If the woman refuses to sign the instrument, this refusal shall be indicated on the patient's signature line. The provider is to complete, the demographic items (name, address, phone number and type of provider) in the provider section and sign, and date the form.~~

~~(2) The hospital provider shall request any parent or guardian who objects to infant (postnatal) risk screening of their child or ward, after the purpose of the screening has been fully explained, to indicate the objection in writing on the electronic birth record risk screening instrument. The provider shall request any parent or guardian who objects to infant (postnatal) risk screening of their child or ward, after the purpose of the screening has been fully explained, to indicate the objection in writing on the screening instrument, and to sign the instrument. The screening instrument to be used is the Healthy Start Infant (Postnatal) Risk Screening Instrument, DOH Form 3135, 2/01 (English version), or DOH Form 3135 H, 2/01 (Creole version), or DOH Form 3135 S, 2/01 (Spanish version), which are incorporated by reference. Copies of the Healthy Start Infant (Postnatal) Risk Screening Instrument can be obtained by writing to: the Office of Maternal and Child Health, Bin A-13 (HSFFM), 4052 Bald Cypress Way, Tallahassee, FL 32399-1723. If the parent or guardian refuses to sign the instrument, this refusal shall be indicated on the patient's signature line. The provider is to complete the demographic items (name, address, phone number and type of provider) in the provider section and sign and date the form.~~

~~(3) Out-of-hospital birth providers with access to the electronic birth record risk screening instrument shall request any parent or guardian who objects to infant (postnatal) risk screening of their child or ward, after the purpose of the screening has been fully explained, to indicate the objection in writing on the electronic birth record risk screening instrument. Out-of-hospital birth providers without access to the electronic birth record risk screening instrument shall request any parent or guardian who objects to infant (postnatal) risk screening of their child or ward, after the purpose of the screening has been fully explained, to indicate the objection in writing on Infant Risk Screen, DOH Form 3135, 01/12 (English version), or DOH Form 3135 H, 01/12 (Creole version), or DOH Form 3135 S, 01/12 (Spanish version), which are incorporated by reference and available at _____. If the parent or guardian refuses to sign the instrument, this refusal shall be indicated on the patient's signature line. The provider is to complete, sign, and date the form.~~

~~(3)(4) No change.~~

~~Rulemaking Specific Authority 383.14(2) FS. Law Implemented 383.14 FS. History--New 3-29-92, Amended 8-14-95, 3-28-96, Formerly 10J-8.009, Amended 5-2-01, 9-11-01, _____.~~

~~64C-7.010 Prenatal and Infant (Postnatal) Risk Screening Records.~~

~~(1) Prenatal Risk Screening Records~~

~~(a) The health care provider shall maintain a completed copy of the Healthy Start Prenatal Risk Screen Screening Instrument in the pregnant woman's women's medical record.~~

~~(b) through (c) No change.~~

~~(2) Infant (Postnatal) Risk Screening Records.~~

~~(a) The health care provider shall assure that documentation of the infant's risk screening factors is included a completed copy of the Healthy Start Infant (Postnatal) Risk Screening Instrument is placed in the infant's medical record.~~

~~(b) The provider of care coordination shall initiate documentation on every Healthy Start infant. That documentation shall contain, at a minimum, the infant's risk factors and the record of case disposition a scored infant (postnatal) risk screening instrument and record of case disposition, except for participants who are referred based on other factors subsequent to the initial screen. For those participants, documentation in the record shall include documentation of the participant's risk factors and the record of case disposition.~~

~~(c) No change.~~

~~Rulemaking Specific Authority 383.14(2) FS. Law Implemented 383.14 FS. History--New 3-29-92, Amended 9-20-94, 8-14-95, 3-28-96, Formerly 10J-8.012, Amended 5-2-01, _____.~~

~~NAME OF PERSON ORIGINATING PROPOSED RULE: Lois Taylor~~

~~NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: John H. Armstrong, MD, FACS, Surgeon General and Secretary~~

~~DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 20, 2014~~

~~DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 25, 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**

AGENCY FOR HEALTH CARE ADMINISTRATION

RULE NO.: RULE TITLE:

59-13.083 NULL

NOTICE IS HEREBY GIVEN that on October 6, 2014, the Agency for Health Care Administration, received a petition for A.L. (“Petitioner”) seeking a variance from or waiver of rule found in the service limitations (“Petition”) set forth on pages 2-56 of the Developmental Disabilities Waiver Services Coverage and Limitations Handbook (DD Handbook), which is incorporated by reference in Rule 59G-13.083, Florida Administrative Code.” Petitioner seeks a variance from or waiver of limited provisions of Fla. Admin. Code Rule 59G-13.083, amended May 2012, entitled “Developmental Disabilities Waiver Services” (the “Rule”), which incorporates by reference into rule the Florida Medicaid Developmental Disabilities Waiver Services Coverage and Limitations Handbook, November 2010 (the “Handbook”). Petitioner seeks a variance from or waiver of the handbook provision, pages 2-56, which requires that “private duty nursing services shall be provided in the recipient’s own home or family home.”

