

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Florida Forest Service

RULE NOS.: RULE TITLES:

- 5I-7.002 Definitions
- 5I-7.004 Application Procedures and Requirements
- 5I-7.007 Ranking, Review and Approval of Priority Acquisition List
- 5I-7.009 Appraisal Procedures, Report Requirements and Determining Maximum Amounts
- 5I-7.012 Closing
- 5I-7.014 Compliance, Monitoring and Enforcement

PURPOSE AND EFFECT: Refine and correct oversights in the original rule making the rule more streamlined and user friendly for applicants to the program and for the agency.

SUBJECT AREA TO BE ADDRESSED: Qualification and prioritization of applicants of the Rural and Family Lands Protection Program.

RULEMAKING AUTHORITY: 570.07(23), 570.71(10), 259.105, 259.105(3)(i) FS.

LAW IMPLEMENTED: 570.70, 570.71, 259.105, 259.04(1)(c) 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: Jennifer Reed, Land Program Coordinator, Florida Forest Service, Land Administration Section, The Conner Building, 3125 Conner Boulevard – Room 237, Tallahassee, FL 32399-1650, (850)681-5828, (850)681-5801 Fax, Jennifer.Reed@FreshFromFlorida.com

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NOS.: RULE TITLES:

- 5J-4.004 Registration
- 5J-4.005 Exemption

- 5J-4.014 Security Requirements
- 5J-4.015 Enforcement Actions and Administrative Penalties

PURPOSE AND EFFECT: The purpose of this rule development is to update and incorporate department forms to include security documents in compliance with Chapter 2014-147, Laws of Florida; and to establish a penalty structure for violations of the health studios law consistent with others established within the department.

SUBJECT AREA TO BE ADDRESSED: Updated Health Studio Registration Application, Health Studio Claim Affidavit; and guidance for increasing or decreasing fines based on aggravating and mitigating factors.

RULEMAKING AUTHORITY: 501.014(2), 501.016(1), (2), (3), 570.07(23) FS.

LAW IMPLEMENTED: 501.013, 501.015(1), (2), (3), (4), 501.016(1), (2), (3) 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: Amy Topol, Assistant Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, Phone: (850)410-3662

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NOS.: RULE TITLES:

- 5J-6.005 Licensing Requirement, Commercial Telephone Seller, Salesperson
- 5J-6.015 Security Requirements
- 5J-6.016 Enforcement Actions and Administrative Penalties

PURPOSE AND EFFECT: The purpose of this rule development is to update and incorporate department forms to include security documents in compliance with Chapter 2014-147, Laws of Florida; and to establish a penalty structure for violations of the Florida Telemarketing Act consistent with others established within the department.

SUBJECT AREA TO BE ADDRESSED: Updated Commercial Telephone Seller Business License Application, Telemarketing Claim Affidavit; and guidance for increasing or decreasing fines based on aggravating and mitigating factors.

RULEMAKING AUTHORITY: 501.611(3), (5), 501.626, 570.07(23) FS.

LAW IMPLEMENTED: 501.605, 501.611, 501.612, 570.971(4) FS.

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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NOS.:	RULE TITLES:
5J-7.004	Registration
5J-7.009	Professional Fundraising Consultant Registration
5J-7.010	Professional Fundraising Solicitor Registration
5J-7.011	Notice of Commencement of Solicitations
5J-7.012	Financial Report of Campaign
5J-7.013	Disaster Relief

PURPOSE AND EFFECT: The purpose of this rulemaking is to update and incorporate department forms and to provide temporary licensure guidelines for individual solicitors to implement statutory changes in Ch. 2014-22, Laws of Florida.

SUBJECT AREA TO BE ADDRESSED: Incorporated department forms required to comply with the Solicitation of Contributions Act and individual solicitor’s interim operating authority.

RULEMAKING AUTHORITY: 496.4101(7), 496.424, 570.07(23) FS.

LAW IMPLEMENTED: 496.405, 496.406, 496.4071, 496.4072, 496.409, 496.410, 496.4101, 496.426 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.

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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NOS.:	RULE TITLES:
5J-9.002	Registration, Document Submission
5J-9.006	Security Requirement
5J-9.008	Enforcement Actions and Administrative Penalties

PURPOSE AND EFFECT: The purpose of this rule development is to update and incorporate department forms to include security documents in compliance with Chapter 2014-147, Laws of Florida; and to establish a penalty structure for violations of the Florida Sellers of Travel Act consistent with others established within the department.

SUBJECT AREA TO BE ADDRESSED: Updated Sellers of Travel Registration Package, Seller of Travel Claim Affidavit; and guidance for increasing or decreasing fines based on aggravating and mitigating factors.

RULEMAKING AUTHORITY: 559.929(2), (3), 559.9355(3), 570.07(23) FS.

LAW IMPLEMENTED: 559.928, 559.929, 559.9295(16), 559.935(3), 559.9355, 559.936 FS.

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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NOS.:	RULE TITLES:
5J-13.002	Licensing Requirements
5J-13.003	Security Requirements
5J-13.004	Enforcement Actions and Administrative Penalties

PURPOSE AND EFFECT: The purpose of this rule development is to update and incorporate department forms to include security documents in compliance with Chapter 2014-147, Laws of Florida; and to establish a penalty structure for violations of the Florida Pawnbroking Act consistent with others established within the department.

SUBJECT AREA TO BE ADDRESSED: Updated Pawnbroking Registration Application; Pawnshop Claim Affidavit; and guidance for increasing or decreasing fines based on aggravating and mitigating factors.

RULEMAKING AUTHORITY: 539.001(4)(a)(2), (21), 570.07(23) FS.

LAW IMPLEMENTED: 539.001(4)(a)(2), (5)(a), (c), (7)(b)4, (8)(a), 570.971(4) FS.

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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

Division of Pari-Mutuel Wagering

RULE NOS.:	RULE TITLES:
61D-2.024	Track General Rules
61D-2.025	Race General Rules
61D-2.026	Jai Alai Game General Rules
61D-2.027	Performances
61D-2.028	Jockey Requirements
61D-2.0281	Sulky Driver Requirements
61D-2.029	Qualifications of Horses to Start

PURPOSE AND EFFECT: The purpose and effect of the proposed rules are as follows: to provide for uniform rules for the control, supervision, and direction of all applicants, permittees, and licensees for the holding, conducting, and operating of all race tracks, race meets and races held in this state; to provide rules for the requirements for specified pari-mutuel wagering occupational licenses; to provide reasonable rules for racing and jai alai events upon which tickets or other evidences of contribution to a pari-mutuel pool are offered for wagering; to provide rules for the welfare of racing animals; and to provide rules related to totalisator licenses and the commingling of pari-mutuel pools upon which intertrack and simulcast wagering is conducted.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed by these rules are general racing requirements, general jai alai game requirements, performances, jockey requirements, sulky driver requirements and qualifications for horses to start.

