

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NO.: RULE TITLE:

73B-11.029 Public Use Forms

PURPOSE AND EFFECT: The purpose of the rule is to eliminate obsolete forms which are no longer used by the Department of Economic Opportunity in its dealings with the public.

SUBJECT AREA TO BE ADDRESSED: Elimination of obsolete forms.

RULEMAKING AUTHORITY: 443.1317(1)(b) FS.

LAW IMPLEMENTED: 443.171(5), 443.1715(1), (2)(b)1 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michael Golen, Office of General Counsel, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399, (850)245-7150

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

Section II
Proposed Rules

DEPARTMENT OF STATE

Division of Historical Resources

RULE NOS.: RULE TITLES:

- 1A-39.002 Definitions
1A-39.003 Grant Funding
1A-39.004 Grant Programs
1A-39.005 Non-Allowable Costs
1A-39.006 Match Contributions
1A-39.007 Application Procedures
1A-39.008 Application Review
1A-39.009 Grant Award Agreement
1A-39.010 Reporting Requirements
1A-39.011 Restrictive Covenants
1A-39.012 Preservation Agreement

PURPOSE AND EFFECT: The purpose and effect of this action is to repeal Rules 1A-39.002, 1A-39.003, 1A-39.004, 1A-39.005, 1A-39-006, 1A-39.006, 1A-39.007, 1A-39.008, 1A-39.009, 1A-39.010, 1A-39.011, and 1A-39.012, F.A.C.

SUMMARY: The provisions and grant programs provided under these chapters will be provided for under 1A-39.001, F.A.C.

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 repeal of this chapter will not have a direct or indirect adverse financial impact on small businesses.

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: 267.031(1), 267.0617(5) FS. LAW IMPLEMENTED: 267.0617(2) 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: February 27, 2015, 10:00 a.m. PLACE: R.A. Gray Building, 500 South Bronough Street, Room 307, Tallahassee, FL 32399, Call-In Information: 1(888)670-3525, Participant Code: 8850786128 then #

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 days before the workshop/meeting by contacting: Brandy Hedges, Florida Department of State, 500 South Bronough Street, Tallahassee, FL 32399, (850)245-6127, Brandy.Hedges@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lydia Strom, Florida Department of State, 500 South Bronough Street, Tallahassee, FL 32399, (850)245-6515, Lydia.Strom@dos.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

1A-39.002 Definitions.

Rulemaking Authority 267.031(1), 267.0617(5) FS. Law Implemented 267.0617(2),(3) FS. History – New 10/14/2009, Repealed xx-xx-xx.

1A-39.003 Grant Funding.

Rulemaking Authority 267.031(1), 267.0617(5) FS. Law Implemented 267.0617(2),(3) FS. History – New 10/14/2009, Repealed xx-xx-xx.

1A-39.004 Grant Programs.

Rulemaking Authority 267.031(1), 267.0617(5) FS. Law Implemented 267.0617(2),(3) FS. History – New 10/14/2009, Repealed xx-xx-xx.

1A-39.005 Non-Allowable Costs.

Rulemaking Authority 267.031(1), 267.0617(5) FS. Law Implemented 267.0617(2),(3) FS. History – New 10/14/2009, Repealed xx-xx-xx.

1A-39.006 Match Contributions.

Rulemaking Authority 267.031(1), 267.0617(5) FS. Law Implemented 267.0617(2),(3) FS. History – New 10/14/2009, Repealed xx-xx-xx.

1A-39.007 Application Procedures.

Rulemaking Authority 267.031(1), 267.0617(5) FS. Law Implemented 267.0617(2),(3) FS. History – Adopted 10/14/2009, Repealed xx-xx-xx.

1A-39.008 Application Review.

Rulemaking Authority 267.031(1), 267.0617(5) FS. Law Implemented 267.0617(2),(3) FS. History – Adopted 10/14/2009, Repealed xx-xx-xx.

1A-39.009 Grant Award Agreement.

Rulemaking Authority 267.031(1), 267.0617(5) FS. Law Implemented 267.0617(2),(3) FS. History – Adopted 10/14/2009, Repealed xx-xx-xx.

1A-39.010 Reporting Requirements.

Rulemaking Authority 267.031(1), 267.0617(5) FS. Law Implemented 267.0617(2),(3) FS. History – Adopted 10/14/2009, Repealed xx-xx-xx.

1A-39.011 Restrictive Covenants.

Rulemaking Authority 267.031(1), 267.0617(5) FS. Law Implemented 267.0617(2),(3) FS. History – Adopted 10/14/2009, Repealed xx-xx-xx.

1A-39.012 Preservation Agreement.

Rulemaking Authority 267.031(1), 267.0617(5) FS. Law Implemented 267.0617(2),(3) FS. History – Adopted 10/14/2009, Repealed xx-xx-xx.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Lydia Strom

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Ken Detzner

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 29, 2015

**WATER MANAGEMENT DISTRICTS**

**Suwannee River Water Management District**

RULE NO.: 40B-1.703  
RULE TITLE: Procedures for Consideration of Permit Applications

PURPOSE AND EFFECT: The Suwannee River Water Management District (District) gives notice that it is initiating rulemaking to amend its rules to describe the point of entry into proceedings for District permitting decisions.

SUMMARY: Noticing of District permitting decisions; Point of entry into proceedings

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 District has completed for the Governor’s Office of Fiscal Accountability and Regulatory Reform (OFARR) the “Is a SERC Required?” form and prepared a summary of the proposed rule amendment, which are both available upon request. Based on the completed “Is a SERC Required?” form and summary and the analysis performed by the District, the proposed rule amendment is not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

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

RULEMAKING AUTHORITY: 373.044, 373.083, 373.113, 373.118, 373.171, 373.4141 FS.

LAW IMPLEMENTED: 120.57, 120.59, 120.60, 373.084, 373.085, 373.086, 373.106, 373.116, 373.118, 373.229, 373.313, 373.413, 373.416, 373.426 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: Warren Zwanka, Senior Hydrologist, Suwannee River Water Management District, 9225 CR 49, Live Oak, Florida 32060, (386)362-1001 or 1(800)226-1066 (FL only)

THE FULL TEXT OF THE PROPOSED RULE IS:

40B-1.703 Procedures for Consideration of Permit Applications.

- (1)(a) through (d) No change.
- (2) Individual Permits.
  - (a) No change.

(b) Upon receipt of an application for an individual permit, the District will cause to be published and distributed the notices of application required by Sections 373.116, 373.413(3), and 373.413(4), F.S. The notice of application shall specify a date not less than 14 days from the date of publication and distribution by which comments or objections to the application may be filed with the District. ~~A notice of proposed agency action on an individual permit application will be prepared whenever possible. The notice of proposed agency action will be sent to the applicant or any other person requesting such notice. If no substantial objection to the application or notice of proposed agency action is received, the Governing Board may, at its discretion, consider the application at its next regularly scheduled meeting, which is at least 14 days after issuance of a notice of proposed agency action. If a substantial objection is received, the Board shall proceed under the procedures in Chapter 28, F.A.C., and, if appropriate, set a time for a hearing in accordance with the provisions of Chapter 120, F.S. When there is not a reasonable opportunity for the District to issue a notice of proposed agency action, the Governing Board may, at its discretion, consider the application and advise the applicant and all other persons requesting notice of the Governing Board's action and providing an opportunity to request an administrative hearing on the action pursuant to Section 120.60(3), F.S., and Chapter 28, F.A.C.~~

- (c) No change.
- (3) No change.

