

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-4.013 Allergy Services

PURPOSE AND EFFECT: The purpose of Rule 59G-4.013, F.A.C. is to incorporate by reference the Florida Medicaid Allergy Services Coverage Policy, _____. The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

SUBJECT AREA TO BE ADDRESSED: Rules 59G-4.013, F.A.C., Allergy Services and 59G-4.220, F.A.C., Podiatry Services. An additional area to be addressed during the workshop will be the potential regulatory impact Rules 59G-4.013, and 59G-4.220, Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: November 23, 2015, 1:30 p.m. – 3:00 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 48 hours before the workshop/meeting by contacting: Robert Reifinger. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robert Reifinger, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4213,

e-mail: Robert.Reifinger@ahca.myflorida.com

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

Comments will be received until 5:00 p.m., on November 24, 2015.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.013 Allergy Services.

(1) This rule applies to any person or entity prescribing or reviewing a request for allergy services and to all providers of allergy services who are enrolled in or registered with the Florida Medicaid program.

(2) All persons or entities described in subsection (1) must be in compliance with the provisions of the Florida Medicaid Allergy Services Coverage Policy, _____, incorporated by reference. The policy is available from the Florida Medicaid fiscal agent’s Web site at <http://portal.flmmis.com/flpublic>.

Rulemaking Authority: 409.919 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS. History-New, _____

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-4.022 Anesthesia

PURPOSE AND EFFECT: The purpose of Rule 59G-4.02, F.A.C.2 is to incorporate by reference the Florida Medicaid Anesthesia Services Coverage Policy, _____. The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

SUBJECT AREA TO BE ADDRESSED: Rules 59G-4.022, F.A.C., Anesthesia Services; 59G-4.360, F.A.C., Transplant Services; and 59G-4.222, F.A.C., Pain Management Services. An additional area to be addressed during the workshop will be the potential regulatory impact Rules 59G-4.022, 59G-4.360, and 59G-4.222, Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: November 23, 2015, 10:30 a.m. – 12:00 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 48 hours before the workshop/meeting by contacting: Jessica Kenny. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jessica Kenny, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4227, e-mail: Jessica.Kenny@ahca.myflorida.com Please note that a preliminary draft of the reference material, if available, will be posted prior to the workshop at <http://ahca.myflorida.com/Medicaid/review/index.shtml>. Comments will be received until 5:00 p.m., on November 24, 2015.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.022 Anesthesia Services.

(1) This rule applies to any person or entity prescribing or reviewing a request for anesthesia services and to all providers of anesthesia services who are enrolled in or registered with the Florida Medicaid program.

(2) All persons or entities described in subsection (1) must be in compliance with the provisions of the Florida Medicaid Anesthesia Services Coverage Policy, _____, incorporated by reference. The policy is available from the Florida Medicaid fiscal agent's Web site at <http://portal.flmmis.com/flpublic>.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS. History—New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-4.033 Cardiology Services

PURPOSE AND EFFECT: The purpose of Rule 59G-4.033, F.A.C. is to incorporate by reference the Florida Medicaid Cardiology Services Coverage Policy, _____. The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

SUBJECT AREA TO BE ADDRESSED: Rules 59G-4.033, Cardiology Services; 59G-4.235 F.A.C., Pulmonary Services; 59G-4.211 F.A.C., Orthopedic Services; and 59G-4.201 F.A.C. Neurology Services. An additional area to be addressed during the workshop will be the potential regulatory impact Rules 59G-4.033, 59G-4.235, 59G- 4.211, and 4.201, Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: November 24, 2015, 1:30 p.m. – 3:00 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 48 hours before the workshop/meeting by contacting: Theresa Kumar. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Theresa Kumar, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4232, e-mail: Theresa.Kumar@ahca.myflorida.com

Please note that a preliminary draft of the reference material, if available, will be posted prior to the workshop at <http://ahca.myflorida.com/Medicaid/review/index.shtml>. Comments will be received until 5:00 p.m., on November 25, 2015.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.033 Cardiology Services.

(1) This rule applies to any person or entity prescribing or reviewing a request for cardiology services and to all providers of cardiology services who are enrolled in or registered with the Florida Medicaid program.

(2) All persons or entities described in subsection (1) must be in compliance with the provisions of the Florida Medicaid Cardiology Services Coverage Policy, _____, incorporated by reference. The policy is available from the Florida Medicaid fiscal agent’s Web site at <http://portal.flmmis.com/flpublic>. Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS. History–New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.087
 RULE TITLE: Evaluation and Management and Child Health Check-Up Services

PURPOSE AND EFFECT: The purpose of Rule 59G-4.087F.A.C. is to incorporate by reference the Florida Medicaid Evaluation and Management and Child Health Check-Up Services Coverage Policy, _____. The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

SUBJECT AREA TO BE ADDRESSED: Rules 59G-4.087F.A.C., Evaluation and Management and Child Health Check-Up Services; 59G-4.240F.A.C., Portable X-Ray Services; and 59G-4.190F.A.C., Independent Laboratory Services. An additional area to be addressed during the workshop will be the potential regulatory impact Rules 59G-4.087, 59G-4.240, and 4.190, Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919 FS.
 LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: November 24, 2015, 10:00 a.m. – 11:30 a.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 48 days before the workshop/meeting by contacting: Jessica Kenny. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jessica Kenny, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4227, e-mail: Jessica.Kenny@ahca.myflorida.com Please note that a preliminary draft of the reference material, if available, will be posted prior to the workshop at <http://ahca.myflorida.com/Medicaid/review/index.shtml>. Comments will be received until 5:00 p.m., on November 25, 2015.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.087 Evaluation and Management and Child Health Check-Up Services.

(1) This rule applies to any person or entity prescribing or reviewing a request for evaluation and management and child health check-up services and to all providers of evaluation and management and child health check-up services who are enrolled in or registered with the Florida Medicaid program.

(2) All persons or entities described in subsection (1) must be in compliance with the provisions of the Florida Medicaid Evaluation and Management and Child Health Check-up Services Coverage Policy, _____, incorporated by reference. The policy is available from the Florida Medicaid fiscal agent’s Web site at <http://portal.flmmis.com/flpublic>.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS. History–New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.190
 RULE TITLE: Independent Laboratory Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.190, F.A.C. is to incorporate by reference the Florida Medicaid Laboratory Services Coverage Policy, _____. The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information. The amendment also changes the name of the rule to Laboratory Services.

SUBJECT AREA TO BE ADDRESSED: Rules 59G-4.190, F.A.C., Independent Laboratory Services; 59G-4.087, F.A.C., Evaluation and Management and Child Health Check-Up Services; and 59G-4.240, F.A.C., Portable X-Ray Services. An additional area to be addressed during the workshop will be the potential regulatory impact Rules 59G-4.190, 59G-4.087, and 59G-4.240, Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: November 24, 2015, 10:00 a.m. – 11:30 a.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 48 hours before the workshop/meeting by contacting: Jessica Kenny. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jessica Kenny, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4227, e-mail: Jessica.Kenny@ahca.myflorida.com Please note that a preliminary draft of the reference material, if available, will be posted prior to the workshop at <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

Comments will be received until 5:00 p.m., on November 25, 2015.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.190 ~~Independent~~ Laboratory Services.

(1) This rule applies to any person or entity prescribing or reviewing a request for laboratory services and to all providers of laboratory services ~~all freestanding clinical laboratories who are enrolled in or registered with the Florida Medicaid program.~~

(2) All persons or entities described in subsection (1) ~~independent laboratory providers enrolled in the Medicaid program~~ must be in compliance with the provisions of the Florida Medicaid Independent Laboratory Services Coverage Policy and Limitations Handbook, _____, October 2003, updated January 2005 1 and January 2007, incorporated by reference, ~~and the Florida Medicaid Provider Reimbursement Handbook, CMS 1500, which is incorporated by reference in Rule 59G 4.001, F.A.C. The policy is~~ Both handbooks are available from the Florida Medicaid fiscal agent's Web site ~~website~~ at ~~_____~~ <http://portal.flmmis.com/flpublic> ~~<http://floridamedicaid.aes-inc.com>~~. Click on Provider Support, ~~and then on Handbooks. Paper copies of the handbooks may be obtained by calling Provider Enrollment at 1(800) 377-8216.~~

Rulemaking Authority 409.919 FS. Law Implemented 409.905, 409.907, 409.908, ~~409.9081, 409.912, 409.913~~ FS. History—New 1-1-77, Amended 10-11-81, Formerly 10C-7.41, Amended 6-30-92, Formerly 10C-7.041, Amended 9-28-94, 1-9-96, 10-20-96, 9-14-97, 3-22-00, 5-16-01, 2-14-02, 8-25-03, 9-3-03, 10-27-03, 8-18-05, 5-7-07, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-4.201 Neurology Services

PURPOSE AND EFFECT: The purpose of Rule 59G-4.201, F.A.C. is to incorporate by reference the Florida Medicaid Neurology Services Coverage Policy, _____. The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

SUBJECT AREA TO BE ADDRESSED: Rules 59G-4.201, F.A.C., Neurology Services; 59G-4.033, F.A.C., Cardiology Services; 59G-4.235, F.A.C., Pulmonary Services; and 59G-4.211, F.A.C., Orthopedic Services. An additional area to be addressed during the workshop will be the potential regulatory impact Rules 59G-4.201, 59G-4.033, 59G-4.235, and 59G-4.211, Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: November 24, 2015, 1:30 p.m. – 3:00 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 48 hours before the workshop/meeting by contacting: Mary Cerasoli. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Cerasoli, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4228, e-mail: Mary.Cerasoli@ahca.myflorida.com Please note that a preliminary draft of the reference material, if available, will be posted prior to the workshop at <http://ahca.myflorida.com/Medicaid/review/index.shtml>. Comments will be received until 5:00 p.m., on November 25, 2015.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.201 Neurology Services.