RULEMAKING AUTHORITY: 550.0251(2), (3), 550.105(10)(a), 550.155(1), 550.2415(12), 550.3551(10), 550.495(2)(a), 550.6305(5) FS.

LAW IMPLEMENTED: 550.0251, 550.0425, 550.105, 550.155, 550.2415, 550.3551, 550.495, 550.6305 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: January 14, 2015, 9:00 a.m. – 5:00 p.m.

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 North Monroe Street, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Patti Kight at (850)717-1096. 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: Patti Kight, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

Division of Pari-Mutuel Wagering

RULE NOS.:	RULE TITLES:
61D-4.002	Evaluating a Permit Application for a Pari-Mutuel Facility
61D-4.004	Application for Annual Racing License
61D-4.005	Annual Notification of Permitholder Ownership Interest

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments is as follows: to provide for uniform rules for the control, supervision, and direction of all applicants, permittees, and licensees for the holding, conducting, and operating of all race tracks, race meets and races held in this state; to provide rules for the requirements for applications for a new pari-mutuel wagering permit; to provide rules for the requirements for applying for an annual pari-mutuel license or an amendment of an annual pari-mutuel license; to recognize that the division does not have the authority under Florida Law to change the legal description of the land and location of a pari-mutuel facility.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed by these rules are the requirements for applying for a new pari-mutuel wagering permit, requirements related to applying for an annual license to conduct pari-mutuel wagering, and the process and evaluation of requests to amend an annual license to conduct pari-mutuel wagering, including amendments to Forms DBPR PMW-3010, DBPR PMW-3030, DBPR PMW-3040, DBPR PMW-3060, DBPR PMW-3080, DBPR PMW-3190, and DBPR PMW-3195. In addition, a new rule sets forth permitholder requirements for annual notification to the division of changes in ownership interest.

RULEMAKING AUTHORITY: 550.0251(2), (3), 550.054(8)(b), 550.01215(2), 550.1815(5) FS.

LAW IMPLEMENTED: 550.0115, 550.01215, 550.0251, 550.054, 550.0951, 550.155, 550.1815, 550.5251, 559.79 FS.

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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: Patti Kight, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE NO.:	RULE TITLE:
61G7-5.0033	Consolidated and Combined Financial Statements

PURPOSE AND EFFECT: The Board proposes the rule amendment to update requirements regarding the use of consolidated and combined financial statements.

SUBJECT AREA TO BE ADDRESSED: Consolidated and Combined Financial Statements.

RULEMAKING AUTHORITY: 468.522, 468.525(3)(e) FS.

LAW IMPLEMENTED: 468.525(3)(e) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

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

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.:	RULE TITLE:
64B12-15.001	Continuing Education for License Renewal

PURPOSE AND EFFECT: The Board proposes the rule amendment to repeal the audit portion of the rule and to renumber the rule accordingly.

SUBJECT AREA TO BE ADDRESSED: Continuing education for license renewal audit portion of the rule.

RULEMAKING AUTHORITY: 456.013(8), (9), 484.008(3) FS.

LAW IMPLEMENTED: 456.013(8), (9), 484.008(3) 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: Sue Foster, Executive Director, Board of Opticianry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker’s Compensation

RULE NOS.:	RULE TITLES:
69L-7.020	Florida Workers’ Compensation Health Care Provider Reimbursement Manual
69L-7.100	Florida Workers’ Compensation Reimbursement Manual for Ambulatory Surgical Centers (ASCs)

PURPOSE AND EFFECT: The Florida Workers’ Compensation Health Care Provider Reimbursement Manual incorporated in Rule 69L-7.020, F.A.C. and the Florida Workers’ Compensation Reimbursement Manual for Ambulatory Surgical Centers incorporated in Rule 69L-7.100, F.A.C., are updated to conform to the mandate in paragraph 440.13(12)(b), F.S., limiting workers’ compensation healthcare provider reimbursements to 110% of Medicare reimbursement allowances. Manuals containing updated procedural coding are also updated.

SUBJECT AREA TO BE ADDRESSED: Florida Workers’ Compensation reimbursement for health care providers and ambulatory surgical centers.

RULEMAKING AUTHORITY: 440.13(4), (14) (b), 440.591 FS.

LAW IMPLEMENTED: 440.13(7), (12), (14) (c) 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: Tuesday, January 13, 2015, 2:00 p.m.

PLACE: Room 102, Hartman Building, 2012 Capital Circle Southeast, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Pam Macon, (850)413-1708 or Pamela.Macon@MyFloridaCFO.com. If you are hearing or

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pam Macon, Chief, Bureau of Monitoring and Audit, Division of Workers’ Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4232, (850)413-1708 or Pamela.Macon@MyFloridaCFO.com THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**Section II
Proposed Rules**

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.:	RULE TITLE:
59A-1.004	Certification Procedure

PURPOSE AND EFFECT: The purpose is to modify existing rules to update the incorporated application form; remove duplicative language currently found in statute; and add references to align with our uniform licensure statute and rule.

SUMMARY: Rule 59A-1.004, F.A.C., is amended to delete provisions currently found in statute; update the incorporated application form; add references to align with our uniform licensing statute and rule; and delete duplicative 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: A SERC has not been prepared by the Agency. The Agency prepared a checklist for the rule to determine the necessity for a SERC.

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: 408.819, 765.541(2) FS.
 LAW IMPLEMENTED: 408.805, 408.806, 408.809, 408.810,
 408.811, 765.541, 765.752, 765.544 FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS
 NOTICE, A HEARING WILL BE SCHEDULED AND
 ANNOUNCED IN THE FAR.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Dayle Mooney via e-mail at Dayle.Mooney@ahca.myflorida.com or by phone: (850)412-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dayle Mooney via e-mail at Dayle.Mooney@ahca.myflorida.com or by phone: (850)412-4500

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-1.004 Certification Procedure.