Rulemaking Authority 373.044, 373.083, 373.113, 373.118, 373.171, 373.4141 FS. Law Implemented 120.57, 120.59, 120.60, 373.084, 373.085, 373.086, 373.106, 373.116, 373.118, 373.229, 373.313, 373.413, 373.416, 373.426 FS. History—New 6-16-88, Amended 12-22-92, 10-3-95, 1-29-01, 12-10-07, 10-25-09, 3-24-14, [DATE].

NAME OF PERSON ORIGINATING PROPOSED RULE: Warren Zwanka, Senior Hydrologist

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 25, 2014

**WATER MANAGEMENT DISTRICTS**

**Suwannee River Water Management District**

RULE NO.: RULE TITLE:

40B-1.1010 Point of Entry into Proceedings

PURPOSE AND EFFECT: The Suwannee River Water Management District (District) gives notice that it is initiating rulemaking to amend its rules to describe the point of entry into proceedings for District permitting decisions.

SUMMARY: Noticing of District permitting decisions; Point of entry into proceedings

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 District has completed for the Governor's Office of Fiscal Accountability and Regulatory Reform (OFARR) the "Is a SERC Required?" form and prepared a summary of the proposed new rule, which are both available upon request. Based on the completed "Is a SERC Required?" form and summary and the analysis performed by the District, the proposed new rule is not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

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

RULEMAKING AUTHORITY: 120.54(5), 373.044, 373.113 FS.

LAW IMPLEMENTED: 120.54(5), 120.60, 253.115, 373.079(4)(a), 373.083(5), 373.216, 373.219, 373.308, 373.309, 373.323, 373.413, 373.4136, 373.414, 373.416, 373.418, 373.421, 373.426, 373.427 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: Warren Zwanka, Senior Hydrologist, Suwannee River Water Management District, 9225 CR 49, Live Oak, Florida 32060, (386)362-1001 or 1(800)226-1066 (FL only)

THE FULL TEXT OF THE PROPOSED RULE IS:

40B-1.1010 Point of Entry into Proceedings.

(1) For all District permitting decisions under Part II and Part IV of Chapter 373, F.S., and decision on petitions for formal determination of wetlands or other surface waters, the District shall require an applicant to publish, or inform an applicant that the applicant has the right to publish, written notice of a District decision in a newspaper of general circulation as set forth in Chapter 50, F.S., in the county or counties where the activity is proposed.

(2)(a) "Written notice" as set forth in Rule 28-106.111, F.A.C., means either receipt of actual written notice that the District has taken or intends to take final agency action, or publication of notice that the District has taken or intends to take final agency action. If final agency action materially differs from a written notice of the District's intended action, persons who may be substantially affected shall have an additional 21 days, or for a notice of consolidated intent an additional 14 days, from the date of receipt or publication of notice of such action to request an administrative hearing. Such requests for an administrative hearing shall only address those aspects of the agency action which differ from the proposed agency action.

(b) Receipt of written notice of a District decision shall be deemed to be the fifth day after the date on which the written notice is deposited in the United States mail if actual notice is mailed, the date that the notice is sent if actual notice is issued by electronic mail, or the date that notice is published if actual notice is not issued to the persons who may be substantially affected. If the date of publication of a notice of District decision precedes the date that actual notice is received, the applicable 21-day or 14-day period in which to request an administrative hearing will be determined from the date that notice of District decision was published.

(3) When publication is made or notice is issued of a District decision on a permitting matter, the notice shall contain as a minimum:

(a) Name of applicant and a brief description of the proposed activity and its location;

(b) Location of the application and its availability;

(c) Statement of the District's intended action and basis for the issuance or denial except when issuance is a ministerial act;

(d) Scheduled date of Board action, if such action is necessary;

(e) Notification of administrative hearing opportunity or right to judicial review, the procedures which must be followed and applicable time limits; and

(f) Notification of whether mediation under Section 120.573, F.S., is available as an alternative remedy.

(4) When an applicant publishes written notice of a District decision, the applicant shall provide an affidavit of publication to the District within 14 days of publication.

(5) For notices of agency action on a consolidated application for an environmental resource permit and use of state-owned lands concurrently reviewed by the District pursuant to Section 373.427, F.S., any petition for an administrative hearing pursuant to Sections 120.569 and 120.57, F.S., must be filed within 14 days of receipt of written notice of consolidated intent to issue or deny a permit. Rulemaking Authority 120.54(5), 373.044, 373.113 FS. Law Implemented 120.54(5), 120.60, 253.115, 373.079(4)(a), 373.083(5), 373.216, 373.219, 373.308, 373.309, 373.323, 373.413, 373.4136, 373.414, 373.416, 373.418, 373.421, 373.426, 373.427 FS. History—New [DATE].

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Warren Zwanka, Senior Hydrologist

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 25, 2014

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-6.010      RULE TITLE: Payment Methodology for Nursing Home Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-6.010, F.A.C. is to incorporate by reference the Florida Title XIX Long-Term Care Reimbursement Plan (the Plan), Version XLII, effective July 1, 2014.

SUMMARY: The amendment will update the Plan to reflect changes to the payment methodology for nursing home services as authorized in House Bill 5001, 2014-15 General Appropriations Act, Specific Appropriation 241, as follows:

1. \$1,115,714,105 is provided to buy back nursing facility rate reductions effective on or after January 1, 2008

2. A transition to a single rate-setting period effective September 1 of each year. Rates shall be established on July 1, 2014 for a six-month rate period, January 1, 2015 for an eight-month rate period, and annually on September 1 thereafter

3. Editorial and technical changes to remove obsolete language and reorganize existing 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 checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to Section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

**RULEMAKING AUTHORITY:** 409.9082, 409.919 FS.

**LAW IMPLEMENTED:** 409.908, 409.9082, 409.913 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:** March 3, 2015, 10:00 a.m. – 11:00 a.m.

**PLACE:** Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Lisa Smith, Bureau of Medicaid Program Finance, 2727 Mahan Drive, Mail Stop 23, Tallahassee, Florida 32308, telephone: (850)412-4114, e-mail: lisa.smith@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Lisa Smith, Bureau of Medicaid Program Finance, 2727 Mahan Drive, Mail Stop 23, Tallahassee, Florida 32308, telephone: (850)412-4114, e-mail: lisa.smith@ahca.myflorida.com

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

Comments will be received until 5:00 p.m. on March 10, 2015.

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

59G-6.010: Payment Methodology for Nursing Home Services.

(1) Reimbursement to participating nursing homes for services provided shall be in accordance with the Florida Title XIX Long-Term Care Reimbursement Plan (the Plan), Version ~~XLII, XLI~~, ~~e~~Effective Date July 1, ~~2014~~ ~~2013~~, and incorporated ~~herein~~ by reference \_\_\_\_\_. A copy of the Plan, as revised, may be obtained by writing to the Office of the Deputy Secretary for Medicaid, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 8, Tallahassee, Florida 32308. The Plan incorporates Provider Reimbursement Manual (CMS Pub. 15-1).

(2) Participating nursing homes shall use the Nursing Facility Quality Assessment form (only accepted electronically), AHCA Form 5000-3549, Revised October 2013, incorporated by reference, for the submission of its monthly quality assessment. This form can be accessed at <http://ahca.myflorida.com/QAF/index.shtml>.

(3) Each facility shall report monthly to the Agency for Health Care Administration (AHCA) its total number of resident days and remit an amount equal to the assessment rate times the reported number of days. Facilities are required to submit their full quality assessment payment no later than 15 days from ~~by the 15th day of~~ the next succeeding calendar month.

(4) Providers are subject to the following monetary fines pursuant to Section 409.9082(7), F.S., for failure to timely pay a quality assessment:

(a) For a facility's first offense, a fine of \$500 per day shall be imposed until the quality assessment is paid in full, but in no event shall the fine exceed the amount of the quality assessment.