(1) This rule applies to any person or entity prescribing or reviewing a request for neurology services and to all providers of neurology services who are enrolled in or registered with the Florida Medicaid program.

(2) All persons or entities described in subsection (1) must be in compliance with the provisions of the Florida Medicaid Neurology Services Coverage Policy, _____, incorporated by reference. The policy is available from the Florida Medicaid fiscal agent's Web site at <http://portal.flmmis.com/flpublic>.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS. History—New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-4.211 Orthopedic Services

PURPOSE AND EFFECT: The purpose of Rule 59G-4.211, F.A.C. is to incorporate by reference the Florida Medicaid Orthopedic Services Coverage Policy, _____. The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

SUBJECT AREA TO BE ADDRESSED: Rules 59G-4.211, F.A.C., Orthopedic Services; 59G-4.033, F.A.C., Cardiology Services; 59G-4.235, F.A.C., Pulmonary Services; and 59G-4.201, F.A.C., Neurology Services.

An additional area to be addressed during the workshop will be the potential regulatory impact Rules 59G-4.211, 59G-4.033, 59G-4.235, and 59G-4.201, Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: November 24, 2015, 1:30 p.m. – 3:00 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 48 hours before the workshop/meeting by contacting: Kathleen Core. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kathleen Core, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4221, e-mail: Kathleen.Core@ahca.myflorida.com

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

Comments will be received until 5:00 p.m., on November 25, 2015.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.211 Orthopedic Services.

(1) This rule applies to any person or entity prescribing or reviewing a request for orthopedic services and to all providers of orthopedic services who are enrolled in or registered with the Florida Medicaid program.

(2) All persons or entities described in subsection (1) must be in compliance with the provisions of the Florida Medicaid Orthopedic Services Coverage Policy, _____, incorporated by reference. The policy is available from the Florida Medicaid fiscal agent's Web site at <http://portal.flmmis.com/flpublic>. Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS. History—New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-4.220 Podiatry Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.220, F.A.C. is to incorporate by reference the Florida Medicaid Podiatry Services Coverage Policy, _____. The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

SUBJECT AREA TO BE ADDRESSED: Rules 59G-4.220, F.A.C., Podiatry Services and 59G-4.013, F.A.C., Allergy Services. An additional area to be addressed during the workshop will be the potential regulatory impact Rules 59G-4.220, and 59G-4.013, Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919 FS.

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

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

DATE AND TIME: November 23, 2015, 1:30 p.m. – 3:00 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 48 hours before the workshop/meeting by contacting: Jessica Kenny. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jessica Kenny, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4227, e-mail: Jessica.Kenny@ahca.myflorida.com

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

Comments will be received until 5:00 p.m., on, November 24, 2015.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.220 Podiatry Services.

(1) This rule applies to any person or entity prescribing or reviewing a request for all podiatry services and to all providers of podiatry services who are enrolled in or registered with the Florida Medicaid program.

(2) All persons or entities described in subsection (1) podiatry services providers enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Podiatry Services Coverage Policy, _____, and Limitations Handbook, January 2010, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS 1500, which is incorporated by reference in Rule 59G 4.001, F.A.C. The policy is available from the Florida Medicaid fiscal agent's Web site at <http://portal.flmmis.com/flpublic>. Both handbooks are available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Provider Handbooks. Paper copies of the handbooks may be obtained by calling the Medicaid fiscal agent at 1(800) 289 7799 and selecting Option 7.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912, 409.913, 409.908 FS. History—New 1-23-84, Amended 10-25-84, Formerly 10C-7.529, Amended 4-21-92, 11-9-92, 7-1-93, Formerly 10C-7.0529, 10P-4.220, Amended 1-7-96, 3-11-98, 10-13-98, 5-24-99, 4-23-00, 7-5-01, 2-20-03, 8-5-03, 8-18-05, 4-13-10, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-4.222 Pain Management Services

PURPOSE AND EFFECT: The purpose of Rule 59G-4.222, F.A.C. is to incorporate by reference the Florida Medicaid Pain Management Services Coverage Policy, _____. The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

SUBJECT AREA TO BE ADDRESSED: Rules 59G-4.222, F.A.C., Pain Management Services; 59G-4.022, F.A.C. Anesthesia Services, and 59G-4.360, F.A.C., Transplant Services. An additional area to be addressed during the workshop will be the potential regulatory impact Rules 59G-4.222, 59G-4.022, and 59G-4.360 Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS.

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

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Cerasoli, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4228, e-mail: Mary.Cerasoli@ahca.myflorida.com

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

Comments will be received until 5:00 p.m., on November 24, 2015.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.222 Pain Management Services.

(1) This rule applies to any person or entity prescribing or reviewing a request for pain management services and to all providers of pain management services who are enrolled in or registered with the Florida Medicaid program.

(2) All persons or entities described in subsection (1) must be in compliance with the provisions of the Florida Medicaid Pain Management Services Coverage Policy, _____, incorporated by reference. The policy is available from the Florida Medicaid fiscal agent's Web site at <http://portal.flmmis.com/flpublic>.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS.History–New

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-4.235 Pulmonary Services

PURPOSE AND EFFECT: The purpose of Rule 59G-4.235, F.A.C. is to incorporate by reference the Florida Medicaid Pulmonary Services Coverage Policy, _____. The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

SUBJECT AREA TO BE ADDRESSED: Rules 59G-4.235, F.A.C., Pulmonary Services; 59G-4.033, F.A.C., Cardiology Services; 59G-4.211, F.A.C., Orthopedic Services; and 59G-4.201, F.A.C., Neurology Services. An additional area to be addressed during the workshop will be the potential regulatory impact Rules 59G-4.235, 59G-4.033, 59G-4.211, and 59G-4.201, Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: November 24, 2015, 1:30 p.m. – 3:00 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 48 hours before the workshop/meeting by contacting: Kathleen Core. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kathleen Core, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4221, e-mail: Kathleen.Core@ahca.myflorida.com

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

Comments will be received until 5:00 p.m., on November 25, 2015.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.235 Pulmonary Services.

(1) This rule applies to any person or entity prescribing or reviewing a request for pulmonary services and to all providers of pulmonary services who are enrolled in or registered with the Florida Medicaid program.

(2) All persons or entities described in subsection (1) must be in compliance with the provisions of the Florida Medicaid Pulmonary Services Coverage Policy, _____, incorporated by reference. The policy is available from the Florida Medicaid fiscal agent's Web site at <http://portal.flmmis.com/flpublic>.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS. History—New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
59G-4.240 Portable X-Ray Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.240, F.A.C. is to incorporate by reference the Florida Medicaid Radiology and Nuclear Medicine Services Coverage Policy, _____. The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information. The amendment also changes the name of the rule to Radiology and Nuclear Medicine Services.

SUBJECT AREA TO BE ADDRESSED: Rules 59G-4.240, F.A.C., Portable X-Ray Services; 59G-4.190, F.A.C., Independent Laboratory Services; and 59G-4.087, F.A.C., Evaluation and Management and Child Health Check-Up Services. An additional area to be addressed during the workshop will be the potential regulatory impact Rules 59G-4.240, 59G-4.190, and 59G-4.087, Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: November 24, 2015, 10:00 a.m. – 11:30 a.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 48 hours before the workshop/meeting by contacting: Theresa Kumar. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Theresa Kumar, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4232, e-mail: Theresa.Kumar@ahca.myflorida.com. Please note that a preliminary draft of the reference material, if available, will be posted prior to the workshop at <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

Comments will be received until 5:00 p.m., on November 25, 2015.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.240 Radiology and Nuclear Medicine Portable X-Ray Services.

(1) This rule applies to ~~any person or entity prescribing or reviewing a request for radiology and nuclear medicine~~ ~~all suppliers of portable x ray services~~ and to all providers of radiology and nuclear medicine services who are enrolled in or registered with the Florida Medicaid program.