A copy of the Petition for Variance or Waiver may be obtained by contacting: Richard Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Station 3, Tallahassee, Florida 32308, telephone number: (850)412-3630, email address: Richard.shoop@ahca.myflorida.com. Interested persons or other agencies may submit to the Agency Clerk written comments on the petition for variance or waiver within fourteen (14) days after publication of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on October 28, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Palm Coast Landing Apartments. Petitioner seeks a variance of the requirements of ASME A17.1b, Section

2.20.1, 2.18.5.1, 2.20.4, 2.20.5 and 2.20.9 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-395).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on October 28, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Lexington Court Apartments. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.18.5.1, 2.20.4, 2.20.5 and 2.20.9 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-396).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on October 28, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Vista Park Apartments. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.18.5.1, 2.20.4, 2.20.5 and 2.20.9 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-397).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on October 30, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Coppertail Brewing Company. Petitioner seeks a variance of the requirements of ASME A17.1, Section 3.19.4.1, 3.19.4.4, 3.19.4.5, and 3.26.8, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators shutoff valve, manual lowering valve, pressure gauge fittings and pressure switch (Endura design) which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-398).

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 October 30, 2014, the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from Tropic Sun Towers, filed September 23, 2014, and advertised on September 26, 2014, in Vol. 40, No. 188, 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 204.2c(2) ASME A17.1, 1986 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators forced ventilation (fans) 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 (VW2014-349).

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 October 28, 2014, the Division issued an order. The Final Order was in response to a Petition for a temporary Variance from Belmont Park Apartments, filed September 5, 2014, and advertised on September 9, 2014, in Vol. 40, No. 175, 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 3.11.1 ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators two-way communication 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 (VW2014-324).

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 October 30, 2014, the Department issued a Final Order that was in response to a Petition for Variance from Halifax Professional Center (5106), filed September 30, 2014, and advertised on October 2, 2014, in Vol. 40, No. 192, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.11.3 and 3.10.4(u), ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations

and emergency stop switch because the Petitioner has not demonstrated that the purpose of the underlying statute has been met or that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2014-353).

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, (850)488-1133.

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 October 30, 2014, the Department issued a Final Order that was in response to a Petition for Variance from Halifax Professional Center (5107), filed September 30, 2014, and advertised on October 2, 2014, in Vol. 40, No. 192, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations because the Petitioner has not demonstrated that the purpose of the underlying statute has been met or that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2014-354).

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, (850)488-1133.

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 October 30, 2014, the Department issued a Final Order that was in response to a Petition for Variance from Atrium (The), filed October 2, 2014, and advertised on October 7, 2014, in Vol. 40, No. 195, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative

Code, that requires upgrading the elevators for firefighters' emergency operations because the Petitioner has not demonstrated that the purpose of the underlying statute has been met or that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2014-356).

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, (850)488-1133.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:

61J1-4.010 Supervision and Training of Registered Trainee Appraisers

The Florida Real Estate Appraisal Board hereby gives notice that it has received a petition, filed on October 22, 2014, by Cynthia L. Hales. The Petitioner is seeking a Variance or Waiver of paragraph 61J1-4.010(1)(c), F.A.C., and the requirement that a state certified appraiser must have 48 months of continuous licensure before being allowed to act as a supervisor for registered trainee appraisers.

Comments on this petition should be filed with the Florida Real Estate Appraisal Board, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801, within 14 days of publication of this notice.

A copy of the Order or additional information may be obtained by contacting: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:

61J1-10.002 Registered Trainee Real Estate Appraiser

The Florida Real Estate Appraisal Board hereby gives notice of the issuance of an Order regarding the Petition for Variance, filed October 21, 2013, by John Price. The Notice of Petition for Waiver or Variance was published in Vol. 39, No. 209, of the October 25, 2013, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on December 9, 2013. Petitioner sought a waiver or variance of subsection 61J1-10.002(1), F.A.C., in regards to the requirements that an applicant for a registered real estate trainee appraiser complete 100 hours of classroom education in approved academic areas.

The Board's Order, filed on January 10, 2014, grants the petition finding that Petitioner has established that the Board's full application of paragraph 61J1-10.002(1), F.A.C., to his circumstances would violate principles of fairness and would impose a substantial hardship on him. Petitioner established that

the purpose of the statute would be met by other means by the granting of the petition.

A copy of the Order or additional information may be obtained by contacting: Juana Watkins, Division Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:

61J1-4.007 Renewal of Inactive Registrations, Licenses and Certifications

The Florida Real Estate Appraisal Board hereby gives notice of the issuance of an Order regarding the Petition for Variance, filed August 23, 2013, by Leonard Baldassano. The Notice of Petition for Waiver or Variance was published in Vol. 39, No. 209, of the October 25, 2013, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on December 9, 2013. Petitioner sought a waiver or variance of Rule 61J1-4.007, F.A.C., in regards to the requirements that an applicant with an inactive license status must complete 100 hours of approved pre-certification courses, 30 hours of ABII with an end of course exam and a 7 hour USPAP update course in order for an application to return to an active status.