(b) For any offense subsequent to a first offense, a fine of \$1,000 per day shall be imposed until the quality assessment is paid in full, but in no event shall the fine exceed the amount of the quality assessment. A subsequent offense is defined as any offense within a period of five years preceding the most recent quality assessment due date.

(c) An offense is defined as one month's quality assessment payment not received by the 20th day of the next succeeding calendar month.

(d) In the event that a provider fails to report their total number of resident days as defined in Section 409.9082(1)(c), F.S., by the 20th day of the next succeeding calendar month, the fines in (a)-(c) apply and the maximum amount of the fines shall be equal to their last submitted quality assessment amount but in no event shall the total fine exceed the amount of the quality assessment.

(5) In addition to the aforementioned fines, providers are also subject to the non-monetary remedies enumerated in Section 409.9082(7), F.S. Imposition of the non-monetary remedies by ~~AHCA the agency~~ will be as follows:

(a) For a third subsequent offense, ~~AHCA the agency~~ will withhold any medical assistance reimbursement payments until the assessment is recovered.

(b) For a fourth or greater subsequent offense, ~~AHCA the agency~~ will seek suspension or revocation of the facility's license.

(6) Sanctions for failure to timely submit a quality assessment are non-allowable costs for reimbursement purposes and shall not be included in the provider's Medicaid per diem rate.

(7) The facility may amend any previously submitted quality assessment data, but in no event may an amendment occur more than twelve months after the due date of the assessment. The deadline for submitting an amended assessment shall not relieve the facility from their obligation to pay any amount previously underpaid and shall not waive ~~AHCA's the Agency's~~ right to recoup any underpaid assessments.

Rulemaking Authority 409.919, 409.9082 FS. Law Implemented 409.908, 409.9082, 409.913 FS. History—New 7-1-85, Amended 10-1-85, Formerly 10C-7.482, Amended 7-1-86, 1-1-88, 3-26-90, 9-30-90, 12-17-90, 9-15-91, 3-26-92, 10-22-92, 4-13-93, 6-27-93, Formerly 10C-7.0482, Amended 4-10-94, 9-22-94, 5-22-95, 11-27-95, 11-6-97, 2-14-99, 10-17-99, 1-11-00, 4-24-00, 9-20-00, 11-20-01, 2-20-02, 7-14-02, 1-8-03, 6-11-03, 12-3-03, 2-16-04, 7-21-04, 10-12-04, 4-19-06, 7-1-06, 8-26-07, 2-12-08, 9-22-08, 3-3-10, 2-23-11, 5-3-12, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Lisa Smith

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 5, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 10, 2014

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.:  
59G-6.080

RULE TITLE:  
Payment Methodology for Federally Qualified Health Center and Rural Health Center Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-6.080, F.A.C. is to incorporate by reference the Florida Title XIX Federally Qualified Health Center and Rural Health Center Reimbursement Plan (the Plan), Version V, effective July 1, 2014.

SUMMARY: The amendment will reorganize the Plan for federally qualified health center and rural health center services, clarify existing language, and remove obsolete 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 checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to Section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905(6), 409.908, 409.913 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: February 26, 2015, 1:00 p.m. – 2:00 p.m.  
 PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room B, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 days before the workshop/meeting by contacting: Chanda Farcas, Bureau of Medicaid Program Finance, 2727 Mahan Drive, Mail Stop 23, Tallahassee, Florida 32308, telephone: (850)412-4097, e-mail: chanda.farcas@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Chanda Farcas, Bureau of Medicaid Program Finance, 2727 Mahan Drive, Mail Stop 23, Tallahassee, Florida 32308, telephone: (850)412-4097, e-mail: chanda.farcas@ahca.myflorida.com

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

Comments will be received until 5:00 p.m. on Thursday, March 5, 2015.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.080: Payment Methodology for Federally Qualified Health Center and Rural Health Center Services.

(1) Reimbursement to participating health centers for services provided shall be in accordance with the Florida Title XIX Federally Qualified Health Center and Rural Health Center Reimbursement Plan (the Plan), Version V, ~~IV~~, ~~Effective: July 1, 2014, February 1, 2004, and incorporated herein by reference \_\_\_\_\_.~~ A copy of the Plan as revised may be obtained by writing to the Office of the Deputy Secretary for Medicaid, 2727 Mahan Drive, Building 3, Mail Stop 8, Tallahassee, FL 32308.

Rulemaking Authority 409.919 FS. Law Implemented 409.908 FS. History—New 6-3-93, Formerly 10P-6.080, Amended 4-10-94, 12-26-01, 2-1-04, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Chanda Farcas

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 4, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 18, 2014

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-6.090  
 RULE TITLE: Payment Methodologies for County Health Departments

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-6.090, F.A.C. is to incorporate by reference the Florida Title XIX County Health Department Reimbursement Plan (the Plan), Version XII, effective July 1, 2014.

SUMMARY: The amendment will update the Plan to reflect changes to the payment methodology for county health departments as authorized in House Bill 5001, 2014-15 General Appropriations Act, Specific Appropriation 234, as follows:

1. \$15,334,686 is provided to buy back clinic services rate adjustments, effective on or after July 1, 2008
2. Editorial and technical changes to remove obsolete language and reorganize existing 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 checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to Section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908, 409.913 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: February 26, 2015, 2:00pm – 3:00pm  
 PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room B, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 days before the workshop/meeting by contacting: Chanda Farcas, Bureau of Medicaid Program Finance, 2727 Mahan Drive, Mail Stop 23, Tallahassee, Florida 32308, telephone: (850)412-4097, e-mail: Chanda.farcas@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Chanda Farcas, Bureau of Medicaid Program Finance, 2727 Mahan Drive, Mail Stop 23, Tallahassee, Florida 32308, telephone: (850)412-4097, e-mail: Chanda.farcas@ahca.myflorida.com

Please note that a preliminary draft of the reference material, if available, will be posted prior to the public hearing at <http://ahca.myflorida.com/Medicaid/review/index.shtml>. Comments will be received until 5:00 p.m. on Thursday, March 5, 2015.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.090: Payment Methodology for County Health Departments.

(1) Reimbursement to participating county health departments for services provided shall be in accordance with the Florida Title XIX County Health Department ~~Departments~~ Reimbursement Plan Version ~~XII~~, ~~XI~~ ~~e~~Effective Date July 1, 2014, 2013 and incorporated herein by reference \_\_\_\_\_.

A copy of the Plan as revised may be obtained by writing to the Deputy Secretary for Medicaid, 2727 Mahan Drive, Building 3, Mail Stop 8, Tallahassee, Florida 32308.

Rulemaking Authority 409.919 FS. Law Implemented 409.908, 409.913 FS. History—New 6-3-93, Formerly 10P-6.090, Amended 7-21-02, 3-10-94, 11-21-04, 1-11-09, 3-24-10, 2-23-11, 5-3-12, 4-3-13, 4-23-14, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Chanda Farcas

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 10, 2014

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-13.081  
 RULE TITLE: Developmental Disabilities Home and Community Based Medicaid Waiver Services Tiers 1 through 4 and Individual Budgeting Waivers Provider Rate Tables

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-13.081, F.A.C. is to incorporate by reference the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Provider Rate Table,

SUMMARY: The amendment updates the following services: life skills development (adult day training), personal supports, residential habilitation - intensive behavioral, respite, speech therapy assessment, occupational therapy, physical therapy, respiratory therapy, and speech therapy. Tiers 1 through 4 are deleted and the title of the rule is changed to Developmental Disabilities Individual Budgeting Waiver Services Provider Rate Table.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to Section 120.541, Florida Statutes, the rule will not require legislative ratification.