(2) All persons or entities described in subsection (1) ~~portable x ray providers enrolled in the Medicaid program~~ must be in compliance ~~comply~~ with the provisions of the Florida Medicaid Radiology and Nuclear Medicine Portable X-ray Services Coverage Policy and Limitations Handbook, _____, October 2003, updated January 2005, incorporated by reference, ~~and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated by reference in Rule 59G 4.001, F.A.C. The policy~~ Both handbooks is are available from the Florida Medicaid fiscal agent's Web site at <http://portal.flmmis.com/flpublic>. Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.908, ~~409.9081,~~ 409.912, 409.913 FS. History—New 10-11-81, Formerly 10C-7.411, Amended 7-1-92, Formerly 10C-7.0411, Amended 5-16-94, 1-9-96, 10-20-96, 8-27-97, 3-22-00, 2-14-02, 6-1-03, 8-5-03, 3-15-04, 8-18-05, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
59G-4.360 Transplant Services

PURPOSE AND EFFECT: The purpose of Rule 59G-4.360, F.A.C. is to incorporate by reference the Florida Medicaid Transplant Services Coverage Policy, _____. The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

SUBJECT AREA TO BE ADDRESSED: Rules 59G-4.360, F.A.C., Transplant Services; 59G-4.022, F.A.C., Anesthesia Services; and 59G-4.222, F.A.C., Pain Management Services. An additional area to be addressed during the workshop will be the potential regulatory impact Rules 59G-4.360, 59G-4.022, and 59G-4.222, Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: November 23, 2015, 10:30 a.m. – 12:00 Noon

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 48 hours before the workshop/meeting by contacting: Theresa Kumar. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Theresa Kumar, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4232, e-mail: Theresa.Kumar@ahca.myflorida.com Please note that a preliminary draft of the reference material, if available, will be posted prior to the workshop at <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

Comments will be received until 5:00 p.m., on November 24, 2015.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.360 Transplant Services.

(1) This rule applies to any person or entity prescribing or reviewing a request for transplant services and to all providers of transplant services who are enrolled in or registered with the Florida Medicaid program.

(2) All persons or entities described in subsection (1) must be in compliance with the provisions of the Florida Medicaid Transplant Services Coverage Policy, _____, incorporated by reference. The policy is available from the Florida Medicaid fiscal agent’s Web site at <http://portal.flmmis.com/flpublic>.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS. History-New _____.

DEPARTMENT OF MANAGEMENT SERVICES

Commission on Human Relations

RULE NO.: RULE TITLE:
60Y-9.007 Housing for Older Persons Registration and Documentation

PURPOSE AND EFFECT: The proposed rule amendment seeks to delete outdated or incorrect information from the rule while updating other phrases within the rule.

SUBJECT AREA TO BE ADDRESSED: Florida Fair Housing Act

RULEMAKING AUTHORITY: 760.31(5) FS.

LAW IMPLEMENTED: 760.29(4)(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Cheyanne Costilla, General Counsel, Florida Commission on Human Relations, 4075 Espanade Way, Room 110, Tallahassee, FL 32399-7020, (850)488-7082, Cheyanne.Costilla@fchr.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

60Y-9.007 Housing for Older Persons Registration and Documentation.

(1) Facilities or communities claiming an exemption under Section 760.29(4), F.S., shall register with the commission and submit the statutorily required documentation to the commission in the manner prescribed by the commission. Information on how to register is located on the commission’s website, <http://fchr.state.fl.us>.

(2) The registration and documentation letter shall contain in bold letters on the face of the envelope the words “Registration for Housing for Older Persons,” and provide the date of mailing.

(3) The registration and documentation shall be submitted biennially ~~from the date of the original filing on the first day of the month, or up to seven days thereafter, of the anniversary of the initial registration.~~

(4) The information in the commission’s registry is a public record. The information shall also be included ~~on~~ in the commission’s main website, ~~at~~ “<http://fchr.state.fl.us>.”

(5) Failure to comply with the requirements of Section 760.29(4)(2)(e), F.S, shall not disqualify a facility or community that otherwise qualifies ~~qualified~~ for the exemption provided in Section 760.29(4), F.S.

~~(6) The registration fee must be included within the completed registration letter in order to constitute a valid registration. The biennial registration fee is \$20.00. It shall be sent to: Florida Commission on Human Relations at its address provided in Rule 60Y-2.005, F.A.C.~~

~~(6)(7)~~ The Commission may impose an administrative fine not to exceed \$500 on a facility or community that knowingly submits false information in the documentation required by this rule. Such fine shall be deposited in the commission’s trust fund.

Rulemaking Specific Authority 760.31(5)760.29(5) FS. Law Implemented 760.29(4)(e) FS. History–New 2-11-02, Amended 2-5-04, xx-xx-xx.

Section II Proposed Rules

PUBLIC SERVICE COMMISSION

RULE NOS.: RULE TITLES:
 25-9.001 Application and Scope
 25-9.002 Definitions
 25-9.050 Application and Scope
 25-9.051 Definitions
 25-9.052 General Submittal Instructions
 25-9.053 Filing and Evaluation of Submittals
 PURPOSE AND EFFECT: To clarify and simplify the rules and delete unnecessary and redundant rule provisions, so that the rules are up to date and usable.
 Docket No. 150187-PU
 SUMMARY: The rules prescribe the procedures to be followed by municipal electric utilities and rural electric

cooperatives in submitting documentation of rate schedules and contracts and agreements.

Rule 25-9.001, F.A.C. - Amendments clarify which rules apply to each type of utility by rule number. Remainder of the rule is deleted as obsolete and unnecessary;

Rule 25-9.002, F.A.C. - Amendments state that definitions are applicable to Rules 25-9.002 through 25-9.045, F.A.C., rather than a reference to these regulations;

Rule 25-9.050, F.A.C. - Amendments repeal this rule as it is obsolete due to amendments to Rule 25-9.001, F.A.C., identifying rules applicable to each type of utility;

Rule 25-9.05, F.A.C.1 - Amendments define the documentation to be submitted with the proposed change in rate structure, including rate schedules, and contracts and agreements;

Rule 25-9.052, F.A.C. - Amendments set forth instructions for the filing of documentation in support of a proposed rate structure;

Rule 25-9.053, F.A.C. - Amendments identify evaluation criteria for a proposed change in rate structure and describe role of staff and the Commission in the evaluation.

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 been prepared by the Agency.

The SERC examined the factors required by Section 120.541(2), F.S., and concluded that the rule amendments will not have an adverse impact on economic growth, business competitiveness, or small business and that affected entities potentially may benefit from the recommended rule changes.

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

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

RULEMAKING AUTHORITY: 350.127(2), 366.05(1), 367.121, 367.091, 367.101, F.S

LAW IMPLEMENTED: 366.04(2)(b), 366.05(1), 366.06, 367.021, 367.091, 367.101, 367.081, F.S.

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: Pamela H. Page, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6214, phpage@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

25-9.001 Application and Scope.

~~(4) The provisions of Rules 25-9.002 through 25-9.045, F.A.C., Parts I, II and III of these rules shall only apply to public utilities as defined in Rule subsection 25-9.002(2), F.A.C., and the provisions of Rules 25-9.051 through 25-9.071, F.A.C., Parts IV and V of these rules shall only apply to municipalities and cooperatives as defined in Rule subsection 25-9.051(2), F.A.C. The provisions of this chapter shall not apply to Interexchange Companies, Pay Telephone Service Companies, Shared Tenant Service Companies, Operator Service Provider Companies, Alternative Access Vendor Service Providers, Competitive Local Exchange Companies, or Local Exchange Companies.~~

~~(2) The following shall prescribe the procedures to be used by public utilities in filing:~~

- ~~(a) Rules and Regulations.~~
- ~~(b) Rate Schedules.~~
- ~~(c) Standard Forms and Riders.~~
- ~~(d) Contracts and Agreements.~~
- ~~(e) Tariffs.~~

~~(3) No rules and regulations, or schedules of rates and charges, or modifications or revisions of the same, shall be effective until filed with and approved by the Commission as provided by law.~~

~~(4) Upon acceptable showing by any utility, the Commission may waive or modify, as to that utility, the provisions of any rule herein contained, except when such provisions are fixed by statute.~~

~~(5) No deviation from these rules shall be permitted unless authorized in writing by the Commission.~~

~~Rulemaking Authority 350.127(2), 366.05(1), 367.121 FS. Law Implemented 366.04(2)(b), 366.05(1), 367.091, 367.101 FS. History—New 1-8-75, Repromulgated 10-22-75, Amended 8-9-79, Formerly 25-9.01, Amended 2-23-86, 1-8-95, 1-25-09, _____.~~

25-9.002 Definitions.