(1) No person shall engage in the procurement of cadaveric organs, eyes or tissues within this state establish, operate, or maintain an OPO, tissue bank, or eye bank in this state without first being certified to operate by the AHCA. ~~In addition, no OPO shall establish, operate or maintain an OPO without being designated as an OPO by the Secretary of the U.S. Department of Health and Human Services (HHS).~~

~~(2) Every OPO, tissue bank and eye bank engaged in procurement activities in Florida must not violate the provisions of Chapter 873, F.S., Sale of Anatomical Matter.~~

~~(2)(3) A dentist or physician using tissue processed by a tissue bank, but who is not involved in the retrieval, processing and distribution of tissue, is not required to be certified pursuant to these rules. Funeral directors or direct disposers that retrieve eye tissue for an eye bank are exempt from the certification requirements under this subsection. A physician or OPO conducting the following activities in this state is exempt from state certification if:~~

~~(a) The organs are procured for an out of state patient who is listed on, or referred through, the United Network for Organ Sharing System; and~~

~~(b) The organs are procured through an agreement of an organ procurement organization certified by Florida.~~

~~(3)(4) Application procedures. All persons seeking to apply for initial or renewal certification contemplating procurement activities associated with an OPO, tissue bank, or eye bank shall submit to the AHCA a completed application, Health Care Licensing Application, Organ Procurement, Tissue Bank, Eye~~

Bank, AHCA Form 3140-2001, July 2014 AHCA Form 3140-2001-OCT-95, which is incorporated herein by reference. This form _____ is _____ and _____ available _____ at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> or <http://ahca.myflorida.com/HQAlicensureforms> and from the Agency for Health Care Administration, ~~Division of Health Quality Assurance, Ft. Knox Office Building, 2727 Mahan Drive, MS 32, Tallahassee, Florida 32308.~~ An application for initial certification, including change of ownership, shall be accompanied with a check or money order in the amount of \$1,000 for an OPO or tissue bank and \$500 for an eye bank. Such initial application fees is non-refundable and shall be made payable to the AHCA and are non-refundable.

~~(5) Out of state OPOs, tissue banks and eye banks. No out of state OPO, tissue bank or eye bank may conduct procurement activities in Florida as defined in Chapter 381, F.S., without first obtaining certification. Existing out of state OPOs, tissue banks and eye banks conducting procurement activities in Florida shall submit an application for certification by October 1, 1996. Until October 1, 1996, out of state agencies currently engaged in procurement activities in Florida requesting certification shall be deemed to meet certification requirements until the AHCA acts to deny or grant the initial certification application. After October 1, 1996, upon receipt of an initial application from an out of state agency, the AHCA shall act to approve or deny the application request within 90 days, during which time deemed certification status does not exist.~~

~~(4)(6) Site inspection. Upon receipt of a completed initial application, the AHCA shall conduct an a-site inspection or review the inspection report from an approved accreditation organization as specified in subsection 59A-1.009(2), F.A.C., to determine agency compliance with the standards.~~

~~(7) Certificate issuance. Agencies found in compliance with the standards shall be issued a certificate by the AHCA. Each certificate shall specifically state the certificate number, name of the agency, agency owner, city, county, state, type of agency, issue date of the certificate and expiration date of the certificate. A person having more than one agency, shall be issued a separate certificate for each agency. A certificate shall be posted in a conspicuous place on the certified premises, and copies of certificates shall be made available for inspection to all individuals.~~

~~(8) Mandatory certification exclusions. The AHCA shall not certify an individual or entity that has been convicted of a criminal offense related to the delivery of an item or service under Medicare or a state health care program, including the performance of management or administrative services relating to the delivery of items or services under any such program.~~

~~(9) Permissive certification exclusions.~~

~~(a) Circumstance for exclusion. The AHCA shall exclude an individual or entity convicted under federal or state law of a criminal offense relating to fraud, theft, embezzlement, breach of fiduciary responsibility, or other financial misconduct.~~

~~1. In connection with the delivery of any health care item or service, including the performance of management or administrative services relating to the delivery of such items or services; or~~

~~2. With respect to any act or omission in a program operated by, or financed in whole or in part by, any federal state or local government agency.~~

~~(10) Conviction relating to controlled substances.~~

~~(a) Circumstance for exclusion. The AHCA shall not issue a certificate to an individual or entity convicted under federal or state law of a criminal offense relating to the unlawful manufacture, distribution, prescription or dispensing of a controlled substance, as defined under federal or state law.~~

~~(b) For purposes of this section, the definition of controlled substance will be the definition that applies to the law forming the basis for the conviction.~~

~~(11) Certification revocation or suspension.~~

~~(a) The AHCA shall exclude an individual or entity that has:~~

~~1. Had a license or certificate to provide health care revoked or suspended by any state licensing or certification authority, or has otherwise lost such a license or certificate (including the right to apply for or renew such a license or certificate), for reasons bearing on the individual's or entity's professional competence, professional performance or financial integrity; or~~

~~2. Has surrendered such a license or certificate while a formal disciplinary proceeding concerning the individual's or entity's professional competence, professional performance or financial integrity was pending before a state licensing or certifying authority.~~

~~(12) Exclusion of entities owned or controlled by sanctioned person.~~

~~(a) A person with a relationship with such entity has been convicted of a criminal offense as described in Sections 1128(a) and 1128(b)(1), (2) or (3) of Title XIX of the Social Security Act;~~

~~(b) Has had civil money penalties or assessments imposed under Section 1128A of Title XIX of the Social Security Act;~~

~~(c) Has been excluded from participation in Medicare or any of the state health care programs and such person or entity has:~~

~~1. A direct or indirect ownership interest (or any combination thereof) of 5 percent or more in the entity;~~

~~2. Is the owner of a whole or part interest in any mortgage, deed of trust, note or other obligation secured (in whole or in part) by the entity or any of the property or assets thereof, in which whole or part interest is equal to or exceeds 5 percent of the total property and assets of the entity;~~

~~3. Is an officer or director of the entity, if the entity is organized as a corporation;~~

~~4. Is a partner in the entity, if the entity is organized as a partnership;~~

~~5. Is an agent of the entity; or~~

~~6. Is a managing employee, i.e., an individual (including a general manager, business manager, administrator or director) who exercises operational or managerial control over the entity or part thereof, or directly or indirectly conducts the day to day operations of the entity or part thereof.~~

~~(d) For the purposes of this section, the term:~~

~~1. Indirect ownership interest includes an ownership interest through any other entities that ultimately have an ownership interest in the entity in issue. (For example, an individual has a 10 percent ownership interest in the entity at issue if he or she has a 20 percent ownership interest in a corporation that wholly owns a subsidiary that is a 50 percent owner of the entity in issue.)~~

~~2. Ownership interest means an interest in:~~

~~a. The capital, the stock or the profits of the entity; or~~

~~b. Any mortgage, deed, trust or note, or other obligation secured in whole or in part by the property or assets of the entity.~~