The Board's Order, filed on January 30, 2014, denies the petition finding that Petitioner has not established that the Petitioners will have met the purpose of the underlying statute, or that he has suffered a substantial hardship or that the principles of fairness are violated in this matter as opposed to someone similarly situated.

A copy of the Order or additional information may be obtained by contacting: Juana Watkins, Division Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:

61J1-4.007 Renewal of Inactive Registrations, Licenses and Certifications

The Florida Real Estate Appraisal Board hereby gives notice of the issuance of an Order regarding the Petition for Variance, filed November 20, 2013, by Susan Baker. The Notice of Petition for Waiver or Variance was published in Vol. 39, No. 251, of the December 31, 2013, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on December 9, 2013. Petitioner sought a waiver or variance of Rule 61J1-4.007, F.A.C., in regards to the requirement the criteria for approval of equivalency for courses

completed by individuals seeking credit for pre-registration, pre-certification, post licensing, or appraiser continuing education shall be that the course or courses as prescribed by the Florida Real Estate Appraisal Board; all registered, licensed and certified appraisers must satisfactorily complete a minimum of 30 hours of 50 minutes each of appraiser continuing education as prescribed or approved by the Florida Real Estate Appraisal Board; and that an applicant with an inactive status must complete 100 hours of approved pre-certification courses, 30 hours of ABII with an end of course exam and a 7 hour USPAP update course in order for an applicant to return to active status.

The Board's Order, filed on December 9, 2013, finds that the petition was in substantial compliance with the provisions of Section 120.542, F.S., and Chapter 28-104, F.A.C. Petitioner has established that the Petitioner will have met the purpose of the underlying statute upon completion of 7 continuing education hour deficiency. Therefore the Board grants the petition upon the condition that Petitioner completes the seven (7) hour continuing education deficiency within 90 days of this order.

A copy of the Order or additional information may be obtained by contacting: Juana Watkins, Division Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:

61J1-10.003 Certified Residential Appraiser

The Florida Real Estate Appraisal Board hereby gives notice of the issuance of an Order regarding the Petition for Variance, filed July 11, 2013, by Thomas H. Hill. The Notice of Petition for Waiver or Variance was published in Vol. 39, No. 143, of the July 24, 2013, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on August 5, 2013. Petitioner sought a waiver or variance of subsection 61J1-10.003(1), F.A.C., in regards to the requirements that an applicant must meet the minimum education, experience, and examination requirements for certification as a residential real estate appraiser.

The Board's Order, filed on October 18, 2013, denies the petition finding that Petitioner has not established that the Petitioner will have met the purpose of the underlying statute, nor that he has suffered a substantial hardship or that the principles of fairness are violated in this matter as opposed to someone similarly situated.

A copy of the Order or additional information may be obtained by contacting: Juana Watkins, Division Director, Division of

Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:

61J1-4.010 Supervision and Training of Registered Trainee Appraisers

The Florida Real Estate Appraisal Board hereby gives notice of the issuance of an Order regarding the Petition for Variance, filed November 5, 2013, by Ian M. Squire. The Notice of Petition for Waiver or Variance was published in Vol. 39, No. 220, of the November 12, 2013, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on December 9, 2013. Petitioner sought a waiver or variance of paragraph 61J1-4.010(1)(c), F.A.C., in regards to the requirements that a state certified appraiser must have 48 months of continuous licensure before being allowed to act as a supervisor for registered trainee appraisers.

The Board's Order, filed on January 10, 2014, grants the petition finding that Petitioner has established that the Board's full application of paragraph 61J1-4.010(1)(c), F.A.C., to his circumstances would violate principles of fairness and would impose a substantial hardship on him. Petitioner established that the purpose of the statute would be met by other means by the granting of the petition.

A copy of the Order or additional information may be obtained by contacting: Juana Watkins, Division Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: RULE TITLE:

64B10-15.001 Continuing Education for Licensure Renewal

The Board of Nursing Home Administrators hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver filed by Allen F. Yearick. The Notice of Petition for Variance or Waiver was published in Vol. 40, No. 64, of the April 2, 2014, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on April 18, 2014. The petition requested a waiver or variance from the requirement imposed by Rule 64B10-15.001, Florida Administrative Code, with respect to the required information which must be submitted for Board approval of a continuing education course.

The Board's Order, filed on November 12, 2013, denies the Petition for Variance or Waiver of Rule 64B10-15.0021, Florida Administrative Code, finding that Petitioner has not demonstrated the purpose of the underlying statute has been achieved by other means, nor has Petitioner demonstrated

failure to grant the Petition would violate principles of fairness or constitute an undue hardship on Petitioner.

A copy of the Order or additional information may be obtained by contacting: Adrienne Rodgers, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-5.002 Criteria for Approval

The Board of Optometry hereby gives notice it has issued a Notice of Intent to Deny the Petition for Waiver or Variance filed on filed June 4, 2013, by Sandra Fortenberry, on behalf of the Rosenberg School of Optometry. The Notice of Petition for Variance or Waiver was published in Vol. 39, No. 115, of the June 13, 2013, Florida Administrative Register. The Petitioner sought a variance or waiver of paragraph 6B13-5.002(3)(c), Florida Administrative Code, with regards to the requirement that a transcript-quality continuing education program be approved by the Board as transcript-quality coursework prior to the time the course was taken.