For the purposes of Rules 25-9.002 through 25-9.045, F.A.C., ~~these regulations~~ the following definitions shall apply:

(1) The word “Commission” refers to the Florida Public Service Commission.

~~(2) Except where a different meaning clearly appears from the context, the word or words “utility” or “public utility” as used in these rules shall mean and include all electric and gas utilities, water systems, and wastewater systems, which are, or may hereafter be, subject to the rate jurisdiction of this Commission.~~

(3) through (6), No change.

(7) “Contracts and agreements” shall refer to special contracts entered into by the utility for the sale of commodities ~~commodity~~ or services in a manner or subject to provisions not specifically covered by its filed standard rate schedules.

(8) No change.

Rulemaking Authority 350.127(2), 366.05(1), 367.121 FS. Law Implemented 366.05(1), ~~367.081, 367.091, 367.101, 367.021~~ FS. History—New 1-8-75, Repromulgated 10-22-75, Formerly 25-9.02, Amended 1-25-09, _____.

25-9.050 Application and Scope.

Rulemaking Authority 366.05(1) FS. Law Implemented 366.04(2)(b) FS. History—New 8-9-79, Formerly 25-9.50, Repealed _____.

25-9.051 Definitions.

For the purposes of Rules 25-9.051 through 25-9.071, F.A.C., ~~these rules~~ the following definitions shall apply:

(1) “Commission” refers to the Florida Public Service Commission.

(2) “Utility” refers ~~applies~~ to the municipal electric utilities and rural electric cooperatives subject to the jurisdiction of this Commission pursuant to Section 366.04(2), F.S. ~~except where a different meaning clearly appears from the context.~~

(3) through (5), No change.

(6) “Documentation” refers ~~applies~~ to the assembled volume containing the materials required by Rules 25-9.054 through 25-9.071, F.A.C. ~~rate schedules, contracts and agreements and other materials required by these rules.~~

(7) “Rate structure” refers to the classification system used in justifying different rates ~~and, more specifically, to the rate relationship between various customer classes, as well as the rate relationship between members of a customer class.~~

(8) No change.

Rulemaking Authority 366.05(1) FS. Law Implemented 366.04(2)(b) FS. History—New 8-9-79, Amended 5-3-83, Formerly 25-9.51, Amended _____.

25-9.052 General Filing Submittal Instructions.

(1) Each utility shall submit to the Commission file with the Commission Clerk ~~documentation as defined in Rule 25-9.051(6), F.A.C. documentation of all territory and customers served by it.~~

(2) All supplements, revisions, modifications or changes to the documentation shall be filed with the Commission Clerk submitted to the Commission in quadruplicate and in the form prescribed herein at least 30 days prior to final adoption by the utility. All materials filed with the Commission Clerk submitted to the Commission pursuant to subsection (1) of this rule will be reviewed for compliance with Rules 25-9.051 through 25-9.071, F.A.C., and retained in the Commission's files. After review, a letter indicating the Commission receipt of or comments on the utility's proposed rate structure will be transmitted to the utility. The comment letter may contain a request for data or explanation of the basis for any change in the utility's rate structure.

(3) All documentation filed with the Commission Clerk shall be accompanied by a list of the materials being filed. After reviewing Commission comments and adopting a final rate structure, the utility shall submit the adopted rate structure to the Commission, along with any response to the Commission's comment letter. The Commission will acknowledge these filings.

(4) When a utility's filing reflects a proposed change in rate structure, the utility shall provide documentation to support the change in rate structure. In the event the Commission determines that the rate structure of a utility may not be fair, just and reasonable, the Commission may initiate appropriate proceedings to prescribe a rate structure that is fair, just and reasonable. In so doing the Commission may, among other things, consider the cost of providing service to each customer class, as well as the rate history, value of service and experience of the utility, the consumption and load characteristics of the various classes of customers and the public acceptance of rate structures. The following principles may also be considered: simplicity, freedom from controversy, rate stability, fairness in apportioning costs, avoidance of undue discrimination and encouragement of efficiency.

(5) All documented materials filed with the Commission shall be accompanied by a letter listing the sheets being transmitted. The filing shall be acknowledged if the letter is sent in duplicate with a request for acknowledgement.
 Rulemaking Authority 366.05(1) FS. Law Implemented 366.04(2)(b) FS. History—New 8-9-79, Amended 5-3-83, Formerly 25-9.52, Amended _____.

25-9.053 Filing and Evaluation of Filings Submittals.

(1) A change to a utility's rate structure must meet one of the following criteria: (a) is cost based; (b) has historical precedent; (c) embodies pricing concepts previously approved by the Commission; or (d) is not unduly discriminatory. Each letter transmitting a utility's proposed documentation in which any change in rate structure is proposed shall be accompanied by supporting information in sufficient detail as to allow the Commission to determine the derivation of all rate structure modifications. The supporting information shall consist of either a utility specific cost study or an analysis of utility-specific cost and operating data prepared using a methodology previously approved by the Commission for any comparable utility. All additional relevant information deemed necessary by the Commission shall be submitted in addition to the above request.

(2) After review of the utility's proposed change in rate structure, staff will send written notification to the utility indicating: (a) administrative approval of the documentation or (b) how the proposed rate structure is inconsistent with the criteria listed in subsection (1) of this rule. Upon receipt of staff's notification of inconsistency, the utility shall file an alternative proposed rate structure addressing staff's concerns or file a statement that the utility disagrees with the staff determination of inconsistency and requesting the Commission to consider the proposed rate structure as filed. If the utility does not submit such supporting information the Commission shall evaluate the proposed change in rate structure on the basis of cost and operating data from one or more comparably situated public electric utilities which the Commission determines to be most similar to the filing utility. Data from the comparable utilities shall be considered in conjunction with all submitted information which is specific to the filing utility.

(3) If the Commission finds the proposed rate structure inconsistent with subsection (1), the Commission shall direct the utility to file a rate structure that is consistent with the criteria in subsection (1) of this rule.

Rulemaking Authority 366.05(1) FS. Law Implemented 366.04(2)(b), FS. History—New 8-9-79, Formerly 25-9.53, Amended 1-17-93, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Elisabeth Draper
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 5, 2015
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 41, Number 71, April 13, 2015

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-12.018
 RULE TITLE: Notification of Investigative and Prosecutorial Costs

PURPOSE AND EFFECT: The rule is being repealed because it is provided for in statute.

SUMMARY: Repeal rule.

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

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

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

RULEMAKING AUTHORITY: 489.108, 489.129(1) FS.

LAW IMPLEMENTED: 489.129(1) 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: Dan Biggins, Executive Director, Construction Industry Licensing Board, P.O. Box 5257, Tallahassee, Florida 32399-5257

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-12.018 Notification of Investigative and Prosecutorial Costs.

Rulemaking Specific Authority 489.108, 489.129(1) FS. Law Implemented 489.129(1) FS. History—New 5-29-90, Formerly 21E-12.018, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 16, 2015

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.010
 RULE TITLE: Requirements for Applicant Seeking Administration of Oral Examination

PURPOSE AND EFFECT: The rule is being repealed because it is provided for in statute.

SUMMARY: Repeal rule.

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

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

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

RULEMAKING AUTHORITY: 489.113(7) FS.

LAW IMPLEMENTED: 489.113(7), 489.115(4), (5) 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: Dan Biggins, Executive Director, Construction Industry Licensing Board, P.O. Box 5257, Tallahassee, Florida 32399-5257

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-15.010 Requirements for Applicant Seeking Administration of Oral Examination.

Rulemaking Specific Authority 489.113(7) FS. Law Implemented 489.113(7), 489.115(4), (5) FS. History—New 1-6-80, Formerly 21E-15.10, 21E-15.010, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 16, 2015

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: RULE TITLE:

61G4-15.014 Violation of Final Orders

PURPOSE AND EFFECT: The rule is being repealed because it is provided for in statute.

SUMMARY: Repeal rule

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

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

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

RULEMAKING AUTHORITY: 489.129(3) FS.
LAW IMPLEMENTED: 489.129(3) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dan Biggins, Executive Director, Construction Industry Licensing Board, P.O. Box 5257, Tallahassee, Florida 32399-5257

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-15.014 Violation of Final Orders.

Rulemaking Specific Authority 489.129(3) FS. Law Implemented 489.129(3) FS. History—New 2-7-83, Formerly 21E-15.14, 21E-15.014, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 16, 2015

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: RULE TITLE:

61G4-15.0055 Job Scopes for Registered Licensure Categories

PURPOSE AND EFFECT: The rule is being repealed because it is provided for in statute.

SUMMARY: Repeal rule.

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

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

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

RULEMAKING AUTHORITY: 489.117(5) FS.