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



RULEMAKING AUTHORITY: 409.919 FS.  
LAW IMPLEMENTED: 393.0661, 409.902, 409.906, 409.908, 409.912, 409.913 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: March 2, 2015, 11:00 a.m. – 12:00 Noon  
PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida 32308-5407

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Virginia Hardcastle, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4685, e-mail: virginia.hardcastle@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Virginia Hardcastle, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4685, e-mail: virginia.hardcastle@ahca.myflorida.com

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

Comments will be received until 5:00 p.m. on March 9, 2015.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-13.081 Developmental Disabilities ~~Home and Community Based Medicaid Waiver Services Tiers 1 through 4 and Individual Budgeting Waiver Services Waivers~~ Provider Rate Table ~~Tables~~.

(1) This rule applies to all providers of Ddevelopmental Disabilities ~~home and community based services Tiers 1 through 4 Waiver providers and Individual Budgeting Waiver services providers who are~~ enrolled in the Florida Medicaid program.

(2) All providers of Ddevelopmental Disabilities ~~home and community based services Tiers 1 through 4 providers and Individual Budgeting Waiver services providers who are~~ enrolled in the Florida Medicaid program must be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Home and Community Based Medicaid Waiver Services Tiers 1 through 4 and Individual Budgeting Waiver Services Waivers Provider Rate Table Tables, July 1, 2011, which are incorporated by reference. The fee schedule is rate tables are available from the Medicaid fiscal agent’s Web site at [www.mymedicaid-florida.com](http://www.mymedicaid-florida.com). Select Public Information for Providers, then Provider Support, and then Fee Schedules. ~~Paper copies of the rate tables may be obtained by calling the Provider Services Contact Center at 1(800)289-7799 and selecting Option 7.~~ Rulemaking Authority 409.919 FS. Law Implemented 393.0661, 409.902, 409.906, 409.908, 409.912, 409.913 FS. History–New 5-29-06, Amended 11-15-07, 10-13-08, 3-13-13,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Virginia Hardcastle  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 19, 2014  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 15, 2014

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-13.086  
RULE TITLE: Developmental Disabilities Waiver Disposable Incontinence Medical Supplies Fee Schedule and Minimum Quality Standards

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-13.086, F.A.C. is to incorporate by reference the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Disposable Incontinence Medical Supplies Fee Schedule, \_\_\_\_\_.

**SUMMARY:** The amendment deletes code modifiers for Tiers 1-4. All codes along with modifiers for recipients under the age of 21 years are deleted, as these services are provided under the Early and Periodic Screening, Diagnosis and Treatment program. The amendment also updates and clarifies code descriptions, adds a code to accommodate a larger-sized product, incorporates a reference for providers to the Florida Medicaid Durable Medical Equipment and Medical Supply Services Coverage and Limitations Handbook regarding minimum quality standards, and reformats the fee schedule for clarity. There is a revision to the title of the rule to Developmental Disabilities Individual Budgeting Waiver Disposable Incontinence Medical Supplies Fee Schedule.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to Section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

**RULEMAKING AUTHORITY:** 409.919 FS.

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

**IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**

**DATE AND TIME:** March 2, 2015, 9:00 a.m. – 10:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Virginia Hardcastle, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4685, e-mail: virginia.hardcastle@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Virginia Hardcastle, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4685, e-mail: virginia.hardcastle@ahca.myflorida.com

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

Comments will be received until 5:00 p.m. on March 9, 2015.

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

59G-13.086 Developmental Disabilities Individual Budgeting Waiver ~~Waivers~~ Disposable Incontinence Medical Supplies Fee Schedule ~~and Minimum Quality Standards~~.

(1) ~~This rule applies to all Developmental Disabilities Waiver disposable incontinence medical supplies are reimbursed according to the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Disposable Incontinence Medical Supplies Fee Schedule, \_\_\_\_\_, incorporated by reference services providers enrolled in the Medicaid program.~~

(2) ~~The fee schedule is All Developmental Disabilities waiver services providers enrolled in the Medicaid program must be in compliance with the Developmental Disabilities Waivers Disposable Incontinence Medical Supplies Fee Schedule, July 1, 2013, and Minimum Quality Standards, July 1, 2013, which are incorporated by reference, available at [http://www.flrules.org/Gateway/reference.asp?No=Ref\\_01423](http://www.flrules.org/Gateway/reference.asp?No=Ref_01423). The Developmental Disabilities Waivers Disposable Incontinence Medical Supplies Fee Schedule and Minimum Quality Standards are available from the Medicaid fiscal agent's Web site at [www.mymedicaid-florida.com](http://www.mymedicaid-florida.com). Select Public Information for Providers, then Provider Support, and then Fee Schedules. Paper copies may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.~~

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS. History—New 7-1-13, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Virginia Hardcastle  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 16, 2014  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 15, 2014

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-13.088  
RULE TITLE: Developmental Disabilities Consumer Directed Care Plus

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-13.088, F.A.C. is to incorporate by reference the Florida Medicaid Consumer-Directed Care Plus Program Coverage, Limitations, and Reimbursement Handbook,

SUMMARY: The amendment will update the general definitions for restricted services; delete the definitions for cash check and cash receipts; update requirements for eligibility; update disenrollment overview and involuntary disenrollment; update consumer, representative and consultant responsibilities; update requirements for background screening information pursuant to the 2012 Florida Statutes' changes; delete processing of fingerprints, state criminal record checks, purchasing plan requirements, and authorizing cash checks; update restricted services description; update behavior analysis services, behavior analysis assessment, and behavior assistant services; add vehicle modification definition and limitations and special conditions; and change the title of the rule to Consumer-Directed Care Plus Program.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to Section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 409.221 FS.  
LAW IMPLEMENTED: 409.902, 409.907, 409.908, 409.912, 409.913, 409.221 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: March 2, 2015, 2:00 p.m. – 4:00 p.m.  
PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, Florida 32308-5407

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 days before the workshop/meeting by contacting: Marlon Storey, Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4261, e-mail: marlon.storey@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Marlon Storey, Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4261, e-mail: marlon.storey@ahca.myflorida.com

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

Comments will be received until 5:00 p.m. on March 9, 2015.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-13.088 ~~Developmental Disabilities Consumer-Directed Care Plus Program.~~

(1) Recipients Individuals enrolled in the Individual Budgeting (iBudget) Waiver receiving Developmental Disabilities Medicaid Waivers Program for Consumer-Directed Care Plus program services, along with all program representatives, consultants, employees, vendors, and Agency for Persons with Disabilities staff must be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Medicaid Waivers Consumer-Directed Care Plus Program Coverage, Limitations, and Reimbursement Handbook, \_\_\_\_\_, July, 2012, which is incorporated by reference. The handbook is available from the Medicaid fiscal agent's Web site at www.mymedicaid-florida.com. Select Public Information for Providers, then Provider Support, and then Provider Handbooks. ~~Paper copies of the handbook may be obtained by calling the Provider Contact Center at (800) 289-7799 and selecting Option 7.~~

(2) The following appendices are incorporated by reference: ~~Appendix A:~~ CDC+ New Participant Training Program Affirmation Form, July 2012; ~~Appendix B:~~ CDC+ New Participant Training Registration, July 2012; ~~Appendix C:~~ CDC+ Participant Refresher Training Program Affirmation Form, March 1, 2011; ~~Appendix D:~~ CDC+ Participant Refresher Training Registration, March 1, 2011; ~~Appendix E:~~ CDC+ Purchasing Plan, February 14, 2012; ~~Appendix F:~~ CDC+ Quick Update to My Purchasing Plan, June 1, 2009; ~~Appendix G:~~ Florida CDC+ Weekly Timesheet, January 1, 2011; and ~~Appendix H:~~ CDC+ Participant Information Update Form, November 1, 2009. These forms are available by photocopying them from the Florida Medicaid Developmental Disabilities Medicaid Waivers Consumer-Directed Care Plus Program Coverage, Limitations, and Reimbursement Handbook.