The Board's Order, filed on August 2, 2013, denies the Petition. Petitioner has not demonstrated that the request meets the purpose of the underlying statute or has otherwise failed to provide evidence of financial hardship according to Section 456.036, Florida Statutes.

A copy of the Order or additional information may be obtained by contacting: Adrienne Rodgers, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-11.014 Mobile Food Units

NOTICE IS HEREBY GIVEN that on October 27, 2014, the Department of Health, received a petition for a Permanent Variance from subsection 64E-11.014(3), Florida Administrative Code, from Mess Hall, Inc., Michael Giallombardo, President, 9354 NW 23rd Street, Pembroke Pines, Florida 33024. This rule requires serving openings of mobile food units to be no larger than necessary for the particular operation conducted and the openings to be kept closed at all times except when food is actually being served. Comments on this petition should be filed with Jaime Briggs, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703, within 14 days of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ric Mathis, Bureau of Environmental Health,

4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1710 or by calling (850)245-4444, ext. 2337.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

Commission for Independent Education

The Commission for Independent Education announces a public meeting to which all persons are invited.

DATE AND TIME: November 20, 2014, 9:00 a.m.

PLACE: Mission Inn Resort and Club, 10400 County Road 48, Howey In The Hills, Florida 34737

GENERAL SUBJECT MATTER TO BE CONSIDERED: On November 20, 2014, beginning at 9:00 a.m., the Commission for Independent Education will consider: All Degree Granting Institutions and Non-Degree granting Institutions for the following: Disciplinary Matters, Informal Hearings, Institutions Ordered to Appear Back Before the Commission, New Applications for Licensure, Institutional Applications for Program Modifications and Additional Programs, Applications for Annual License, Motions for Extension of License, Motions for Request for Extension of Time to Comply with Contingencies, Reports, Approved Applicant Letters Sent, Licenses Sent, Closed Schools, Agent Training Programs, Annual Renewals, Extension of Annual Licenses, Licenses by Means of Accreditation, Annual Reviews of License By Means of Accreditation, Substantive Change Applications, Name Change Applications, Attorney and Executive Director Reports, Applications for Exemption for Religious Colleges, informal hearings and the General Business of the Commission. Public Comment: The Commission is committed to promoting transparency and public input during its public meetings. Speakers are requested to complete a public comment form, which will be available at the meeting, and to indicate whether they represent a group or faction. The Commission will hear public comment only regarding issues on the agenda. Individuals and representatives of groups will generally be allotted three minutes, but the time may be extended or shortened at the discretion of the Chair. The Chair may impose a cumulative time limit for all public comment on any agenda item.

A copy of the agenda may be obtained by contacting: The Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

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 Commission for independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400. 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 Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

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

DATE AND TIME: November 10, 2014, 10:00 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 Regional Collaboration Steering Committee.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

For more information, you may contact: Mr. Avera Wynne, avera@tbrpc.org.

REGIONAL PLANNING COUNCILS

Apalachee Regional Planning Council

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

DATE AND TIME: Thursday, November 20, 2014, 10:30 a.m., ET

PLACE: ARPC Office Conference Room, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: In addition to the ARPC's regular business, the agenda will include the review of any local plan amendments and revolving loan application received in a timely manner.

A copy of the agenda may be obtained by contacting: Janice Watson, ARPC 2507 Callaway Road, Suite 200, Tallahassee, FL 32303, JWatson@thearpc.com or (850)488-6211, ext. 103. 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.

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District
 The Northwest Florida Water Management District announces public meetings to which all persons are invited.
DATE AND TIMES: November 13, 2014, 12:00 Noon, ET, District Lands Committee; 1:00 p.m., ET, Governing Board Meeting; 1:05 p.m., ET, Public Hearing on Regulatory Matters; 1:10 p.m., ET, Public Hearing on Land Acquisition Matters
PLACE: District Headquarters, 81 Water Management Drive, Havana, Florida 32333
GENERAL SUBJECT MATTER TO BE CONSIDERED: District business.

A copy of the agenda may be obtained by contacting: Savannah White, 81 Water Management Drive, Havana, FL 32333, at (850)539-5999, or by visiting the District's website: <http://www.nfwwater.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 72 hours before the workshop/meeting by contacting: Ms. Wendy Dugan. 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.

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: Thursday, November 13, 2014, 1:00 p.m.
PLACE: SWFWMD Tampa Service Office, 7601 US Highway 301 North, Tampa, FL 33637
GENERAL SUBJECT MATTER TO BE CONSIDERED: Joint Industrial and Public Supply Advisory Committee meeting: to discuss committee business. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of committee and 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: Lori.manuel@watermatters.org, 1(800)423-1476 (FL only) or (352)796-7211, ext. 4606(Ad Order EXE0359).