LAW IMPLEMENTED: 489.117(5) 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: Dan Biggins, Executive Director, Construction Industry Licensing Board, P.O. Box 5257, Tallahassee, Florida 32399-5257

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-15.0055 Job Scopes for Registered Licensure Categories.
Rulemaking Specific Authority 489.117(5) FS. Law Implemented 489.117(5) FS. History--New 8-2-00, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 16, 2015

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: RULE TITLE:
 61G4-17.008 Stipulations
 PURPOSE AND EFFECT: The rule is being repealed because it is provided in the statute.
 SUMMARY: Repeal rule
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.
 The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 455.2273, 455.2275 FS.
 LAW IMPLEMENTED: 455.2273 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: Dan Biggins, Executive Director, Construction Industry Licensing Board, P.O. Box 5257, Tallahassee, Florida 32399-5257

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-17.008 Stipulations.
Rulemaking Specific Authority 455.2273, 455.2275 FS. Law Implemented 455.2273 FS. History--New 10-26-86, Formerly 21E-17.008, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 16, 2015

DEPARTMENT OF HEALTH

School Psychology

RULE NO.: RULE TITLE:
 64B21-501.010 Continuing Education Provider Fee
 PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to reduce the Continuing Education Provider Fee.
 SUMMARY: This rulemaking reduces the continuing education provider fee from \$500 to \$250 in compliance with 456.025(7), F.S., and corrects rule authority and law implemented citations.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based on the SERC checklist, this rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in s.120.541(2)(a), F.S. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 490.0085(4), 490.015 FS.

LAW IMPLEMENTED: 490.0085(2) 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: Allen Hall, Executive Director, Department of Health, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255, Allen.Hall@flhealth.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

64B21-501.010 Continuing Education Provider Fee.

The application fee and the renewal fee for Department approval of a provider of continuing education for school psychologists shall be \$250.00 ~~\$500.00~~.

~~Specific~~ Rulemaking Authority 490.085(4)(~~2~~), 490.015 FS. Law Implemented 490.0085(2) FS. History—New 7-10-89, Formerly 21U-501.010, 61E9-501.010, Amended 9-9-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Office of School Psychology

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 3, 2015

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE NO.: RULE TITLE:

64B32-1.007 Certification of Public Records

PURPOSE AND EFFECT: The rule is being repealed because it is duplicative of the statute.

SUMMARY: The rule is being repealed.

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

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

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

RULEMAKING AUTHORITY: 456.025(8), 468.353 FS.

LAW IMPLEMENTED: 456.025(8) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Department of Health, 4052 Bald Cypress Way Bin #C05, Tallahassee, Florida 32399-0797

THE FULL TEXT OF THE PROPOSED RULE IS:

64B32-1.007 Certification of Public Records.

~~Rulemaking Specific~~ Authority 456.025(8), 468.353 FS. Law Implemented 456.025(8) FS. History—New 5-10-92, Formerly 21M-33.010, 61F6-33.010, 59R-70.010, 64B8-70.010, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Respiratory Care

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 9, 2015

Section III
Notice of Changes, Corrections and
Withdrawals

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE NOS.:	RULE TITLES:
2A-2.002	Victim Compensation Claims
2A-2.013	Property Claims
2A-2.014	Domestic Violence Relocation Assistance
2A-2.015	Sexual Battery Relocation Assistance
2A-2.016	Human Trafficking Relocation Assistance

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 41 No. 211, October 29, 2015 issue of the Florida Administrative Register.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule the Department, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. This proposed rulemaking will not have an adverse impact or effect regulatory costs in excess of \$1million within five years as established in Section 120.541(2)(a)1., 2., and 3., F.S.

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE NO.:	RULE TITLE:
2A-3.002	Applicant and Payment Procedures

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 41 No. 208, October 26, 2015 issue of the Florida Administrative Register.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule the Department, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. This proposed rulemaking will not have an adverse impact or effect regulatory costs in excess of \$1million within five years as established in Section 120.541(2)(a)1., 2., and 3., F.S.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE NO.:	RULE TITLE:
61G7-5.002	Annual Assessment on Gross Florida Payroll

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 41 No. 142, July 23, 2015 issue of the Florida Administrative Register.

The Notice of Proposed Rulemaking summarized a Statement of Estimated Regulatory Costs (SERC). An updated SERC was approved by the Board at the public meeting held September 30 – October 1, 2015. The following is a Summary of the updated Statement of Estimated Regulatory Costs:

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION:

The agency has determined that this rule amendment will have an adverse impact on small business. It is unlikely to 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 been prepared by the agency. The following is a summary of the SERC:

- The rule’s effect on economic growth, private-sector job creation or employment, or private-sector investment will be minimal. The effect will be substantially less than \$1,000,000.00 in the aggregate within 5 years of implementation.
- According to a DBPR license count completed on February 1, 2015, 233 licensed employee leasing companies will be affected by the rule amendment.
- The amended rule will apply to all licensed group and single employee leasing companies.
- There will be no costs to the Department for implementing or enforcing the proposed rule amendment.

- There will be no costs to any other state and local government entities for implementing or enforcing the proposed rule amendment.
- The costs incurred by individuals and entities required to comply with the requirements of the proposed rule amendment will be an average of \$557.79 per entity.
- The estimated number of small businesses that would be subject to the rule is between 100 and 499.
- No small county or small city will be impacted by this proposed rule amendment.
- No good faith written proposals for a lower cost regulatory alternative to the proposed rule were received.

The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs. 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.

This correction does not affect the substance of the rule as it appeared in the Florida Administrative Register as outlined above.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-45.002
 RULE TITLE: Continuing Education Approval.
 NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN that the following correction has been made to the proposed rule published in Vol. 41, No. 182, September 18, 2015, issue of the Florida Administrative Register:

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

The person to be contacted regarding the rule is: Allen Hall, Executive Director, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE NO.: 64B32-6.001
 RULE TITLE: Continuing Education Requirement
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 41 No. 114, June 12, 2015 issue of the Florida Administrative Register.

THE TEXT OF THE PROPOSED RULE WILL NOW READ:

64B32-6.001 Continuing Education Requirement.

(1) through (2) No change.

(3) Those persons initially licensed during the second year of a biennium ~~who do not currently hold a respiratory care license~~ are exempt from the continuing education requirements, except for the Medical Errors course and HIV/AIDS course and the Florida laws and rules course, pursuant to subsection (5) of this rule, pursuant to subsection (5) of this rule and Section 456.033, F.S., both of which must be completed for their first renewal. Continuing education requirements must be met for each biennium thereafter.

(4) No change.

(5) A licensee may be required to earn continuing education credit hours which include the following:

- (a) Florida laws and rules Mandatory for all licensees: 2 credit hours pursuant to subsection 64B32-6.001(5), F.A.C. Licensees may earn up to 8 ~~contact~~ continuing education hours per biennium by attending meetings of the Board of Respiration Care, but no more than 2 of those hours will be credited to satisfying the Florida laws and rules requirement.
- (b) No change.

(c) HIV/AIDS Mandatory for the initial renewal of all licensees, optional for subsequent renewals: At least 3 hours but no more than 5 hours pursuant to Rule 64B32-6.006, F.A.C. The course must be taken within the last five (5) years prior to either initial licensure or first renewal. Licensees may

complete up to 5 hours of continuing education credited to HIV/AIDS education, although any completed hours in excess of the required 3 hours will be counted as ~~direct~~ delivery continuing education credits.

(d) No change.

(e) No change.

(6)(7) No licensee will be given more than the credited hours of completion of any continuing education course, as credited for completion of the course once, per biennium, regardless of the number of times a licensee registers for and completes a course.

Rulemaking Authority 456.013, 468.361(2) FS. Law Implemented 456.013(7), 456.033(1), 468.361 FS. History—New 4-29-85, Formerly 21M-38.01, Amended 9-29-86, Formerly 21M-38.001, Amended 1-2-94, Formerly 61F6-38.001, Amended 11-1-94, Formerly 59R-75.001, Amended 6-9-99, Formerly 64B8-75.001, Amended 5-15-05, 10-28-07, 5-15-08, 8-4-09, 4-25-10, 4-4-12, 8-4-14, 5-25-15.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

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 November 3, 2015, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Sand pebbles Condominium. Petitioner seeks a variance of the requirements of an unspecified Section of A17.3, as adopted by subsection 61C-5.001(1), F.A.C., that requires upgrading the elevators operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2015-277).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on November 4, 2015, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Beaver Street Fisheries (1). Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, 3.9.2(b), 3.9.1, 3.10.4(h) and 3.10.4(q), as adopted by subsection 61C-5.001(1), F.A.C., that requires upgrading the elevators with firefighters' emergency operations, terminal stopping devices, which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2015-278).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on November 4, 2015, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Beaver Street Fisheries (2). Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.1, 3.10.4(e), 3.10.3 and 3.10.4(v), as adopted by subsection 61C-5.001(1), F.A.C., that requires upgrading the elevators stop switch on top of car, car emergency signaling devices, top-of-car operating devices, and stop switch in pit, which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2015-279).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