Rulemaking Authority 409.221 FS. Law Implemented ~~409.221, 409.902, 409.907, 409.908, 409.912, 409.913, 409.221~~ FS. History-New 11-12-12, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Marlon Storey  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 15, 2014  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 7, 2013

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-13.132  
RULE TITLE: Traumatic Brain and Spinal Cord Injury Waiver Disposable Incontinence Medical Supplies Fee Schedule and Minimum Quality Standards

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-13.132, F.A.C. is to incorporate by reference the Florida Medicaid Traumatic Brain and Spinal Cord Injury Waiver Disposable Incontinence Medical Supplies Fee Schedule, \_\_\_\_\_.

SUMMARY: The amendment updates and clarifies code descriptions, adds a code to accommodate a larger-sized product, incorporates a reference for providers to the Florida Medicaid Durable Medical Equipment and Medical Supply Services Coverage and Limitations Handbook regarding minimum quality standards, and reformats the fee schedule. The amendment also changes the title of the rule to Traumatic Brain and Spinal Cord Injury Waiver Disposable Incontinence Medical Supplies Fee Schedule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to Section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 409.919 F.S.  
LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.912, 409.913, F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: March 5, 2015, 10:00 a.m. – 11:00 a.m.  
PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida 32308-5407

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Caryl Jefferson, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4220, e-mail: caryl.jefferson@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Caryl Jefferson, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4220, e-mail: caryl.jefferson@ahca.myflorida.com

Please note that a preliminary draft of the reference material, if available, will be posted prior to the hearing at <http://ahca.myflorida.com/Medicaid/review/index.shtml>. Comments will be received until 5:00 p.m. on March 12, 2015.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-13.132 Traumatic Brain and Spinal Cord Injury Waiver Disposable Incontinence Medical Supplies Fee Schedule and Minimum Quality Standards.

(1) ~~This rule applies to all Traumatic Brain and Spinal Cord Injury Waiver disposable incontinence medical supplies are reimbursed according to the Florida Medicaid Traumatic Brain and Spinal Cord Injury Waiver Disposable Incontinence Medical Supplies Fee Schedule, \_\_\_\_\_, incorporated by reference services providers enrolled in the Medicaid program.~~

(2) ~~The fee schedule is All Traumatic Brain and Spinal Cord Injury waiver services providers enrolled in the Medicaid program must be in compliance with the Traumatic Brain and Spinal Cord Injury Waiver Disposable Incontinence Medical Supplies Fee Schedule, December 1, 2011, and Minimum Quality Standards, December 1, 2011, which are incorporated by reference, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 01174>. The Traumatic Brain and Spinal Cord Injury Waiver Disposable Incontinence Medical Supplies Fee Schedule and Minimum Quality Standards are available from the Medicaid fiscal agent's Web site at [www.mymedicaid-florida.com](http://www.mymedicaid-florida.com). Select Public Information for Providers, then Provider Support, and then Fee Schedules. Paper copies may be obtained from the Agency for Health Care Administration,~~

~~Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.~~

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS. History—New 6-7-12, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Caryl Jefferson  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 17, 2014  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 15, 2014

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE NO.: 61A-2.023 RULE TITLE: Proposed and Final Tax Assessments  
 PURPOSE AND EFFECT: To promulgate Rule 61A-2.023, F.A.C. in order to establish the processes for tax assessments.  
 SUMMARY: Chapter 72.011(2)(b)3, F.S., requires the Department of Business and Professional Regulation to promulgate rules to set forth the processes for tax assessments. As such, the division proposes to promulgate Rule 61A-2.023, F.A.C. to satisfy this statutory requirement.

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

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

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

RULEMAKING AUTHORITY: 72.011(2)(b)3, 210.55(7)(b)2 FS.

LAW IMPLEMENTED: 72.011(2), 210.276, 210.30, 210.55 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: Renita Walton-Hayes, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)717-1118, renita.walton-hayes@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61A-2.023 Proposed and Final Tax Assessments.

(1) When an audit is performed that indicates that there is an amount of tax owed by the Taxpayer to the Division which is unpaid, the Division shall notify the taxpayer of the proposed tax assessment, i.e., the deficiency plus the applicable interest and penalties.

(2) A Taxpayer shall be notified of the proposed tax assessment in a letter entitled, "Notice of Proposed Tax Assessment."

(a) Said letter of notice shall be dated, and shall include:

1. The license number of the taxpayer.
2. The audit period of assessment.
3. The amount of the deficiency plus the applicable interest and penalties.
4. A request for payment within 10 days.
5. The specific address, e-mail address, and fax number designated to receive any response from the Taxpayer.

(b) Rule 61A-2.023, F.A.C., shall accompany the letter of notice as an attachment.

(c) The letter shall also contain the following language, "If you disagree with the proposed tax assessment, you may file a written protest and request for hearing within 60 calendar days of the mailing of this letter. For further instructions regarding the filing of the written protest and request, please see the attached recitation of Rule 61A-2.023, F.A.C."

(3) A Taxpayer may file a protest and request an assessment conference within 60 calendar days of the date of the Notice of Proposed Tax Assessment.

(a) A Taxpayer protest shall include:

1. The Taxpayer's name, address, e-mail address (optional), and telephone number.
2. A copy of the Notice of Proposed Tax Assessment.
3. The specific amounts of the tax, interest, and/or the penalty, by audit period, that is being protested.
4. A statement of facts supporting the protest of the specific amounts.
5. If applicable, a statement of law or other authority on which the taxpayer's position is based.

6. A statement as to whether an assessment conference is being requested.

(b) A Taxpayer protest shall be filed with the Division by sending the protest to the address, e-mail address, or fax number designated on the Notice of Proposed Tax Assessment.

(4) Upon receipt of a timely protest and the holding of a hearing (if requested), the Division shall review the protest and issue a Final Tax Assessment.

(5) The Division shall dismiss protests postmarked, or e-mails and faxes received, more than 60 calendar days from the date of mailing of the Notice of Proposed Tax Assessment and shall issue a Final Tax Assessment.

(6) A Final Tax Assessment becomes final on the date of its issuance.

Rulemaking Authority 72.011(2)(b)3, 210.55(7)(b)2, FS. Law Implemented 72.011(2)(b)3 FS., 210.276, FS., 210.30, FS., 210.55, FS. History--New .

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Ben Pridgeon, Department of Business and Professional Regulation

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 27, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 9, 2015

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.:	RULE TITLE:
64B3-10.005	Scope of Practice Relative to Specialty of Licensure

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 40 No. 192, October 2, 2014 issue of the Florida Administrative Register has been withdrawn.

### Section IV Emergency Rules

NONE

## Section V

### Petitions and Dispositions Regarding Rule Variance or Waiver

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:       RULE TITLE:

62-330.302       Additional Conditions for Issuance of  
                  Individual and Conceptual Approval Permits

The Dept. of Environmental Protection hereby gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of paragraph 62-330.302(1)(c), F.A.C., to Lee County Electric Cooperative (LCEC), Inc., P.O. Box 3455, North Fort Myers, FL 33918 (File No. 36-0293378-004). The variance will allow for the removal of an existing power line, construction of 11 new power poles, approximately 60' north of the existing line, and restoration of seagrass in Matlacha Pass Aquatic Preserve, Class II, Outstanding Florida Waters, conditionally approved for shellfish harvesting, in Lee County. The variance is being granted because the petitioner has demonstrated that the variance is necessary to relieve or prevent hardship. The Department's file on 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, 2295 Victoria Avenue, Suite 364, Fort Myers, Florida 33902, online at <http://depedms.dep.state.fl.us/Oculus/servlet/login> or by telephone: (239)334-5600.