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: Monday, November 17, 2014, 9:30 a.m.
PLACE: SWFWMD Headquarters, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: Hernando County Task Force Technical Advisory Group Meeting to discuss the condition of Byster Lake – impacts to surrounding wildlife and recreation opportunities. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of advisory 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: Veronica.craw@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, ext. 4267(Ad Order EXE0360).

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, November 18, 2014, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings and Public Hearing: consider SWFWMD business. 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: Lori.manuel@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, ext. 4606 (Ad Order EXE0361).

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: Thursday, November 20, 2014, 1:30 p.m.

PLACE: Bert J. Harris Agricultural Center, 4509 George Blvd., Sebring, FL 33875

GENERAL SUBJECT MATTER TO BE CONSIDERED: Southern Water Use Caution Area (SWUCA) Ridge Lakes Stakeholder Workgroup Meeting. Discussion is focused on evaluating and recommendations for adjustments to the strategies in the SWUCA Recovery Strategy intended to meet the minimum lake levels along the Lake Wales Ridge. 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: SWUCA.recovery@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, ext. 4422 (Ad Order EXE0362).

REGIONAL UTILITY AUTHORITIES

Peace River/Manasota Regional Water Supply Authority

The Peace River Manasota Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: November 10, 2014, 2:00 p.m.

PLACE: DeSoto County Administration Building, Commission Chambers, 201 East Oak Street, Arcadia, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will convene to conduct regular business of the Authority.

A copy of the agenda may be obtained by contacting: Linda Stewart at (941)316-1776 or email: lstewart@regionalwater.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 2 days before the workshop/meeting by contacting: (941)316-1776. 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: (941)316-1776.

DEPARTMENT OF ELDER AFFAIRS

Statewide Public Guardianship Office

The Department of Elder Affairs, Statewide Public Guardian Office, Foundation for Indigent Guardianship, Inc. announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, December 1, 2014, 12:30 p.m., E.S.T.

PLACE: Conference call number: 1(888)670-3525, participant code: 7919129022#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business meeting of Foundation for Indigent Guardianship, Inc.

A copy of the agenda may be obtained by contacting: Mary Teresa Martin, (850)414-2000.

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: Mary Teresa Martin, (850)414-2000. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration announces a public meeting to which all persons are invited.

DATE AND TIME: November 21, 2014, 10:00 a.m. – 12:00 Noon

PLACE: www.joinwebinar.com, web ID: 151-107-587, dial-in number: 1(888)670-3525, dial-in access code: 4998535691

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Health Information Exchange Coordinating Committee will review and discuss strategies to increase electronic health record adoption and health information exchange in Florida.

A copy of the agenda may be obtained by contacting: Dana Watson, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop 16, Tallahassee, FL 32308-5403. The agenda will be posted at: <http://www.fhin.com/content/committeesAndCouncils/index.shtml> seven (7) days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Dana Watson at (850)412-3784. 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: Dana Watson, (850)412-3784.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Office on Homelessness

The state Council on Homelessness announces a quarterly public meeting to which all persons are invited.

DATE AND TIME: November 19, 2014, 9:00 a.m. – 5:00 p.m.

PLACE: Palm Beach County Governmental Center, 301 N. Olive Ave., 12th Floor – McEaddy Conference Room, West Palm Beach, FL 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED: This conference call will address the committees' continued development of policy recommendations and work tasks to address the Council's Annual Report on recommendations to end homelessness in Florida.

A copy of the agenda for any of the conference calls can be obtained by contacting: Erik Braun, Director, Office on Homelessness, Erik_Braun@dcf.state.fl.us, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-9850. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Pursuant to 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 24 hours before the workshop/meeting by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, Erik_Braun@dcf.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 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, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-9850, Erik_Braun@dcf.state.fl.us.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida Fish and Wildlife Conservation Commission announces public meetings to which all persons are invited.

DATES AND TIME: November 20-21, 2014, 8:30 a.m. each day

PLACE: Hilton Key Largo Resort, 9700 Overseas Highway, Key Largo, FL 33037

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and discuss substantive and procedural issues associated with the Fish and Wildlife Conservation Commission and to take action on proposed rules and policy issues. The meeting may include fact finding field trips to Commission managed areas or facilities and to other areas to learn about management, and enforcement activities.

A copy of the agenda may be obtained by contacting: Lisa Zullo, Florida Fish and Wildlife Conservation Commission, 620 S. Meridian St., Tallahassee, FL 32399-1600.

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 ADA Coordinator at (850)488-6411. 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: Mr. Bud Vielhauer, General Counsel, 620 South Meridian Street, Tallahassee, Florida 32399-1600 or (850)487-1764.

FLORIDA CENTER FOR NURSING

The Florida Center for Nursing announces a public meeting to which all persons are invited.

DATE AND TIME: November 14, 2014, 1:00 p.m.

PLACE: The meeting will be a teleconference; dial-in number: 1(888)670-3525, participant code: 3556346349#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Staffing updates and financial report.

A copy of the agenda may be obtained by contacting: Anntoni Leonard at ann.leonard@ucf.edu.

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 24 hours before the workshop/meeting by contacting: Anntoni Leonard at (407)823-0980. 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: Mary Lou Brunell, Executive Director, (407)823-0981 or Anntoni Leonard, (407)823-0980.