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

On November 5, 2015, the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from Marbleside Building (formally Labcorp Building), filed September 30, 2015, and advertised on October 2, 2015, in Vol. 41, No. 192, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 311.3 and 3.3.2 ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a), F.A.C., from providing fire fighter service and platform guards (aprons) because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2015-244).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

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

On November 5, 2015, the Division issued an order. The Final Order was in response to a Petition for an emergency permanent Variance from Saint Johns Marina, filed October 26, 2015, and advertised on October 28, 2015, in Vol. 41, No. 210, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.7.1 ASME A18.1, 2008 edition, as adopted by paragraph 61C-5.001(1)(a), F.A.C., limiting travel to fourteen (14) feet because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2015-263).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

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

On November 5, 2015, the Division issued an order. The Final Order was in response to a Petition for an emergency permanent Variance from Tupelo Vue, filed September 25, 2015, and advertised on September 28, 2015, in Vol. 41, No. 188, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.4.1.5 and 2.15.9.2 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), F.A.C., from the requirement that the pit be 5 feet deep, and will use a retractable toe guard for the existing 4-foot pit because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2015-237).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that on October 30, 2015, the Construction Industry Licensing Board, received a petition for variance or waiver filed by Brooks Michael Myers. The petitioner is seeking a variance or waiver of Rule 61G4-16.005, F.A.C., which requires for the purpose of certification, a passing grade shall be valid only for a period of four (4) years from the date the list of successful candidates is approved by the Board. Comments on this petition should be filed with Construction Industry Licensing Board, Northwood Center, 1940 North Monroe Street, Tallahassee, FL 32399, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Dan Biggins, Executive Director, Construction Industry Licensing Board, at the above address or telephone: (850)487-1395 or by electronic mail: Amanda.Wynn@myfloridalicense.com.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-17.003 Requirements for Stand-up Booths

NOTICE IS HEREBY GIVEN that on September 11, 2015, the Department of Health received a petition for variance or waiver from subsection 64E-17.003(3), F.A.C., from John S. Sarrett on behalf of Zoom Tan, Inc. and Zoom Tan, LLC. This rule requires that non-slip floors shall be provided to reduce the potential for injuries from falls. Floors shall be constructed of easily cleanable surfaces and of such material, finish and so fabricated that residue may be effectively removed by normal cleaning methods. The temperature in enclosed booths shall be maintained below 100°F (38°C). Comments on this petition should be filed with Shannon Revels, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, BIN A02, Tallahassee, Florida, 32399-1703, within 14 days of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: VaKesha Brown, Bureau of Environmental Health, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida, 32399-1710 or by calling (850)245-4444, ext. 2492.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.002 Definitions

The Florida Housing Finance Corporation hereby gives notice: Petition submitted on October 8, 2015 by Oakland Preserve, LLC for Waiver of subsection 67-48.002(94), F.A.C. (2013), and of Section II.K of the Qualified Allocation Plan (“QAP”), to allow the immediate return of its 2014 Housing Credit Allocation, and an immediate allocation of 205 Housing Credits. Notice of Petition was published October 9, 2015 in Vol. 41, No. 197, F.A.R. FHFC found that strict application of the above Rule would cause substantial hardship to Petitioner, and that granting this waiver would further Florida Housing’s statutory mandate to provide safe, sanitary and affordable housing to the citizens of Florida. Order was granted October 30, 2015.

A copy of the Order or additional information may be obtained by contacting: Kate Flemming, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. The Petition for Waiver has also been posted on Florida Housing’s website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.002 Definitions

The Florida Housing Finance Corporation hereby gives notice: Petition submitted on October 8, 2015 by Arbours at Tumblyn Creek, LLC for Waiver of subsection 67-48.002(94), F.A.C. (2013), and of Section II.K of the Qualified Allocation Plan (“QAP”), to allow the immediate return of its 2014 Housing Credit Allocation, and an immediate allocation of 205 Housing Credits. Notice of Petition was published October 9, 2015 in Vol. 41, No. 197, F.A.R. FHFC found that strict application of the above Rule would cause substantial hardship to Petitioner, and that granting this waiver would further Florida Housing’s statutory mandate to provide safe, sanitary and affordable housing to the citizens of Florida. Order was granted October 30, 2015.

A copy of the Order or additional information may be obtained by contacting: Kate Flemming, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. The Petition for Waiver has also been posted on Florida Housing’s website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

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

DATE AND TIME: November 17, 2015, 4:00 p.m.

PLACE: R.A. Gray Building, 500 S. Bronough Street, Room #428, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Section 120.525, Florida Statutes, a reply opening is hereby noticed for the following Invitation to Negotiate Number: DOS ITN 08/15-14 – Online Legal Research Services. The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Department will post notice of any changes or additional meetings within the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and need not re-advertise notice in the Florida Administrative Register. Access the VBS at: http://vbs.dms.state.fl.us/vbs/main_menu.

A copy of the agenda may be obtained by contacting: Vonda Murray at (850)245-6590, Vonda.Murray@dos.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 48 hours before the workshop/meeting by contacting: Vonda Murray at (850)245-6590, Vonda.Murray@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).

For more information, you may contact: Vonda Murray at (850)245-6590, Vonda.Murray@dos.myflorida.com.

DEPARTMENT OF STATE

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

DATE AND TIME: December 3, 2015, 10:00 a.m.

PLACE: R.A. Gray Building, 500 S. Bronough Street, Room #428, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Invitation to Negotiate (ITN) Number: DOS ITN 08/15-14 (Online Legal Research Services) - Public Meeting for Evaluators - Dissemination of Scores and Ranking to record scoring of the replies and to determine the ranking, as outlined in the ITN. The Department reserves the right to issue amendments, addenda, and changes to the timeline and

specifically to the meeting notice listed above. The Department will post notice of any changes or additional meetings within the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and need not re-advertise notice in the Florida Administrative Register. Access the VBS at: http://vbs.dms.state.fl.us/vbs/main_menu.

A copy of the agenda may be obtained by contacting: Vonda Murray at (850)245-6590, Vonda.Murray@dos.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 48 hours before the workshop/meeting by contacting: Vonda Murray at (850)245-6590, Vonda.Murray@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).

For more information, you may contact: Vonda Murray at (850)245-6590, Vonda.Murray@dos.myflorida.com.

DEPARTMENT OF STATE

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

DATE AND TIME: December 9, 2015, 10:00 a.m.

PLACE: R.A. Gray Building, 500 S. Bronough Street, Room #428, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting for negotiators to discuss best and final offers for Invitation to Negotiate (ITN) Number: DOS ITN 08/15-14 (Online Legal Research Services) and recommendation for award. The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Department will post notice of any changes or additional meetings within the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and need not re-advertise notice in the Florida Administrative Register. Access the VBS at: http://vbs.dms.state.fl.us/vbs/main_menu

A copy of the agenda may be obtained by contacting: Vonda Murray at (850)245-6590, Vonda.Murray@dos.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 48 hours before the workshop/meeting by contacting: Vonda Murray at (850)245-6590, Vonda.Murray@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).

For more information, you may contact: Vonda Murray at (850)245-6590, Vonda.Murray@dos.myflorida.com.

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

The Florida School for the Deaf and the Blind announces a public meeting to which all persons are invited.

DATE AND TIME: November 17, 2015, 10:00 a.m.

PLACE: The Florida School for the Deaf and the Blind, 207 North San Marco Ave., St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: Responses to RFP-15-037, found on the Florida School for the Deaf and Blind website, will be opened on the date and time specified in the Timeline, in the Conference Room, Building #27 Hogel Maintenance, The Florida School for the Deaf and the Blind, 207 North San Marco Ave., St. Augustine, FL 32084. Please arrive in ample time to allow for security clearance processing and conveyance through the FSDB campus. Time of arrival for meeting attendance shall be determined by the time of arrival at the FSDB Campus Police Security Check Point.

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: Any person with a qualified disability requiring special accommodations at the response opening shall contact the Purchasing Director at (904)827-2356. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Thursday, November 19, 2015, 4:30 p.m. – 6:30 p.m., Open House

PLACE: Cocoa Beach Country Club, River Room, 5000 Tom Warriner Boulevard, Cocoa Beach, FL 32931

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No. 430667-1-52-1 and 430667-2-52-1.

Project Description: State Road (SR) A1A northbound (Atlantic Avenue) and southbound (Orlando Avenue) one-way pairs from south of Sherry Lee Lane to north of Sunflower Street - Maintenance and Safety Improvements, Brevard County, Florida.

This project consists of maintenance and safety improvements to SR A1A northbound (Atlantic Avenue) and southbound (Orlando Avenue) one-way pairs. The project extends from south of Sherry Lane to north of Sunflower Street. In addition to resurfacing of the existing pavement, this project includes

adding sidewalks, ADA improvements and safety upgrades. This project is funded for construction in the summer of 2016.