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.

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S.

Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

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: Patricia Clune, Patricia.Clune@dep.state.fl.us, (239)344-5639, DEP South District, Submerged Lands and Environmental Resources Program, PO Box 2549, Fort Myers, FL 33901.

**DEPARTMENT OF HEALTH**

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.:           RULE TITLE:  
64B4-31.007       Definition of a “Licensed Mental Health Counselor or the Equivalent, Who Is a Qualified Supervisor”

NOTICE IS HEREBY GIVEN that on January 23, 2015, the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, received a petition for waiver or variance filed by Jennifer Bilot, PhD, seeking a variance or waiver of Rule 64B4-31.007(2)(b), F.A.C., which requires that qualified supervisors must have earned at least three (3) years of supervision experience post-licensure.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258. Comments on this petition should be filed with the Board within 14 days of publication of this notice.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

Medicaid  
RULE NO.           RULE TITLE:  
59G-13.083       Developmental Disabilities Waiver Services  
The Agency for Health Care Administration hereby gives notice:

On February 3, 2015, the Agency issued a Final Order withdrawing the Petition for variance from or waiver of Rule 59G-13.083, Florida Administrative Code, filed by Petitioner, Florida Association of Rehabilitation Facilities on December 30, 2014. Notice of the Petition was published in Volume 41, No. 10, of the January 15, 2015, Florida Administrative Register.

Petitioner sought a variance from or waiver of rule in the Personal Care Assistance Service and In-Home Support Services Limitations set forth on pages 2 - 50 and 2 - 46, respectively, of the Developmental Disabilities Waiver Services Coverage and Limitations Handbook, which is incorporated by reference in Rule 59G-13.083, Florida Administrative Code. Petitioner sought a variance from or waiver of limited provisions of Rule 59G-13.083, F.A.C., amended May 2012, entitled "Developmental Disabilities Waiver Services" (the "Rule"), which incorporates by reference into Rule the Florida Medicaid Developmental Disabilities Waiver Services Coverage and Limitations Handbook, November 2010 (the "Handbook").

Petitioner sought a variance from or waiver of the Handbook provision, pages 2 – 50, which states the following limitation: "Recipients who receive in-home support services are not eligible to receive personal care assistance." Further, Petitioner sought a variance from or waiver of the Handbook provision, pages 2 – 46, which states: "...[i]n-home hourly support service may be billed for up to six hours a day in addition to the live in support services if approve by the APD Area Office with concurrence from the APD Central Office." Petitioner sought a variance from or waiver to enable APD to approve additional quarter hours of service if the conditions of paragraphs A. and B. set forth on pages 2- 46 are not met when more staff assistance is required for in-home live in services.

A copy of the Order or additional information may be obtained by contacting: Melanie Dyals, Assistant to the Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, MS 3, Tallahassee, Florida 32308 or by telephone: (850)412-3689.

**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 February 3, 2015, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Naples Square. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.4.1.5 and 2.15.9.2 as adopted by subsection 61C-5.001(1), F.A.C.,



to request installing a retracting toe guard 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 (VW2015-027).

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 HEALTH

Board of Chiropractic

RULE NO.: RULE TITLE:

64B2-13.004 Continuing Education

NOTICE IS HEREBY GIVEN that on February 3, 2015, the Board of Chiropractic Medicine, received a petition for variance or waiver filed by Raffaella Maria Amanda Villella. The petitioner is seeking a waiver or variance of subsections 64B2-13.004(1) and (2), F.A.C., which require that for the purpose of renewing a license, an applicant must demonstrate to the Board that he or she participated in at least forty (40) classroom hours of continuing chiropractic education during the past two years, of which at least three hours shall be in the area of risk management. Two of these three risk management hours shall specifically relate to the laws and rules of the board and the regulatory agency under which the Board operates. Only those classroom hours earned at Board approved continuing education courses or under the provisions of this rule are acceptable. Six (6) hours of the forty (40) shall be in the area of record keeping/documentation and coding; and two (2) hours of the forty (40) must be in the area of ethics and boundaries.

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](mailto: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.

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: RULE TITLE:

64B4-31.007 Definition of a “Licensed Mental Health Counselor or the Equivalent, Who Is a Qualified Supervisor”

NOTICE IS HEREBY GIVEN that on February 4, 2015, the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, received a petition for waiver or variance filed by Rosimar Hernandez, seeking a variance or waiver of paragraph 64B4-31.007(2)(b), F.A.C., which requires that a “licensed mental health counselor, or the equivalent, who is a qualified supervisor,” as used in Section 491.005(4)(c), F.S., is defined as an individual who, during the period for which the applicant claims supervision, is licensed or certified as a mental health counselor in another state, or resides in another state where licensure is not required, provided that he or she meets the education and experience requirements for licensure as a mental health counselor under Section 491.005(4), F.S.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258. Comments on this petition should be filed with the Board within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Massage Therapy

NOTICE IS HEREBY GIVEN that on January 30, 2015, the Board of Massage Therapy received a petition for Alexandra S. Earl, seeking a variance or waiver of an unspecified rule requiring that courses used toward CEU hours must be preapproved courses. Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Christy Robinson, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4588 or by email: [christy.robinson@flhealth.gov](mailto:christy.robinson@flhealth.gov).

**Section VI**  
**Notice of Meetings, Workshops and Public Hearings**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Agricultural Environmental Services  
The Pest Control Enforcement Advisory Council (PCEAC) announces a public meeting to which all persons are invited.  
DATE AND TIME: March 3, 2015, 10:00 a.m.  
PLACE: UF/IFAS Extension, St. Johns County, 3111 Agricultural Center Drive, St. Augustine, Florida 32092, (850)617-7913. Web participation information: <https://global.gotomeeting.com/join/761742053>.  
Teleconference information: phone number: 1(888)670-3525, conference code: 801 949 0614  
GENERAL SUBJECT MATTER TO BE CONSIDERED: To address the business of the Council.  
A copy of the agenda may be obtained by contacting: Mr. Steven Dwinell, Assistant Director, (850)617-7913, [steven.dwinell@freshfromflorida.com](mailto:steven.dwinell@freshfromflorida.com) or online at <http://consensus.fsu.edu/DACS/pest-control.html>.  
For more information, you may contact: Mr. Steven Dwinell, Assistant Director, 3125 Conner Boulevard, Tallahassee, Florida 32399, 850-617-7913, [steven.dwinell@freshfromflorida.com](mailto:steven.dwinell@freshfromflorida.com).

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Marketing and Development  
The Florida Tobacco Advisory Council announces a public meeting to which all persons are invited.  
DATE AND TIME: February 12, 2015, 5:00 p.m., EST  
PLACE: Suwannee County Farm Bureau, 407 Dowling Avenue SE, Live Oak, Florida 32064  
GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general Council business and funding for 2015.  
A copy of the agenda may be obtained by contacting: Chris O'Neal at (850)617-7345.

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: Chris O'Neal at (850)617-7345. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).  
For more information, you may contact: Chris O'Neal at (850)617-7345.

**EXECUTIVE OFFICE OF THE GOVERNOR**  
The Florida Gubernatorial Fellows Board of Directors announces a telephone conference call to which all persons are invited.  
DATE AND TIME: Monday, February 9, 2015, 11:00 a.m.  
PLACE: Via conference call: call-in number: 1(888)670-3525, participant passcode: 3360784946 then #  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Directors Update, Update on Board Members, Update on Fundraising, Hoffman Public Service Award Applicant.  
A copy of the agenda may be obtained by contacting: Ted Stratton, Executive Director, (850)717-9224, [Ted.Stratton@eog.Myflorida.com](mailto:Ted.Stratton@eog.Myflorida.com).  
For more information, you may contact: Ted Stratton, Executive Director, (850)717-9224, [Ted.Stratton@eog.Myflorida.com](mailto:Ted.Stratton@eog.Myflorida.com).