~~(5)(13) A limited certificate may be issued to a tissue bank or eye bank certifying only those components of procurement which the bank has chosen to perform in Florida. A limited certificate shall be requested at the time that application is made on AHCA Form 3140 2001 OCT 95, which is incorporated herein by reference.~~

~~(14) Expiration. A certificate, unless sooner suspended or revoked, shall automatically expire two years from date of issuance, and shall be renewable biennially upon application for renewal and payment of the assessment fee prescribed by these rules, provided that the applicant and agency meet the requirements established under this rule as determined by an on site inspection in accordance with subsection 59A 1.004(6), F.A.C. Application for renewal of a certificate shall be made not less than 60 days prior to the expiration of a certificate on AHCA Form 3140 2001 OCT 95.~~

~~(15) Revocation of certification. An OPO, tissue bank or eye bank that submits or causes to be submitted an enrollment application that contains materially false or incorrect information shall have its certificate revoked.~~

~~(16) Each agency for which a certificate is requested shall be designated by a distinctive name, and the name shall not be changed without first notifying the AHCA in writing and receiving approval in writing. Duplication of existing agency names is prohibited.~~

~~(17) Each certificate shall be valid only for the person to whom it is issued and shall not be subject to sale, assignment, or other transfer, voluntary or involuntary, nor shall a certificate be valid for any premises other than that for which it was originally issued.~~

~~(6)(18) A certified OPO, tissue bank or eye bank that proposes a change in procurement services (i.e., retrieval, processing, storage or distribution) shall notify the AHCA 30 days prior to that change in service. This notification shall include an explanation in the change of any aspect of the procurement process and how this change affects the agency's operations. Prior to the addition of services, the AHCA may shall conduct an inspection on-site visit to determine if the standards of this rule are met.~~

~~(19) An application for a certificate is required when the ownership of a certified agency has been transferred or assigned or when a lessee agrees to undertake or provide services to the extent that legal liability for operation of the agency rests with the lessee. The application for a certificate reflecting such change shall be made at least 60 days prior to the date of the sale, transfer, assignment, or lease.~~

~~(20) Each certificate shall be returned to the AHCA by the agency immediately upon change in ownership or classification, suspension, revocation or voluntary cessation of operations.~~

~~(7)(21) A certificate holder shall notify the AHCA of impending closure of an agency 90 days prior to such closure. The agency shall be responsible for advising the AHCA as to the placement of inventory and disposition of records.~~

~~Rulemaking Specific Authority 408.819, 765.541(2) FS. Law Implemented 408.805, 408.806, 408.809, 408.810, 408.811, 765.541, 765.542, 765.544, 873.01 FS. History—New 11-26-92, Amended 8-20-96, 6-19-08, _____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Dayle Mooney
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek, Secretary of Agency for Health Care Administration
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 19, 2014
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 24, 2014

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: 64B12-8.018
 RULE TITLE: Investigators; Criteria for Selection; Training

PURPOSE AND EFFECT: The Board proposes the rule repeal because the Department now hires investigators, not the Board.

SUMMARY: The rule repeal is necessary because the Department now hires investigators, not the Board.

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

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

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

RULEMAKING AUTHORITY: 456.004(8) FS.
 LAW IMPLEMENTED: 456.004(8) 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: Sue Foster, Executive Director, Board of Opticianry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-8.018 Investigators; Criteria for Selection; Training.

~~Investigators employed by the Agency to assist the Board in disciplinary matters shall be selected based upon the following criteria:~~

~~(1) Attainment of high school diploma or a recognized academic equivalent, and~~

~~(2) Graduation from an accredited four year college or university and either two years of regulatory inspection experience or two years sworn law enforcement or investigative experience, or~~

~~(3) Experience as either a regulatory inspector, a sworn law enforcement officer, or as a non law enforcement investigator may be substituted on a year by year basis for the required college training.~~

~~(4) Persons selected by the Agency based upon the above criteria shall complete a minimum of 14 days of orientation and training as established by the Agency for the purpose of training them in the fact finding process. This training shall be under the direct supervision of an investigator who has had at least six months experience in opticianry investigations. This training shall include training by individual board members as deemed necessary by the Agency or Board.~~

~~Rulemaking Specific Authority 456.004(8) FS. Law Implemented 456.004(8) FS. History—New 12-30-82, Formerly 21P-8.18, 21P-8.018, 61G13-8.018, 59U-8.018, Repealed _____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Opticianry
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Opticianry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 2, 2012

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NOS.: RULE TITLES:
69B-211.003 License to Sell Life Insurance to Fund
 Preranged Funeral Services or
 Merchandise
69B-211.005 Fees
69B-211.020 Purpose
69B-211.021 Definitions

PURPOSE AND EFFECT: Rules 69B-211.003, 69B-211.005, 69B-211.020 and 69B-211.021, F.A.C., are being repealed since they are duplicative of the law implemented.

SUMMARY: Rules 69B-211.003, 69B-211.005, 69B-211.020, and 69B-211.021, F.A.C., in Chapter 69B-211, F.A.C., Insurance Representatives, are 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: The Department conducted an economic analysis of the potential impact of the proposed rule and determined that there will be no adverse economic impact or regulatory increases that would require legislative ratification.

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

RULEMAKING AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 624.307(1), 626.201, 624.501, 626.521, 626.785(3) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 22, 2015, 2:00 p.m.

PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Matt Tamplin at (850)413-5460 or Matt.Tamplin@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Matt Tamplin, Chief, Bureau of Licensing, Larson Building, 200 E. Gaines Street, Tallahassee, FL 32399-0320 (850)413-5460 or Matt.Tamplin@myfloridacfo.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69B-211.003 License to Sell Life Insurance to Fund Prearranged Funeral Services or Merchandise. Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 626.785(3) FS. History—New 6-4-92, Formerly 4-211.003, Repealed

69B-211.005 Fees. Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 624.501 FS. History—New 6-4-92, Amended 4-18-94, Formerly 4-211.005, Repealed

69B-211.020 Purpose. Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 626.201, 626.521 FS. History—New 6-4-92, Formerly 4-211.020 Repealed

69B-211.021 Definitions. Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 626.521 FS. History—New 6-4-92, Formerly 4-211.021, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Matt Tamplin, Chief, Bureau of Licensing, Division of Agent and Agency Services, Department of Financial Services
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer, Department of Financial Services
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 19, 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

WATER MANAGEMENT DISTRICTS
St. Johns River Water Management District
The St. Johns River Water Management District (District) hereby gives notice:

The District announces its intent to grant a variance from the provisions of paragraph 62-330.302(1)(c), Florida Administrative Code, (F.A.C.), and Sections 10.1.1(d) and 10.2.5(a) of the Environmental Resource Permit Applicant’s Handbook, Volume I, (Oct. 1, 2013), to the U.S. Fish and Wildlife Service (USFWS). Pursuant to Section 373.414(17), Florida Statutes, the USFWS is seeking the variance with respect to Environmental Resource Permit Application IND-009-138425-2. The proposed activity is to (a) convert an existing boat ramp to a kayak launch, (b) construct an ADA-accessible concrete parking space and a path to the kayak launch, and (c) construct a boat ramp for small shallow draft vessels. The project site is located in Brevard County, Florida, at the east end of Biolab Road, east of State Road 3 and south of Haulover Canal. The activity is proposed to occur in the Merritt Island National Wildlife Refuge, within Class II waters that are classified by the Department of Agriculture and Consumer Services as approved for shellfish harvesting. The petition for variance has been assigned F.O.R. Number 2014-31 and is available from Sandra Bertram, District Clerk, St. Johns River Water Management District, P.O. Box 1429, Palatka, Florida 32178-1429.

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka, Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by email with the District Clerk at Clerk@sjrwm.com, within nineteen (19) days of the District depositing the notice of intended District decision in the mail (for those persons to whom the District mails actual notice) or within fourteen (14) days of newspaper publication of the notice of intended District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. The District will not accept a petition sent by facsimile (fax), as explained in paragraph no. 5 below. Mediation pursuant to Section 120.573, Florida Statutes, is not available.
2. If the District takes action that substantially differs from the notice of intended District decision, a person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the District, but this request for administrative hearing

shall only address the substantial deviation. Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) at the office of the District Clerk at the mail/street address or email address described in paragraph no. 1 above, within nineteen (19) days of the District depositing notice of final District decision in the mail (for those persons to whom the District mails actual notice) or within fourteen (14) days of newspaper publication of the notice of final District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. Mediation pursuant to Section 120.573, Florida Statutes, is not available.

3. A person whose substantial interests are or may be affected has the right to a formal administrative hearing pursuant to Sections 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must also comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.

4. A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.

5. A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8:00 a.m. on the District's next regular business day. The District's acceptance of petitions filed by email is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at www.sjrwmd.com. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.

6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, Florida Administrative Code).

7. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and

Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. A person whose substantial interests are or may be affected by the District's final action has the right to become a party to the proceeding, in accordance with the requirements set forth above.

8. Pursuant to Section 120.68, Florida Statutes, a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action (in this case, the final order on the petition for variance). A District action is considered rendered after it is signed on behalf of the District and is filed by the District Clerk. Failure to observe the relevant time frames for filing a petition for judicial review will result in waiver of that right to review.

A copy of the Order or additional information may be obtained by contacting: Sandra Bertram, District Clerk, St. Johns River Water Management District, P.O. Box 1429, Palatka, Florida 32178-1429.

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 December 19, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Beach Villas. Petitioner seeks a variance of the requirements of an unspecified Section of A17.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-470).

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 December 22, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Fairfield Inn & Suites. Petitioner seeks an emergency variance of the requirements of an unspecified Section of A17.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-471).

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 December 23, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Boca Raton Marriott. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-472).

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

Electrical Contractors' Licensing Board

NOTICE IS HEREBY GIVEN that on December 12, 2014, the Electrical Contractors' Licensing Board received a petition for variance or waiver filed by Olin Daniel Johnson II. Although no rule is specified in the petition, it appears that the petitioner is seeking a variance or waiver of Rule 61G6-6.017, Florida Administrative Code, which requires for the purpose of certification, a passing examination score on any part of the

examination shall be valid only for a period of two (2) years from the date of the examination.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-4.244 Mixing Zones: Surface Waters

The Department of Environmental Protection hereby gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of paragraph 62-4.244(5)(c), F.A.C., to the City of Destin. The file has been assigned File No. 0288799-004-BV. The variance will allow temporary establishment of an expanded mixing zone of 3000 meters downcurrent and 200 meters offshore for the Gulf-front beach placement site located west of East Pass, Okaloosa County, within the Gulf Islands National Seashore, Outstanding Florida Water, under Permit No. 0288799-003-JC for the maintenance dredging of East Pass and Destin Harbor. The variance is being granted because the petitioner has demonstrated there is no practicable means known or available for the adequate control of the pollution involved.

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rule 28-106.201, F.A.C., a petition for an administrative hearing must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact.

If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Petitions for an administrative hearing must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative hearing under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Under subsection 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation is not available in this proceeding.

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

A copy of the Order or additional information may be obtained by contacting: Thomas Jacobs, Environmental Consultant at (850)245-7558 or email: thomas.jacobs@dep.state.fl.us. Additionally, the Department's file in this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Beaches, Inlets and Ports Program, 2600 Blair Stone Road, Tallahassee, Florida 32399 or the website: ftp://ftp.dep.state.fl.us/pub/ENV-PRMT/okaloosa/issued/0288799_Destin_East_Pass_Maintenance_Dredging/003_JC%20and%200004_BV/.

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: RULE TITLE:

64B2-13.004 Continuing Education

NOTICE IS HEREBY GIVEN that on December 18, 2014, the Board of Chiropractic Medicine received a petition for variance filed by John Peter Christensen, D.C. Although no specific rule is mentioned in the petition, it appears that the Petitioner is seeking a variance of subsections 64B2-13.004(1) and (2), Florida Administrative Code, which require that licensees participate in at least 40 classroom hours of continuing chiropractic education approved by the Board. It also appears that the Petitioner is seeking a waiver or variance of subsection 64B2-13.004(5), Florida Administrative Code, which requires that when attending an approved course, a licensee must provide a photo identification and sign in and out each time they enter or exit the meeting site and the licensee's attendance must be certified by the course's registrar and submitted to the Board as verification.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Adrienne Rodgers, Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, Adrienne.Rodgers@flhealth.gov. Comments on this petition should be filed with the Board of Chiropractic Medicine within 14 days of publication of this notice.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

Education Practices Commission

The Education Practices Commission announces hearings to which all persons are invited.

DATE AND TIMES: January 9, 2015, 9:00 a.m. or as soon thereafter as can be heard, Teacher Hearing Panel; 12:30 p.m. or as soon thereafter as can be heard, Teacher Hearing Panel; Leadership Training Workshop immediately following Teacher Hearing Panels

PLACE: First District Court of Appeals, 2000 Drayton Drive, Tallahassee, Florida 32399, (850)488-6151

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panels of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators. The Leadership Training is being conducted to train Commission members.