A flyer will be distributed at the meeting.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting Jennifer Smith, FDOT District Five Title VI Coordinator at (386)943-5367 or Jennifer.Smith2@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: Jennifer Smith.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Renee Booker at Moffatt & Nichol, 1025 Greenwood Boulevard, Lake Mary, FL 32746, (407)562-2030, rbooker@moffattnichol.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 either Sarah Van Gundy, FDOT Project Manager, at (386)943-5551, sarah.vangundy@dot.state.fl.us or Renee Booker at Moffatt & Nichol at (407)562-2030, rbooker@moffattnichol.com.

Additional information on the project and a presentation video are also available at www.cflroads.com.

STATE BOARD OF ADMINISTRATION

The Florida Commission on Hurricane Loss Projection Methodology announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 17, 2015, 9:00 a.m., ET to conclusion of meeting

PLACE: Hermitage Centre Conference Room, Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida

Persons in the U.S. and Canada wishing to participate by telephone may dial: 1(888)670-3525. Persons outside of the U.S. and Canada wishing to participate by telephone may dial: (720)389-1212. The conference code for all callers is 7135858151

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hear and discuss a report from the Flood Standards Development Committee and to consider the publication of discussion flood standards. Other general business of the Commission may also be addressed.

A copy of the agenda may be obtained by contacting: Donna Sirmons, Florida Hurricane Catastrophe Fund, (850)413-1349, donna.sirmons@sbafla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Donna Sirmons at the number or email listed above. 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).

STATE BOARD OF ADMINISTRATION

The State Board of Administration announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 16, 2015, 9:30 a.m. – 12:00 Noon, ET (changed time)

PLACE: Hermitage Room, First Floor, The Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida 32308

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

THIS MEETING NOTICE REPLACES THE MEETING NOTICE PUBLISHED ON November 2, 2015; Vol. 41, No. 213, F.A.R.

A copy of the agenda may be obtained by contacting: Kimberly Calhoun, (850)413-1243, email: Kimberly.Calhoun@sbafla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: James Linn, (850)413-1166, email: James.Linn@sbafla.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).

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

The Southwest Florida Regional Planning Council/LEPC District 9 announces a public meeting to which all persons are invited.

DATE AND TIME: December 4, 2015, 9:30 a.m.

PLACE: Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Fort Myers

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Southwest Florida Local Emergency Preparedness Committee (LEPC).

A copy of the agenda may be obtained by contacting: Nichole Gwinnett at ngwinnett@swfrpc.org, (239)338-2550, ext. 232.

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: SWFRPC Offices at (239)338-2550. 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 visit the SWFRPC's website: www.swfrpc.org.

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

The Southwest Florida Regional Planning Council/Glades-Hendry TD announces a public meeting to which all persons are invited.

DATE AND TIME: December 2, 2015, 10:30 a.m.

PLACE: Glades County Health Department, 1021 Health Park Drive, Moore Haven

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Glades-Hendry Joint Service Local Coordinating Board (LCB).

A copy of the agenda may be obtained by contacting: Nichole Gwinnett at (239)338-2550, ext. 232 or ngwinnett@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: SWFRPC Offices at (239)338-2550. 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 visit the SWFRPC's website: www.swfrpc.org.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: Wednesday, November 18, 2015, 10:00 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Public meeting to discuss regulatory matters.

All or part of these meetings will be video-conferenced in order to permit maximum participation from the South Florida Water Management District Service Centers located at:
Lower West Coast Service Center, 2301 McGregor Blvd., Fort Myers, FL 33901

Okeechobee Service Center, 3800 NW 16th Boulevard, Okeechobee, FL 34972

Orlando Service Center, 1707 Orlando Central Parkway, Suite 200, Orlando, FL 32809

The meeting will also be webcast.

Agendas are available 7 days prior to the meeting date. You may obtain a copy of the agenda by going to our website at: www.sfwmd.gov

- Hold mouse over the “Topics” tab, scroll down to “Permits” and click
- Under “Upcoming Events” on the right hand column, click the “Monthly Regulatory Meetings” link.
- or subscribeto ePermitting/eNoticing:
www.sfwmd.gov/epermitting

For additional information, you may also call our information line at (561)682-6207 or Florida toll-free: 1(800)432-2045, ext. 6207.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the District Clerk’s Office, (561)682-6805. 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: the District Clerk’s Office, (561)682-6805.

DEPARTMENT OF THE LOTTERY

The Department of the Lottery announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 17, 2015, 1:30 p.m., Eastern Time and continuing from day to day thereafter as may be required

PLACE: Florida Lottery Headquarters, 250 Marriott Drive, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Meeting of the Evaluation Team to review the evaluation process; and to develop a schedule to evaluate and score Replies for ITN 066-14/15: Lottery Gaming System and Related Commodities & Services and future Evaluation Team meetings. The Evaluation Team may make a determination to continue this meeting at a future date and time should it deem necessary to do so.

For more information, please visit the Vendor Bid System (VBS) at:

http://www.myflorida.com/apps/vbs/vbs_www.main_menu. A copy of the agenda may be obtained by contacting: Summer Silvestri at (850)487-7710 or by going to the Department of the Lottery’s website, www.flalottery.com.

Any person requiring a special accommodation because of a disability at this public meeting should contact the individual identified above at (850)487-7710 (voice), or through the Florida Relay Service at 1(800)955-8771 (TDD), at least 24 hours prior to the meeting.

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

DEPARTMENT OF MANAGEMENT SERVICES

Commission on Human Relations

The Florida Commission on Human Relations announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 16, 2015, 10:00 a.m., ET

PLACE: Telephone conference: 1(888)670-3525, when prompted enter passcode: 1760507820 followed by the # key

GENERAL SUBJECT MATTER TO BE CONSIDERED:
The purpose of the meeting is for the Commission to vote on the disposition of cases pending before it for decision.

ACCESS POINT: The FCHR office at 4075 Esplanade Way, Room 110, Tallahassee, FL 32399, will serve as an access point for this meeting. Interested persons wishing to attend this meeting may also do so by appearing in person at this designated access point, at which location telephonic access to the meeting will be provided.

A copy of the agenda may be obtained by contacting: Jim Mallue at (850)907-6805 or Jim.Mallue@fchr.myflorida.com.

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: Jim Mallue at (850)907-6805 or Jim.Mallue@fchr.myflorida.com.

DEPARTMENT OF HEALTH

Board of Pharmacy

The Florida Board of Pharmacy announces public meetings to which all persons are invited.

DATES AND TIMES: Thursday, December 10, 2015, 8:00 a.m.; Friday, December 12, 2015, 8:00 a.m.

PLACE: Residence Inn Tallahassee Universities at the Capitol, 600 West Gaines Street, Tallahassee, Florida 32304, (850)329-9080

GENERAL SUBJECT MATTER TO BE CONSIDERED: Thursday, December 10, 2015 starting at 8:00 a.m., will be the general board business to be followed by general discussion and action on rules and compounding rules. Friday, December 11, 2015 starting at 8:00 a.m., will be the general board business, to include discipline.

A copy of the agenda may be obtained by contacting: The Florida Board of Pharmacy at (850)245-4292.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Florida Board of Pharmacy at (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: The Florida Board of Pharmacy at (850)245-4292.

DEPARTMENT OF HEALTH

Board of Pharmacy

The Board of Pharmacy Controlled Substance Standards Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 9, 2015, 2:00 p.m.

PLACE: Residence Inn Tallahassee Universities at the Capitol, 600 West Gaines Street, Tallahassee, Florida 32304, (850)329-9080

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues associated with patients filling prescriptions for Controlled Substances.

A copy of the agenda may be obtained by contacting: The Florida Board of Pharmacy at (850)245-4292.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Florida Board of Pharmacy at (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: The Florida Board of Pharmacy at (850)245-4292.

DEPARTMENT OF HEALTH

Board of Pharmacy

The Board of Pharmacy Rules Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 10, 2015, immediately following Full Board Business Day.

PLACE: Residence Inn Tallahassee Universities at the Capitol, 600 West Gaines Street, Tallahassee, Florida 32304, (850)329-9080

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

A copy of the agenda may be obtained by contacting: The Board of Pharmacy at (850)245-4292.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Board of Pharmacy at (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: The Board of Pharmacy at (850)245-4292.

DEPARTMENT OF HEALTH

Board of Pharmacy

The Board of Pharmacy Sterile Compounding Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 10, 2015, immediately following Rules Committee meeting

PLACE: Residence Inn Tallahassee Universities at the Capitol, 600 West Gaines Street, Tallahassee, Florida 32304, (850)329-9080

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rules associated with sterile compounding.