**EXECUTIVE OFFICE OF THE GOVERNOR**  
The Florida Children and Youth Cabinet Prevention Investment Workgroup announces a public meeting to which all persons are invited.  
DATE AND TIME: February 12, 2015, 9:30 a.m. – 11:00 a.m.  
PLACE: Agency for Persons with Disabilities, 4030 Esplanade Way, Conference Room 301, Tallahassee FL 32311  
GENERAL SUBJECT MATTER TO BE CONSIDERED: To eliminate gaps and duplication of services between Cabinet agencies in order to coordinate and streamline efforts to meet the needs of children and families.  
A copy of the agenda may be obtained by contacting: Frenchie Yon, Office of Adoption and Child Protection, (850)717-9261 or [frenchie.yon@eog.myflorida.com](mailto:frenchie.yon@eog.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 3 days before the workshop/meeting by contacting: Frenchie Yon, Office of Adoption and Child Protection, (850)717-9261 or frenchie.yon@eog.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Frenchie Yon, Office of Adoption and Child Protection, (850)717-9261 or frenchie.yon@eog.myflorida.com.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**RULE NOS.: RULE TITLES:**

- 61-31.701 Minimum Standards and Practices for Mold Assessors
- 61-31.702 Minimum Standards and Practices for Mold Remediators

The Mold-Related Services Licensing Program of the Department of Business and Professional Regulation announces the cancellation of a public meeting, which was formally scheduled as follows:

**DATE AND TIME:** February 12, 2015, 10:00 a.m. – 11:30 a.m. **CANCELED**

**PLACE:** Telephone conference number: 1(888)670-3525, participant passcode: 2295006118 then #

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Public hearing regarding proposed language for Rules 61-31.701 and 61-31.702, F.A.C.

The Department of Business and Professional Regulation will be rescheduling this hearing at a time and place to be announced in a subsequent issue of the Florida Administrative Register.

For more information, you may contact: Richard Morrison, Executive Director, Mold-Related Services Licensing Program, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399.

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

The Board of Clinical Laboratory Personnel announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Friday, March 6, 2015, 9:00 a.m., at Meet Me number 1(888)670-3525, participant code 7342425515

**PLACE:** Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida 32399-3257.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General board business.

A copy of the agenda may be obtained by contacting: Edith Rogers at edith.rogers@flhealth.gov, or by accessing the board's website at: <http://floridasclinnicallabs.gov/meeting-information/>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Edith Rogers at edith.rogers@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Edith Rogers at edith.rogers@flhealth.gov.

**FLORIDA HOUSING FINANCE CORPORATION**

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

**DATE AND TIME:** March 11, 2015, 9:30 a.m. (Eastern Time)

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Review Committee Meeting will be to give the scores for the Applications submitted in response to Florida Housing Finance Corporation's Request for Applications No. 2014-114 for Housing Credit Financing for Affordable Housing Developments Located in Medium and Small Counties and to submit a recommendation to Florida Housing's Board of Directors.

A copy of the agenda may be obtained by contacting: Ken Reecy, Director of Multifamily Programs at Ken.Reecy@floridahousing.org or (850)488-4197.

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: Jean Salmonsens, (850)488-4197 or Jean.Salmonsens@floridahousing.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### FLORIDA HOUSING FINANCE CORPORATION

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

DATE AND TIME: March 11, 2015, 1:30 p.m. (Eastern Time); April 29, 2015, 9:30 a.m. (Eastern Time)

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

#### GENERAL SUBJECT MATTER TO BE CONSIDERED:

The first Review Committee Meeting will be to discuss the Applications and answer any questions the Review Committee may have regarding the Applications submitted in response to Florida Housing Finance Corporation's Request for Applications No. 2014-115 for Housing Credit Financing for Affordable Housing Developments Located in Broward County, Duval County, Hillsborough County, Orange County, Palm Beach County, and Pinellas County. The second Review Committee Meeting will be to give the scores and to submit a recommendation to Florida Housing's Board of Directors.

A copy of the agenda may be obtained by contacting: Ken Reecy, Director of Multifamily Programs at Ken.Reecy@floridahousing.org or (850)488-4197.

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: Jean Salmonsens, (850)488-4197 or Jean.Salmonsens@floridahousing.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### DEPARTMENT OF FINANCIAL SERVICES

##### Division of Insurance Fraud

The Division of Insurance Fraud announces a public meeting to which all persons are invited.

DATE AND TIME: February 19, 2015, 3:00 p.m. (EST)

PLACE: 2020 Capital Circle SE, Alexander Building, Suite 210, Tallahassee 32301; by teleconference only: call-in number: (850)413-1558, conference ID: 51700

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review applications for the Anti-Fraud Reward Program and discuss the reward amounts.

A copy of the agenda may be obtained by contacting: Janet McClellan at (850)413-4013 or janet.mcclellan@myfloridacfo.com. The Division will also post the agenda two weeks prior to this meeting on the Division's website: <http://www.myfloridacfo.com/division/fraud/>.

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: Janet McClellan at (850)413-4013. 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).

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#### CAREERSOURCE FLORIDA

CareerSource Florida announces public meetings to which all persons are invited.

DATES AND TIMES: February 10, 2015, 9:00 a.m. – 10:30 a.m.; February 10, 2015, 5:00 p.m. – 6:30 p.m.; February 11, 2015, 8:30 a.m. – 11:30 a.m.

PLACE: The Capitol, The Historic Capitol and the FSU Turnbull Conference Center

GENERAL SUBJECT MATTER TO BE CONSIDERED: CareerSource Florida Day at the Capitol - The Capitol, The Cabinet Room.

Meet and hear from legislators on matters pertaining to the CareerSource Florida network.

CareerSource Florida Reception - The Historic Capitol - Rotunda & Senate Room.

Meet to discuss matters before the CareerSource Florida Board of Directors - FSU Turnbull Conference Center, 555 West Pensacola St., Auditorium - 208, Tallahassee, FL 32306.

A copy of the agenda may be obtained by contacting: [www.careersourceflorida.com](http://www.careersourceflorida.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 1 day before the workshop/meeting by contacting: Kim Yablonski, (850)414-8297. 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).

**CLAY SOIL AND WATER CONSERVATION DISTRICT**  
The Clay County Soil & Water Conservation District announces a public meeting to which all persons are invited.  
**DATE AND TIME:** February 13, 2015, 9:00 a.m.  
**PLACE:** Clay County Extension Office, 2463 SR 16 W., Green Cove Springs, FL 32043  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Meeting.  
A copy of the agenda may be obtained by contacting: Sally Doyle, (904)284-6355.  
For more information, you may contact: Sally Doyle, (904)284-6355.

**ENTERPRISE FLORIDA, INC.**  
The Enterprise Florida, Inc. and the Florida Defense Support Task Force announce a public meeting to which all persons are invited.  
**DATE AND TIME:** Thursday, February 19, 2015, 9:00 a.m. – 11:45 a.m., EST  
**PLACE:** DoubleTree by Hilton Tallahassee, 101 S Adams Street, Tallahassee, Florida 32301  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This meeting will discuss proposed actions that will assist in preserving, protecting and enhancing Florida’s military installations and missions.  
A copy of the agenda may be obtained by contacting: Marcy Sanders, (850)878-4566, msanders@eflorida.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 1 day before the workshop/meeting by contacting: Marcy Sanders, (850)878-4566, msanders@eflorida.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: Bruce Grant, (850)878-0826, bgrant@eflorida.com.