CITIZENS PROPERTY INSURANCE CORPORATION

The Citizens Property Insurance Corporation Board of Governors announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, November 19, 2014, 1:00 p.m. (EST), 12:00 Noon (CST)

PLACE: Dial-in: 1(888)942-8686, conference ID: 5743735657#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Jacksonville Office Space.

A copy of the agenda may be obtained by contacting: Citizens website: www.citizensfla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Barbara Walker at (850)513-3744. 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).

SUNSHINE STATE ONE CALL OF FLORIDA

The Sunshine One Call of Florida d/b/a Sunshine 811 announces public meetings to which all persons are invited.

DATES AND TIMES: Thursday, November 13, 2014, 12:00 Noon – 5:00 p.m.; Friday, November 14, 2014, 8:00 a.m. – 4:30 p.m.

PLACE: 11 Plantation Road, DeBary, Florida 32713

GENERAL SUBJECT MATTER TO BE CONSIDERED: Sunshine 811 announces its Committee and Board of Directors meetings to which all interested persons are invited to participate.

Committee Meetings: Thursday, November 13, 2014, 12:00 Noon – 5:00 p.m.

- Lunch provided at the call center for meeting participants and Sunshine 811 employees beginning at 11:00 a.m.

Board Meeting: Friday, November 14, 2014, 8:00 a.m. – 4:30 p.m.

- Lunch provided at the call center for meeting participants and Sunshine 811 employees.

A copy of the agenda may be obtained by contacting:

http://www.sunshine811.com/images/stories/board/201411_agenda.pdf.

For more information, you may contact: Lori Budiani, Executive Assistant, (386)575-2002.

MRGMIAMI

The Florida Department of Transportation (FDOT), District Six, announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, November 13, 2014, 6:00 p.m. – 8:00 p.m.

PLACE: FDOT District Six Auditorium, 1000 NW 111 Avenue, Miami, FL 33172

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) will be spending nearly \$3 billion over the next five years to improve transportation infrastructure in Miami-Dade and Monroe Counties. The Work Program Public Hearing will be held in order to present the District Six Five-Year Work Program and allow the public to ask questions or make comments about the program in general, as well as specific projects included in the program.

A simultaneous webcast of the public hearing will be held online, and the live question and answer portion of the public hearings will begin at 7:00 p.m. for both live attendees and online participants. Online participants can view the hearing from anywhere via the internet, during the dates and times listed above, by logging on to www.fdotmiamidade.com/work-program or registering on the hearing's GoToWebinar page. Audience members will be able to make public comments and ask questions. Online viewers can submit questions or comments via email: wpcomments@dot.state.fl.us and will be responded to the next day.

A copy of the agenda may be obtained by contacting: Alicia Gonzalez, Project Manager, at (786)280-6645 or via email: agonzalez@mrgmiami.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 seven (7) days before the workshop/meeting by contacting: Ms. Fang Mei, P.E., at (305)470-5342, in writing at 1000 NW 111th Avenue, Miami, Florida 33172 or via email: fang.mei@dot.state.fl.us If you are hearing or speech impaired,

please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Alicia Gonzalez, Project Manager, at (786)280-6645 or via email: agonzalez@mrgmiami.com.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation has received the petition for declaratory statement from Kevin Cooper on October 23, 2014. The petition seeks the agency's opinion as to the applicability of Chapter 468, part XVI, F.S., as it applies to water extraction companies.

Petitioner asks whether a water extraction company that is not licensed under Chapter 468, Part XVI, F.S., may contract with licensed mold remediators and mold assessors to approve mold assessments and mold remediations completed by the water extraction company.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Department of Business and Professional Regulation, Agency Clerk's Office, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2202, (850)921-0342, AGC.Filing@myfloridalicense.com.

Please refer all comments to: Brittany B. Griffith, Assistant General Counsel, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062.

Except for good cause shown, motions for leave to intervene must be filed within 21 days of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

NOTICE IS HEREBY GIVEN that Board of Cosmetology has declined to rule on the petition for declaratory statement filed by Diana Richardson on July 10, 2014. The following is a summary of the agency's declination of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 40, No. 157, of the August 13, 2014, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on September 4, 2014. Petitioner was requesting an interpretation of subsections 61G5-22.015(1) and 61G5-22.017(1), (2), Florida Administrative Code, regarding whether a conflict exists between the rules. The Board's Order, filed on September 30, 2014, declines to answer the Petition for Declaratory Statement.