A copy of the agenda may be obtained by contacting: Gretchen Kelley Brantley at (850)245-0455.

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: Gretchen Kelley Brantley at (850)245-0455. 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: Lisa Forbess or Gretchen Kelley Brantley at (850)245-0455.

EXECUTIVE OFFICE OF THE GOVERNOR

RULE NO.: RULE TITLE:

27-10.001 Direct Support Organization Function, Bylaws And Services Contract

The Governor's Commission on Community Service (Volunteer Florida) announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 20, 2015, 9:00 a.m. until business is complete

PLACE: 1(888)670-3525, passcode: 3360784946#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Communications Committee: 9:00 a.m. – 10:00 a.m.; Emergency Management Committee: 10:00 a.m. – 11:00 a.m.; Finance and Audit Committee: 11:00 a.m. – 12:00 Noon; Legislative Committee: 1:00 p.m. – 2:00 p.m.; National Service Prog. Committee: 2:00 p.m. – 3:00 p.m.; Executive Committee: 3:00 p.m. – 4:00 p.m.; Volunteer Services Committee: 4:00 p.m. – 5:00 p.m.

A copy of the agenda may be obtained by contacting: Kimm Harvey at (850)414-7400 or kimmharvey@volunteerflorida.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Kimm Harvey at (850)414-7400 or kimmharvey@volunteerflorida.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Kimm Harvey at (850)414-7400 or kimmharvey@volunteerflorida.org.

REGIONAL PLANNING COUNCILS

Northeast Florida Regional Planning Council

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

DATE AND TIME: Thursday, January 8, 2015, 10:00 a.m., Executive Committee

PLACE: 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting.

A copy of the agenda may be obtained by contacting: Sheron Forde at (904)279-0880 or sforde@nefrc.org.

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

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

DATE AND TIME: January 8, 2015, 1:00 p.m., ET

PLACE: District Headquarters

GENERAL SUBJECT MATTER TO BE CONSIDERED: Additional information regarding Vol. 40, No. 247, F.A.R., published on December 23, 2014: the fiscal year 2015-2016 preliminary budget will be presented and considered during the Governing Board meeting.

A copy of the agenda may be obtained by contacting: Savannah White, (850)539-5999.

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: Wendy Dugan, (850)539-5999. 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

Suwannee River Water Management District

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

DATE AND TIME: January 5, 2015, 10:00 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: An Intermediate Governing Board meeting will be held for discussion and consideration for Approval of Works of the District Permit Number WOD-121-207014-11, Spirit of the Suwannee Treehouse, Suwannee County.

The meeting will be held at District Headquarters and Governing Board members may teleconference in. Public must be present at District Headquarters to participate. Public should check the District website or contact the District to confirm that the meeting has not been cancelled or rescheduled.

A copy of the agenda may be obtained by contacting: Lisa Cheshire at (386)362-1001 or 1(800)226-1066 (Florida only) or on the District's website: www.mysuwanneeriver.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Lisa Cheshire. 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

St. Johns River Water Management District

The St. Johns River Water Management District announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, January 7, 2015, 10:00 a.m.

PLACE: 7775 Baymeadows Way, Suite 102, Jacksonville, Florida 32256

GENERAL SUBJECT MATTER TO BE CONSIDERED: The District will host a public workshop to describe the application process, program requirements and answer questions about its fiscal year 2015-2016 cost-share funding program.

A copy of the agenda may be obtained by contacting: Troy Rice at (321)984-4938 or email: trice@sjrwmd.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 48 hours before the workshop/meeting by contacting: Troy Rice at (321)984-4938 or email: trice@sjrwmd.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The Harris Chain of Lakes Restoration Council announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 9, 2015, 9:00 a.m.

PLACE: Lake County Administration Building, Second Floor, County Commission Meeting Room, 315 West Main Street, Tavares, FL 32778

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion, review and evaluation of various issues and topics having specific reference to the Harris Chain of Lakes in Lake County.

A copy of the agenda may be obtained by contacting: the St. Johns River Water Management District, Attn: Kraig McLane, 4049 Reid Street, Palatka, FL 32177, by email: kmclane@sjrwmd.com, by phone: (386)329-4374 or by visiting the Council's website: harrischainoflakescouncil.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 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. 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

St. Johns River Water Management District

The St. Johns River Water Management District announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, January 8, 2015, 10:00 a.m.

PLACE: 525 Community College Parkway, S.E., Palm Bay, Florida 32909

GENERAL SUBJECT MATTER TO BE CONSIDERED: The District will host a public workshop to describe the application process, program requirements and answer questions about its fiscal year 2015-2016 cost-share funding program.

A copy of the agenda may be obtained by contacting: Troy Rice at (321)984-4938 or email: trice@sjrwmd.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 48 hours before the workshop/meeting by contacting: Troy Rice at (321)984-4938. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

DATE AND TIME: January 7, 2015, 9:00 a.m.

PLACE: 7601 Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting to obtain feedback from interested persons on current pending permit applications. The agenda is available at www.watermatters.org/calendar/calendar.php/.

A copy of the agenda may be obtained by contacting: Carol Lynch, (813)985-7481, ext. 2004.

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, ext. 4702; TDD (FL only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

The Department of Management Services announces a public meeting to which all persons are invited.

DATE AND TIME: January 5, 2015, 2:00 p.m. – 3:00 p.m., ET

PLACE: Department of Management Services, 4030 Esplanade Way, Room 301, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To confirm evaluators scores.

A copy of the agenda may be obtained by contacting: Jessalyn Tillman, DMS.Purchasing@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Doug Dickinson, (850)488-0439. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection, Division of Air Resource Management, announces a hearing to which all persons are invited.

DATE AND TIME: January 27, 2015, 1:00 p.m.

PLACE: Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 195, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pursuant to 40 CFR 51.102, the Department of Environmental Protection (DEP) announces the opportunity to offer comments or request a public hearing on a proposed revision to Florida's State Implementation Plan (SIP) under the Clean Air Act (CAA). Pursuant to the requirements of sections 169A and 169B of the CAA and U.S. Environmental Protection Agency (EPA) implementing regulations at 40 CFR 51.308, DEP has developed a proposed revision to the Florida regional haze plan for approval by EPA as a revision to Florida's SIP. Florida has issued a federally enforceable construction permit to Lakeland Electric's C.S. McIntosh Power Plant which includes a federally enforceable NOx emissions limit on Unit 1. With this proposed SIP revision, Florida incorporates this emissions limit into the Regional Haze SIP. The materials comprising DEP's proposed SIP revision are accessible from the above website by clicking on the January 23 hearing link. The materials may also be inspected during normal business hours at the DEP, Division of Air Resource Management offices, Bob Martinez Center, 2600 Blairstone Road, Tallahassee, Florida, or accessed with the aid of any DEP District Air Section or DEP-approved local air pollution control office. Any request for a public hearing must be submitted by letter or email to Terri Long, Department of Environmental Protection, Division of Air Resource

Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Terri.Long@dep.state.fl.us and received no later than January 23, 2015. A public hearing will be held, if requested, at the date, time, and place given above. A copy of the agenda may be obtained by contacting Preston McLane by letter sent to the above address, by email to Preston.McLane@dep.state.fl.us or by calling (850)717-9089. If no request for a public hearing is received, the hearing will be cancelled, and notice of the cancellation will be posted at the following website:
<http://sharepoint.dep.state.fl.us/PublicNotices/default.asp>.