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**  
**Medicaid**  
**RULE NO.:**           **RULE TITLE:**  
59G-4.001           Medicaid Providers Who Bill on the CMS-1500

**NOTICE IS HEREBY GIVEN** that the Agency for Health Care Administration has received the petition for declaratory statement from Alternative Outcomes, Inc./Adrian Daisley. The petition seeks the agency’s opinion as to the applicability of AHCA’s Provider Reimbursement Handbook CMS-1500, Place of Service Codes, as it applies to the petitioner. The Petitioner seeks a declaratory statement about whether a therapy clinic located in a separate office but housed in the same building and at the same physical address as a private school, is an appropriate place of service for a Developmental Disability (DD) Waiver Provider for purposes of Medicaid reimbursement.  
A copy of the Petition for Declaratory Statement may be obtained by writing to: Richard Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, MS 3, Tallahassee, Florida 32308.  
Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this Notice.

**AGENCY FOR HEALTH CARE ADMINISTRATION**  
**Medicaid**  
**RULE NO.:**           **RULE TITLE:**  
59G-4.205           Practitioner Services  
**NOTICE IS HEREBY GIVEN** that Agency for Health Care Administration has issued an order disposing of the petition for declaratory statement filed by Dr. Russell Bain (the “Petitioner”) on November 4, 2014. The following is a summary of the agency’s disposition of the petition:  
The Notice of Petition for Declaratory Statement was published in Vol. 40, No. 224, of the Florida Administrative Register. The Petition seeks the agency’s opinion regarding proper reimbursement procedures for the provision of allergen immunotherapy services provided pursuant to Chapter 2 of Florida Medicaid Practitioner Services Coverage and Limitations Handbook (“the Handbook”). The Petitioner sought clarification on whether allergen preparation services provided pursuant to the Handbook should be reimbursed based on the amount of immunotherapy prospectively planned to be administered to a patient, regardless of the amount actually administered to the patient. The Petition was

answered: Chapter 2 of the Handbook does not prohibit Dr. Bain from being reimbursed for preparation services based on the amount of immunotherapy prospectively planned to be administered to the patient, provided all other Medicaid rules for reimbursement are met, including the medical necessity component.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Richard Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, MS 3, Tallahassee, Florida 32308, (850)412-3689.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Electrical Contractors' Licensing Board

NOTICE IS HEREBY GIVEN that the Electrical Contractors' Licensing Board has received the petition for declaratory statement from Stephen W. Cassel on behalf of Nex-Gen Fiber Services, Inc. The petition seeks the agency's opinion as to the applicability of Section 489.503(14), F.S., as it applies to the petitioner.

The petition seeks the Board's interpretation of Section 489.503(14), F.S., as to whether the petitioner would need to be licensed in order to perform telecommunication and/or fiber optic work and if so, what type of specialty licensure would petitioner be required to obtain. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Ruthanne Christie, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, Ruthanne.Christie@myfloridalicense.com or by telephone: (850)487-1395.

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**DEPARTMENT OF HEALTH**

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-13.001 Responsibilities of Directors

NOTICE IS HEREBY GIVEN that the Board of Clinical Laboratory Personnel has received the petition for declaratory statement from Deborah C. Martuch, filed on January 26, 2015. The petition seeks the agency's opinion as to the applicability of Rule 64B3-13.001, F.A.C., as it applies to the petitioner.

The Petitioner is seeking the Board's interpretation of Rule 64B3-13.001, F.A.C., regarding whether the biennial review by the Medical Director may be delegated and if not, what the procedures would be regarding the biennial policy/procedure signature page. Except for good cause shown, motions for leave to intervene must be filed within 21 days after the publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Adrienne Rodgers, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257 or by email: info@floridasclincallabs.gov within 14 days of publication of this notice.

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**DEPARTMENT OF HEALTH**

Board of Psychology

NOTICE IS HEREBY GIVEN that the Board of Psychology has issued an order disposing of the petition for declaratory statement filed by Mary Wetherby, Ph.D., on September 17, 2014. The following is a summary of the agency's disposition of the petition:

The Notice of Declaratory Statement was published on September 25, 2014, in Vol. 40, No. 187, of the Florida Administrative Register. Petitioner sought the Board's interpretation of §490.003(4)(a), F.S. Petitioner sought a determination that regarding whether her practice of telepsychology from California, for Florida patients, falls within the meaning of said statute and is not otherwise prohibited. The Board considered the Petition at a duly-noticed public meeting held telephonically on November 21, 2014. The Board's Order, filed February 2, 2015, answers the issues stated in the petition in the affirmative finding that: 1) as a Florida-licensed practitioner, Petitioner is a substantially affected person seeking guidance on interpretation of §490.003(4)(a), F.S. – which states that psychological services may be rendered to individuals, couples, families, groups, and the public without regard to place of service – as applied to her future, particular circumstances; 2) Petitioner is allowed to continue to treat her established patients by videoconference or by telephone from her office in California and/or Florida, in a private setting; 3) Petitioner will maintain her Florida license and has applied for licensure in California; 4) Petitioner has made arrangements with a clinician who can provide local backup should backup be necessary.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, at the above address or telephone: (850)245-4373, <http://floridaspsychology.gov>.

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

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

NONE

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

NONE

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

NONE

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

NONE

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

DEPARTMENT OF FINANCIAL SERVICES  
Division of Risk Management

DFS RM RFP 14/15-08

The Department of Financial Services, Division of Risk Management is soliciting responses from interested parties to act as the Department's Consultant/Agent of Record for Structured Settlement Services.

Point of Contact: All questions must be in writing and should reference the above solicitation number. Submit all questions to Procurement Officer, Fran Spivey, via email: Fran.Spivey@myfloridacfo.com.

Response Due Date: On or prior to 3:00 p.m. ET, Tuesday, March 17, 2015, to the Procurement Officer identified to the following office location:

Department of Financial Services, 200 East Gaines Street, Larson Building, Purchasing Services, Room B24, Tallahassee, Florida 32399-0317

The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to any public meeting identified within the solicitation. The Department will post notice of any changes regarding this solicitation or additional meetings within the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and will not re-advertise the notice in the Florida Administrative Register (FAR). To access the VBS go to the following web address: [http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu).

ADA Requirements: Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in any meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Procurement Officer. 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).

**Section XII  
Miscellaneous**

DEPARTMENT OF HEALTH  
Board of Medicine

Notice of Emergency Action

On February 4, 2015, State Surgeon General issued an Order of Emergency Restriction of License with regard to the license of Roland Brutus, M.D., License #: ME 83974. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2014). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH  
Board of Nursing

Notice of Emergency Action

On February 4, 2015, the State Surgeon General issued an Order of Emergency Suspension of License with regard to the license of William Ronald Little, L.P.N., License #: PN 5198285. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate

and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2014). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No.: DEO-15-025

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-15-025 on February 3, 2015, in response to applications submitted by Cedar Key Villas Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department’s Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Katie.Zimmer@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No.: DEO-15-024

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-15-024 on February 3, 2015, in response to an application submitted by Hideaway Beach Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department’s Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Katie.zimmer@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No.: DEO-15-023

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-15-023 on February 3, 2015, in response to an application submitted by Hounds Run Subdivision for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department determined that the application did not meet the statutory requirements for covenant revitalization because the application did not contain verified copies of the previous declaration of covenants, a legal description of the parcels affected, and an affidavit verifying compliance with Section 720.404, Florida Statutes, in violation of Sections 720.406(1)(b) and (e), and Section 720.404(1)(c), Florida Statutes. Further, the applicant did not obtain the majority of parcel owners’ approval of the revitalized covenants as required by Section 720.406(1)(d), Florida Statutes. Accordingly, the Department’s Final Order denied the applications for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Katie.zimmer@DEO.MyFlorida.com.

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.