The Board determined that the Petitioner lacked standing to request a declaratory statement and was attempting to determine the conduct of another.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Robyn Barineau, Executive Director, Board of Cosmetology, P. O. Box 5377, Tallahassee, Florida 32314-5377, (850)487-1395 or at Robyn.Barineau@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NO.: RULE TITLE:

61G5-22.017 Minimum Curriculum for Facial Specialty Training

NOTICE IS HEREBY GIVEN that Board of Cosmetology has declined to rule on the petition for declaratory statement filed by Diana Richardson on July 10, 2014. The following is a summary of the agency's declination of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 40, No. 157, of the August 13, 2014, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on September 4, 2014. Petitioner was requesting an interpretation of Rules 61G5-2.002, 61G5-2.003, and 61G5-2.015, Florida Administrative Code, regarding whether an instructor's signature certifying successful completion of 260 hours of instruction designed to meet the learning objectives satisfies the evaluation requirement making Petitioner legally eligible to apply for registration; whether Petitioner is eligible to apply for registration if she did not have a graded performance/practical evaluation of the services but completed the services; and clarification of whether the graded performance/practical examination is required for the variety of services required in subsection 61G5-22.017(2), Florida Administrative Code. The Board's Order, filed on September 30, 2014, declines to answer the Petition for Declaratory Statement. The Board determined that the Petitioner is not a substantially affected person and therefore lacks the standing necessary to request a declaratory statement.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Robyn Barineau, Executive Director, Board of Cosmetology, P. O. Box 5377, Tallahassee, Florida 32314-5377, (850)487-1395 or at Robyn.Barineau@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NO.: RULE TITLE:

61G5-22.017 Minimum Curriculum for Facial Specialty Training

NOTICE IS HEREBY GIVEN that Board of Cosmetology has declined to rule on the petition for declaratory statement filed by Diana Richardson on July 10, 2014. The following is a summary of the agency's declination of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 40, No. 157, of the August 13, 2014, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on September 4, 2014. Petitioner was requesting an interpretation of paragraph 61G5-22.017(1)(a), Florida Administrative Code, regarding whether the five hours of required instruction in laws and rules for Facial Specialty Training has to be given by an instructor in the classroom, and the methods of satisfying the five hour requirement. The Board's Order, filed on September 30, 2014, declines to answer the Petition for Declaratory Statement. The Board determined that the Petitioner is not a substantially affected person and therefore lacks the standing necessary to request a declaratory statement and was attempting to determine the conduct of another.

A copy of the Order Declining the Petition for Declaratory Statement may be obtained by contacting: Robyn Barineau, Executive Director, Board of Cosmetology, P. O. Box 5377, Tallahassee, Florida 32314-5377, (850)487-1395 or at Robyn.Barineau@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NO.: RULE TITLE:

61G5-22.017 Minimum Curriculum for Facial Specialty Training

NOTICE IS HEREBY GIVEN that Board of Cosmetology has declined to rule on the petition for declaratory statement filed by Diana Richardson on July 10, 2014. The following is a summary of the agency's declination of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 40, No. 157, of the August 13, 2014, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on September 4, 2014. Petitioner was requesting an interpretation of paragraphs 61G5-22.017(2)(a)-(g), Florida Administrative Code, regarding whether facial services performed on mannequins meet, by definition, the service requirements stated in the Rule subsections. The Board's Order, filed on September 30, 2014, declines to answer the Petition for Declaratory Statement. The Board determined that the Petitioner lacked standing to request a declaratory statement and was attempting to determine the conduct of another.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Robyn Barineau, Executive Director, Board of Cosmetology, P. O. Box 5377,

Tallahassee, Florida 32314-5377, (850)487-1395 or at Robyn.Barineau@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

NOTICE IS HEREBY GIVEN that Board of Cosmetology has declined to rule on the petition for declaratory statement filed by Brittany Lewis on July 10, 2014. The following is a summary of the agency’s declination of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 40, No. 157, of the August 13, 2014, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on September 4, 2014. Petitioner was requesting clarification of whether the reuse of facial sponges and waxing sticks is allowed. The Board’s Order, filed on September 30, 2014, declines to answer the Petition for Declaratory Statement. The Board determined that the Petitioner petition does not cite to any portions of the Florida Statutes or Florida Administrative Code and therefore does not meet the essential requirements of law. The Board declined to answer the petition.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

NOTICE IS HEREBY GIVEN that Florida Real Estate Appraisal Board has issued an order disposing of the petition for declaratory statement filed by Altus Group, US, Inc. on February 6, 2014. The following is a summary of the agency’s disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 40, No. 40, of the February 27, 2014, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on April 7, 2014. The Petitioner sought the Board’s opinion of Title XXXII, Chapter 475, Sections 475.611 and 475.6235, F.S., regarding whether licensure as an appraisal management company is required in connection with limited appraisal consulting services with the following functions: consults on appropriate policies and procedures to comply with the various regulatory bodies; consults on the scheduling or property appraisals to assure compliance; reviews independent third-party appraisals on behalf of client; facilitates consulting process by providing client access to web-based software that automates information exchange between various parties; house client databases, and provides industry benchmarking capabilities; and periodically complete appraisal complete appraisal engagements directly for

the client with no outside assistance. The Board’s Order, filed on May 16, 2014, answers the petition finding several of the services provided by the Petitioner described in the Petition does constitute “appraisal management services” as defined in Section 475.611(12)(d)2., Florida Statutes, which states that “‘Appraisal management services’ means the coordination or management or appraisal services for compensation by...2.Action as a broker or intermediary between a client and one or more licensed or certified appraisers to facilitate the client’s employing, contracting with, or otherwise retaining the appraisers.” The Board’s response to this Petition is based on the Petitioner’s particular set of circumstances set forth in the Petition and only answers the questions raised related to the particular set of circumstance as stated in the Petition, and is not a policy statement of general applicability.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Juana Watkins, Division Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