Persons may also contact Ms. Long at (850)717-9023 to find out if the hearing has been cancelled. It is not necessary that the hearing be held or attended in order for persons to comment on DEP's proposed submittal to EPA. Any comments must be submitted by letter or email to Mr. McLane at the above addresses, with a copy to Ms. Long, and received no later than January 23, 2015.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Ms. Long at (850)717-9023 or terri.long@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact Mr. McLane by letter or email, or by calling (850)717-9089.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection, Division of Air Resource Management, announces a hearing to which all persons are invited.

DATE AND TIME: January 27, 2015, 9:00 a.m.

PLACE: Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 195, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Pursuant to 40 CFR 51.102, the Department of Environmental Protection (DEP) announces the opportunity to offer comments or request a public hearing on a proposed revision to Florida's State Implementation Plan (SIP) under the Clean Air Act (CAA). DEP proposes to submit to the U.S. Environmental Protection Agency (EPA) its periodic report on Florida's Regional Haze Plan as required pursuant to sections 169A and 169B of the CAA and EPA regulations at 40 CFR 51.308. Consistent with regional haze program requirements, this SIP submittal is the periodic report describing Florida's progress towards the reasonable progress goals for designated Class I areas. The materials comprising DEP's proposed SIP revision are accessible from the above website by clicking on the

January 27 hearing link. The materials may also be inspected during normal business hours at the DEP, Division of Air Resource Management offices, Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, Florida, or accessed with the aid of any DEP District Air Section or DEP-approved local air pollution control office. A public hearing will be held, if requested, at the date, time and place given above. Any request for a public hearing must be submitted by letter to Terri Long, Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400 or by email: Terri.Long@dep.state.fl.us, and received no later than January 23, 2015.

A copy of the hearing agenda may be obtained by contacting: Tom Rogers by letter sent to the above address, by email to Tom.Rogers@dep.state.fl.us or by calling (850)717-9022.

If no request for a public hearing is received, the hearing will be cancelled, and notice of the cancellation will be posted at the following website: <http://sharepoint.dep.state.fl.us/PublicNotices/default.asp>. Persons may also contact Ms. Long at (850)717-9023 to find out if the hearing has been cancelled. It is not necessary that the hearing be held or attended in order for persons to comment on DEP's proposed submittal to EPA. Any comments must be submitted to Tom Rogers by letter to the address above or by email: Tom.Rogers@dep.state.fl.us, with a copy to Ms. Long, and received no later than January 23, 2015.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Ms. Long at (850)717-9023 or Terri.Long@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact Mr. Rogers by letter, email or by calling (850)717-9022.

DEPARTMENT OF HEALTH

Board of Acupuncture

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

DATE AND TIME: February 6, 2015, 9:00 a.m., EST

PLACE: Meet Me number: 1(888)670-3525, participant passcode: 6610433568

GENERAL SUBJECT MATTER TO BE CONSIDERED:

General business of the board. Meetings may be cancelled prior to the meeting date. Please check the Board website at <http://floridasacupuncture.gov/> for cancellations or changes to meeting dates or times.

A copy of the agenda may be obtained by contacting: Christy Robinson, Executive Director at (850)245-4161 or 4052 Bald Cypress Way, #C-06, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Don Olmstead at (850)245-4161. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Don Olmstead at (850)245-4161.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

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

DATE AND TIME: February 13, 2015, 9:00 a.m., EST

PLACE: Radisson Resort Orlando Celebration, 2900 Parkway Blvd., Kissimmee, FL 34747, (407)396-7000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board. Meetings may be cancelled prior to the meeting date. Please check the Board website at <http://floridasosteopathicmedicine.gov/> for cancellations or changes to meeting dates or times.

A copy of the agenda may be obtained by contacting: General business of the board. Meetings may be cancelled prior to the meeting date. Please check the Board website at <http://floridasosteopathicmedicine.gov/> for cancellations or changes to meeting dates or times.

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: Alexandra Alday at (850)245-4161. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Alexandra Alday at (850)245-4161.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
The Department Children & Families announces a public meeting to which all persons are invited.

DATE AND TIME: January 8, 2015, 10:00 a.m.

PLACE: Department of Children and Family Services office, 2505 W. 15th Street, Room # 23, Panama City, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Circuit 14 Community Alliance Meeting.

A copy of the agenda may be obtained by contacting: kimberly.davis@myflfamilies.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 24 hours before the workshop/meeting by contacting: kimberly.davis@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: kimberly.davis@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: January 13, 2015, 9:00 a.m.

PLACE: 1002 E. Palm Ave., Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ongoing Hillsborough County Alliance Business.

A copy of the agenda may be obtained by contacting: Gabriela Reece at (813)337-5805.

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: Gabriela Reece at (813)337-5805. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

The Firefighters Employment, Standards & Training Council announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 22, 2015, 10 minutes after adjournment of Fire & Emergency Incident Information System Technical Advisory Panel meeting, which begins at 9:40 a.m.

PLACE: Fire Rescue East, Ocean Center, Daytona Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting. Topics to include, but not be limited to, a Division of State Fire Marshal Report and a Bureau of Fire Standards & Training Report.

A copy of the agenda may be obtained by contacting: MaryAnn.Benson@MyFloridaCFO.com.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

The Fire and Emergency Incident Information System Technical Advisory Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 22, 2015, 9:40 a.m.

PLACE: Fire Rescue East, Ocean Center, Daytona Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting. Topics to include, but not be limited to, a Division of State Fire Marshal report and a Florida Fire Incident Reporting Systems update.

A copy of the agenda may be obtained by contacting: MaryAnn.Benson@MyFloridaCFO.com.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: RULE TITLE:

69A-37.039 Prescribed Forms for Training and Certification

The Department of Financial Services, Division of State Fire Marshal announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, January 21, 2015, 2:00 p.m. – 3:30 p.m.