A copy of the agenda may be obtained by contacting: The Florida Board of Pharmacy at (850)245-4292.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Florida Board of Pharmacy at (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: The Florida Board of Pharmacy at (850)245-4292.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

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

DATE AND TIME: November 30, 2015, 1:00 p.m.

PLACE: In person: 9393 N. Florida Ave., Room 808, Tampa, FL; conference call: 1(888)670-3525, conference code: 8336970722#

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This meeting is a CIRRT advisory meeting.

A copy of the agenda may be obtained by contacting: Lainie Camen.

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: Lainie Camen. 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: Lainie Camen.

QUEST CORPORATION OF AMERICA, INC.

The Florida Department of Transportation (FDOT), District Four, announces public meetings to which all persons are invited.

DATES AND TIMES: Tuesday, November 17, 2015, 3:30 p.m. – 5:00 p.m., Elected and Appointed Officials/Agencies Kick-off Meeting, presentation at 3:45 p.m.; Tuesday, November 17, 2015, 5:30 p.m. – 7:30 p.m., Public Kick-off Meeting, Presentation at 6:30 p.m.

PLACE: Palm Beach Airport Hilton, 150 Australian Avenue, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Financial Project ID No.: 435516-1-22-02

Project Description: Project Development and Environment Study, I-95 at Southern Boulevard (SR 80) Interchange in Palm Beach County.

This study is being conducted to evaluate proposed interchange improvements at I-95 and Southern Boulevard (SR 80) and to provide FDOT with information necessary to reach a decision on the type, design and location of the improvements. The project is being studied to reduce congestion, enhance safety, and achieve an acceptable level of service while minimizing potential impacts to the natural and human environments. The purpose of this meeting is to provide an opportunity for the public to learn about the study, become familiar with the study process, and provide initial feedback. The public meeting will start at 5:30 p.m. A presentation will be given at 6:30 p.m. Attendees will have an opportunity to discuss the study, ask questions, and provide comments on the potential improvements. FDOT staff and consultant staff members will be available to discuss the project and answer questions. An Elected and Appointed Officials/Agencies Kick-off Meeting will take place prior to the public meeting, at the same location, from 3:30 p.m. to 5:00 p.m., with a presentation at 3:45 p.m. The meetings are intended to introduce the project to officials, agencies, and the public; and to provide an opportunity to discuss social, environmental, and economic effects of the potential improvements. The information presented will be the same at both meetings. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status.

A copy of the agenda may be obtained by contacting: Anson Sonnett, P.E., FDOT Project Manager, at (954)777-4474 or anson.sonnett@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Anson Sonnett, P.E., FDOT Project Manager, at (954)777-4474 or anson.sonnett@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Cassie Piché, P.E., Consultant Project Manager, at (954)236-7365 or cassie.piche@rsandh.com. Additional information is available on the project website: www.I95atSouthern.com.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001 Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from Bracken Engineering, Inc. The petition seeks the agency's opinion as to the applicability of Chapter 6 & Section 708, Florida Building Code 5th edition (2014), Existing Building as it applies to the petitioner.

Petitioner seeks clarification as to whether a repair of roof coverings performed under Chapter 6 must comply with Section 708.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203, (850)921-0342, AGC.Filing@myfloridalicense.com.

Please refer all comments to: Mo Madani, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 North Monroe, Tallahassee, Florida 32399, (850)487-1824, mo.madani@myfloridalicense.com or April L. Hammonds, Office of the General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1000, (850)487-1824, april.hammonds@myfloridalicense.com. RESPONSES, MOTIONS TO INTERVENE, OR REQUESTS FOR A HEARING, §120.57(2), FLA. STAT., MUST BE FILED WITHIN 21 DAYS OF THIS NOTICE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001 Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from Julien Croteau. The petition seeks the agency's opinion as to the applicability of Florida Building Code (2007), Mechanical as it applies to the petitioner.

Petitioner seeks an opinion regarding whether the arrangement of a completed cooling tower replacement from 2012 in his condominium development is a hazardous condition.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203, (850)921-0342, AGC.Filing@myfloridalicense.com.

Please refer all comments to: Suite 90A, 1940 North Monroe, Tallahassee, Florida 32399, (850)487-1824, Mo Madani, Building Codes and Standards Office, Department of Business and Professional Regulation, madani@myfloridalicense.com or April L. Hammonds, Office of the General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1000, (850)487-1824, april.hammonds@myfloridalicense.com. RESPONSES, MOTIONS TO INTERVENE, OR REQUESTS FOR A HEARING, §120.57(2), FLA. STAT., MUST BE FILED WITHIN 21 DAYS OF THIS NOTICE.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

NONE

Section XII
Miscellaneous

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

Final Order No.: DEO-15-182

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-15-182 on November 3, 2015, in response to an application submitted by St. Andrews Village North at Bluewater Bay for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department’s Final Order denied the application for covenant revitalization after determining that the application did not meet 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-15-179

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-15-179 on November 4, 2015, in response to an application submitted by Sanderling Property Owners 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-15-180

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-15-180 on November 4, 2015, in response to an application submitted by Carolyn Estates Homeowners’ Association, Inc. 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 Proposed Revived Declaration contained provisions more restrictive than that of the original covenants. Therefore, the Proposed Revived Covenants are more restrictive than the previous declaration in violation of section 720.404(3), Florida Statutes. Accordingly, the Department’s Final Order denied the application 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-15-183

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-15-183 on November 5, 2015, in response to an application submitted by Antiquers Aerodrome, 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-15-181

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY ISLAMORADA, VILLAGE OF
ISLANDS, FLORIDA, ORDINANCE NO. 15-13

FINAL ORDER

APPROVING ISLAMORADA ORDINANCE NO. 15-13

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and 380.0552(9), Florida Statutes, approving land development regulations adopted by the Islamorada, Village of Islands, Florida, Ordinance No. 15-13 (the “Ordinance.”)

FINDINGS OF FACT

1. The Florida Keys Area is designated by § 380.0552, Florida Statutes, as an area of critical state concern. Islamorada, Village of Islands, is a local government within the Florida Keys Area.

2. The Ordinance was adopted by Islamorada, Village of Islands, on August 20, 2015, and rendered to the Department on September 21, 2015.

3. The Ordinance amends the Islamorada, Village of Islands, Code of Ordinances at Chapter 30, “Land Development Regulations,” specifically Article V, “Schedule of District Use and Development Standards,” Division 2 “Zoning District,” Section 30-692 “Village Center (VC) Zoning District.” The adopted ordinance:

- a. Adjusts the maximum square footage for permitted uses to 3,000 square feet or less;
- b. Adds bait and tackle shops and veterinary office/animal hospitals to the list of low/medium intensity office permitted uses;
- c. Includes stores selling fresh and frozen fish, crustaceans, and mollusks to “Food Store” under low/medium intensity office permitted uses;
- d. Increases the upper size limit for minor conditional use for restaurants to 5,000 square feet;
- e. Increases the size limits for major conditional use for restaurants to between 5,001 square feet and 10,000 square feet;
- f. Places a 10,000 square foot limit on the major conditional use for bars, taverns, and drinking places.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. § 380.05(6) and § 380.0552(9), Florida Statutes.

5. Islamorada, Village of Islands, is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Florida Statutes, and Florida Administrative Code Chapter 28-29.

6. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. §§ 380.05(6) and 380.0552(9), Florida Statutes. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in § 380.0552(7), Florida Statutes.

8. The Ordinance is consistent with the Islamorada, Village of Islands, Comprehensive Plan generally, and specifically Policies 1.2.1.9 (Promote Low and Medium Intensity and Varied Commercial Designations) and 1-2.4.2 (Increase the Vitality of Existing Village Activity Centers).

9. The Ordinance is consistent with the Principles for Guiding Development in section 380.0552(7), Florida Statutes, as a whole, and is specifically consistent with the following Principles:

- (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
- (d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.
- (n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

WHEREFORE, IT IS ORDERED that the Department finds that the Islamorada, Village of Islands Ordinance No. 15-13 is consistent with the Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/

Julie A. Dennis, Interim Director
Division of Community Development
Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES.

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK

DEPARTMENT OF ECONOMIC OPPORTUNITY
OFFICE OF THE GENERAL COUNSEL
107 EAST MADISON ST., MSC 110
TALLAHASSEE, FLORIDA 32399-4128
FAX (850)921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 6th day of November, 2015.

_____/s/
Katie Zimmer, Agency Clerk
Department of Economic Opportunity
107 East Madison Street, MSC 110
Tallahassee, FL 32399-4128

By Certified U.S. Mail:

The Honorable Mike Forster, Mayor
Islamorada, Village of Islands Council
86800 Overseas Highway
Islamorada, FL 33036

Kelly Toth, Clerk
Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, FL 33036

Cheryl Cioffari
Director of Planning
Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, FL 33036

Section XIII
Index to Rules Filed During Preceeding
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.