NOTICE IS HEREBY GIVEN that Florida Real Estate Appraisal Board has issued an order disposing of the petition for declaratory statement filed by Cornerstone Home Lending, Inc. on August 30, 2013. The following is a summary of the agency’s disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 39, No.181, of the September 17, 2013, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on October 17, 2014. The Petitioner sought the Board’s opinion of Title XXXII, Chapter 475, Sections 475.611(3)(c), (d) and 475.6235(1), F.S. regarding whether using an internal appraisal process constitutes an “appraisal management service.” Whether Petitioner is considered an “Appraisal Management Company; whether Petitioner is required to become registered or licensed as an appraisal management company; what aspects define an “Appraisal Management Company”; does the use of software make Petitioner an appraisal management company; is Mercury Network considered an appraisal management company; should Mercury Network or Cornerstone Mortgage Company be licensed as an appraisal management company. The Board’s Order, filed on December 10, 2013, answers the petition stating that because the Petitioner states that it uses the appraisal process for its own lending purposes and does not receive compensation from its customers for its appraiser services, the Petitioner isn’t “employing, contracting with , or otherwise retaining” certified appraisers to perform appraisal services for

a client, or otherwise acting as a broker or intermediary between a client and one or more appraisers to facilitate the client’s “employing, contracting with, or otherwise retaining the appraisers.” Therefore, the Petitioner is not performing appraisal management services and is not required to be licensed as an appraisal management company. The Board further states that Petitioner does not have standing to inquire whether the third party technology is required to be licensed as an appraisal management company because a Petition in not proper when asking about the conduct or particular circumstances of another person or entity. However, the Petitioner is not required to be licensed as an appraisal management company by virtue of its use of the third party technology for the reasons stated in the preceding paragraph. The Board’s response to this Petition is based on the Petitioner’s particular set of circumstances set forth in the Petition and only answers the questions raised related to the particular set of circumstance as stated in the Petition, and is not a policy statement of general applicability.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Juana Watkins, Division Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801.

DEPARTMENT OF HEALTH

Board of Opticianry

NOTICE IS HEREBY GIVEN that Board of Opticianry has declined to rule on the petition for declaratory statement filed by Kelly Wilse, on October 11, 2013. The following is a summary of the agency’s declination of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 39, No. 209, of the October 25, 2013, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on November 8, 2013. The petition sought the Board’s guidance regarding Section 484.002(3), Florida Statutes, and whether the taking of payment of a sales transaction when the optician is not on the premises, where no optical device has been interpreted, measured, prepared or dispensed to a patient is considered the practice of opticianry. The Board’s Order, filed on December 4, 2013, declines to issue a declaratory statement because Section 484.002(3), Florida Statutes, is clear on its face.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258 or at Sue.Foster@flhealth.gov, (850)245-4474.

**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**

DEPARTMENT OF EDUCATION

Florida Polytechnic University

Development of Residential Housing

NOTICE OF INVITATION TO NEGOTIATE

Florida Polytechnic University is soliciting proposals for the following:

14-004 DEVELOPMENT OF RESIDENTIAL HOUSING

Description/Scope of Work: The Florida Polytechnic University is soliciting responses from interested parties to enter into a public-private partnership with the University to

develop a residence facility and site (together, the 'Project') on the University's main campus located in Lakeland, Florida. The University is seeking a private developer that will, at a minimum, design, build and finance the Project.

Location: Florida Polytechnic University, 4700 Research Way, Lakeland, Florida, 33805-8531

Instructions: Copies of the solicitation document may be obtained via email from the Point of Contact identified below.

Response Due Date: On or prior to 2:00 p.m. EST, Monday, November 24, 2014, to the Point of Contact, as further described in the solicitation document.

Point of Contact: All questions must be in writing and should reference the above solicitation number and title. Submit all questions to Kari L. Kennedy via email at Kkenedy@Flpoly.org.

Notice of Rights: Notice of Intent to Protest the Invitation to Negotiate must be filed with (received by) the Point of Contact within 72 hours after posting. Failure to file a Notice of Intent to Protest or a formal written protest in accordance with State University System Board of Governors' Regulation 14.023 shall constitute a waiver of the right to a hearing on the protest.

ADA Requirements: Any person with a qualified disability shall not be denied equal access and effective communication regarding any documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact the Point of Contact at least five (5) business days in advance. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Section XII Miscellaneous

DEPARTMENT OF HEALTH

Board of Chiropractic

Emergency Action

On October 30, 2014, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Dadesky Ivory Saintil, D.C., License #: CH 10187. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On October 30, 2014, State Surgeon General issued an Order of Emergency Restriction of License with regard to the license of Joanne B. Deandrade, R.N., License #: RN 9216355. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2012-2014). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Section XIII Index to Rules Filed During Preceding Week

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