PLACE: Ocean Center, 101 North Atlantic Avenue, Room 104B, Daytona Beach, Florida 32118

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department is holding a third workshop for the purpose of exploring options with the public for the implementation of new programs of study and vocational courses relating to standards for Urban Search & Rescue, and Hazardous Materials. The workshop may also include a general discussion of a proposed Urban Search & Rescue, and Hazardous Materials Program including length of programs, content of programs, instructor requirements, prerequisite requirements, certification requirements, and proposed rule development in that regard. This workshop will take input from affected persons as to what rule amendments are necessary to implement this statutory change.

A copy of the agenda may be obtained by contacting: Scott Chappell, US&R/Haz-Mat Program Coordinator, Bureau of Fire Standards and Training, Division of State Fire Marshal, Department of Financial Services, 11655 NW Gainesville Road, Ocala, FL 34482, phone: (352)369-2843 or Scott.Chappell@myfloridacfo.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Scott Chappell. 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).

MOFFITT CANCER CENTER & RESEARCH INSTITUTE

The Florida Cancer Control & Research Advisory Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 6, 2015, 4:00 p.m., EST

PLACE: 1(800)206-6032; passcode: 7451520#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee teleconference meeting.

A copy of the agenda or more information may be obtained by contacting: Laura.Lenhart@Moffitt.org.

MOFFITT CANCER CENTER & RESEARCH INSTITUTE

The Florida Cancer Control & Research Advisory Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 8, 2015, 4:00 p.m., EST

PLACE: 1(800)206-6032, passcode: 7451520#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee teleconference meeting.

A copy of the agenda or more information may be obtained by contacting: Laura.Lenhart@Moffitt.org.

ENTERPRISE FLORIDA, INC.

The Enterprise Florida, Inc. Finance & Compensation Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 15, 2015, 2:00 p.m.

PLACE: Enterprise Florida, Inc., 800 N. Magnolia Avenue, Suite 1100, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss ongoing issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Pamela Murphy at (407)956-5644.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Pamela Murphy at (407)956-5644. 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: Pamela Murphy at (407)956-5644.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NOS.:RULE TITLES:

- 61-30.801 Standards of Practice, General
- 61-30.802 Standards of Practice, Structure
- 61-30.803 Standards of Practice, Electrical Systems
- 61-30.804 Standards of Practice, HVAC Systems
- 61-30.805 Standards of Practice, Roof Covering
- 61-30.806 Standards of Practice, Plumbing System
- 61-30.807 Standards of Practice, Interior Components
- 61-30.808 Standards of Practice, Fireplaces and Solid Fuel Burning Appliances
- 61-30.809 Standards of Practice, Household Appliances
- 61-30.810 Standards of Practice, Exterior Components
- 61-30.811 Standards of Practice, Site Conditions that Affect the Structure

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation has received the petition for declaratory statement from Jon D. Tremper on December 11, 2014. The petition seeks the agency’s opinion as to the applicability of Chapter 468, Part XV, Florida Statutes, and Rules 61-30.801 through 61-30.811, Florida Administrative Code, as they apply to home inspectors.

Petitioner asks whether the Standards of Practice for Florida home inspectors apply to inspections performed outside the scope of home inspections as defined by Chapter 468, Part XV, Florida Statutes.

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

Division of Pari-Mutuel Wagering

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering has received the petition for declaratory statement from Debarry Real Estate Holdings, LLC. The petition seeks the

agency’s opinion as to the applicability of Sections 550.054(14) and 550.0555, Florida Statutes, as it applies to the petitioner.

Petitioner seeks the Division’s opinion as to whether Section 550.054(14) authorizes West Volusia Racing, Inc. to relocate its racing permit; and whether Section 550.0555 authorizes West Volusia Racing, Inc. or Daytona Beach Kennel Club Inc. to relocate their greyhound racing permit.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Patti Kight. Please refer all comments to: Jonathan R. Zachem, Director; Jason L. Maine, Chief Attorney.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Drugs, Devices and Cosmetics

NOTICE IS HEREBY GIVEN that Division of Drugs, Devices and Cosmetics has received the petition for declaratory statement from James Letko, CEO of All American Medical Supplies, LLC, 3640 Enterprise Way, Miramar, FL 33025-6616, filed on December 8, 2014. The petition seeks the agency’s opinion as to the applicability of Section 499.001, Florida Statutes, as it applies to the petitioner.

All American Medical Supplies, LLC, is a medical supply company in Florida that drop ships its products from accredited local distributors using common carriers (FedEx, UPS and USPS) throughout the US. The company maintains an active inventory of all supplies for “walk-in” business. The company sells to most private insurances, Medicaid, and Medicare patients who access their storefront from the local and surrounding areas. All American Medical’s only physical presence is in Florida: 1829 Park Lane South, Suites 8 & 9, Jupiter, FL 33458-8086. All American does not manufacture a drug, device or cosmetic. All American does not repackage a drug, device or cosmetic; does not distribute any prescription drugs; does not distribute an OCD. We do distribute devices. Devices include: Diabetic Testing supplies; Insulin Pumps; CPAP supplies (excluding actual pump device); orthotics (back, knee, ankle, wrist, etc.); cervical collars; shoulder immobilizers; catheterization supplies; seat lift devices (mechanical and electronic); PT/INR meters; erectile dysfunction pumps, and TENs units/supplies. All American Medical is requesting a statement from the Department of Business and Professional Regulation, Division of Drugs, Devices and Cosmetics stating that All American Medical Supplies, LLC, is not required to obtain a permit issued from the Drugs, Devices and Cosmetics.

A copy of the Petition for Declaratory Statement may be obtained by contacting: The Division of Drugs, Devices and Cosmetics, 1940 N. Monroe Street, Suite 26A, Tallahassee, FL 32399-1047.

Please refer all comments to: Reggie Dixon, Division Director, Division of Drugs, Devices and Cosmetics, 1940 N. Monroe Street, Suite 26A, Tallahassee, FL 32399-1047, website: http://interredesignalpha/dbpr/ddc/ddc_division_notices.html.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

NONE

Section XII
Miscellaneous

AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need

DECISION ON EXPEDITED APPLICATION

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

County: Marion Service District: 3-4

CON #10346 Decision Date: 12/23/2014 Decision: A

Applicant/Facility/Project: Bridgewater Park, LLC

Project Description: Construct a 120-bed community nursing home in a deed-restricted retirement community, On Top of the World

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

Section XIII
Index to Rules Filed During Preceding
Week

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