

**Section I**  
**Notice of Development of Proposed Rules**  
**and Negotiated Rulemaking**

**DEPARTMENT OF HEALTH**

**Board of Medicine**

**RULE NO.:** RULE TITLE:  
64B8-9.0141 Standards for Telemedicine Practice  
**PURPOSE AND EFFECT:** The Board proposes the development of a rule amendment to address prescribing of controlled substances for treatment of psychiatric disorders via telemedicine.

**SUBJECT AREA TO BE ADDRESSED:** The prescribing of controlled substances for treatment of psychiatric disorders via telemedicine.

**RULEMAKING AUTHORITY:** 458.331(1)(v) FS.

**LAW IMPLEMENTED:** 458.331(1)(v) 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:** Adrienne Rodgers, Interim Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

**RULE NO.:** RULE TITLE:  
64B8-13.005 Continuing Education for Biennial Renewal  
**PURPOSE AND EFFECT:** The Board proposes the development of a rule amendment to identify the five most misdiagnosed conditions for the purpose of prevention of medical errors continuing medical education.

**SUBJECT AREA TO BE ADDRESSED:** The identification of the five most misdiagnosed conditions.

**RULEMAKING AUTHORITY:** 456.013(6), (7), 456.031(4), 456.033, 458.309, 458.319 FS.

**LAW IMPLEMENTED:** 456.013(6), (7), 456.031(1)(a), (3), 456.033, 458.319 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:** Adrienne Rodgers, Interim Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

**RULE NO.:** RULE TITLE:  
68A-12.004 Possession or Sale of Birds or Mammals; Taxidermy Operations and Mounting Requirements

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule revision is to correct references the rule makes to other rules that have changed rule numbers or been eliminated.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas covered in the proposed rule include possession or sale of birds or mammals and taxidermy operations and mounting requirements.

**RULEMAKING AUTHORITY:** Art. IV, Sec. 9, Florida Constitution

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Florida Constitution  
**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.**

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Thomas H. Eason, Ph.D., Director, Division of Habitat and Species Conservation, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-3831

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: RULE TITLE:

68A-16.003 Non-listed Inactive Migratory Bird Nests

PURPOSE AND EFFECT: The purpose and effect of the proposed new rule is to eliminate the need for a permit to take inactive (meaning with no birds or eggs) nests or parts of such nests of birds not listed as endangered or threatened.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rule include authorization of take (remove, relocate, or destroy) consistent with FWC and Federal statutes and regulations regarding migratory birds.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas H. Eason, Ph.D., Director, Division of Habitat and Species Conservation, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-3831

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: RULE TITLE:

68A-27.007 Permits and Authorizations for the Take of Florida Endangered and Threatened Species

PURPOSE AND EFFECT: The purpose and effect of the proposed rule revision is to clarify language

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rule include permitting and authorization of take for endangered and threatened species.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas H. Eason, Ph.D., Director, Division of Habitat and Species Conservation, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-3831

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

**Section II  
 Proposed Rules**

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

RULE NO.: RULE TITLE:

40C-4.091 Publications Incorporated by Reference

PURPOSE AND EFFECT: By notice published in the Florida Administrative Register (FAR) on February 12, 2015, the St. Johns River Water Management District (“SJRWMD”) initiated rulemaking to amend the above referenced rule. This rule was last amended on October 1, 2013, to make it consistent with section 373.4131, F.S., which required the Department of Environmental Protection (DEP) in coordination with the five water management districts (WMDs) to develop statewide environmental resource permitting (ERP) rules. The purpose and effect of this rulemaking is to make minor corrections and provide clarifications that have been identified as necessary since October 1, 2013, and to address comments received from the Office of Fiscal Accountability and Regulatory Reform

(OFARR). More specifically, the effect of the rulemaking will be to: (1) update the effective date for the parts of the “Environmental Resource Permit Applicant’s Handbook, Volume II: For Use within the Geographic Limits of the St. Johns River Water Management District” (Volume II) incorporated by reference in Rule 40C-4.091, F.A.C., since SJRWMD intends to amend parts of Volume II; and (2) move and amend language from Rule 40C-42.091, F.A.C. (which currently incorporates Part V of Volume II) to this rule. (Rule 40C-42.091, F.A.C. is proposed for repeal concurrently with this rulemaking). Revisions to Volume II will: (1) amend provisions related to the District-specific thresholds and exemptions regarding agricultural surface water management systems (including §§1.2.3 and 1.3.3) to clarify that any such systems that result in a project area of more than five acres (under DEP’s currently proposed amendment to 62-330.020(2)(d)) and do not exceed any permit threshold in paragraphs 62-330.020(2)(a), (b), (e), (f), (g), (h), or (j), F.A.C., will be reviewed and acted upon in accordance with Chapter 40C-44, F.A.C.; (2) clarify or repeal provisions that refer to the use of local government standards to address District water quantity and quality criteria (including §§ 2.7.1, 3.3.1(d), 3.3.3); (3) amend and clarify several provisions to reflect that DEP may, in certain instances, establish minimum flows and levels that would be applied by SJRWMD (§§ 2.0, 3.5.2); (4) advise that stormwater detention and retention basins are identified as “potentially moderate sanitary hazards” (including §§5.1, 7.1, 9.1); and (5) amend several provisions to implement conforming, clarifying and technical changes (including §§ 1.0, 1.1, 2.1, 4.4, 8.4).

**SUMMARY:** As amended, subsection 40C-4.091 will incorporate certain portions of a revised document entitled “Environmental Resource Permit Applicant’s Handbook Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District”. This handbook volume accompanies Applicant’s Handbook – Volume I (General and Environmental) and will continue to be used in conjunction with Volume I to implement the State’s Environmental Resource Permitting program within the boundaries of SJRWMD. Generally, the revised incorporated provisions: (1) correct and clarify text in light of provisions in Chapter 62-330, F.A.C.; (2) clarify and more accurately reflect how the District evaluates whether an applicant meets District water quantity and quality criteria; and (3) clarify District-specific thresholds and exemptions regarding agricultural surface water management systems explanations.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:** The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of

\$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The District has completed for the Governor’s Office of Fiscal Accountability and Regulatory Reform (OFARR) the “Is a SERC Required?” form and prepared a summary of the proposed rule amendments, which are both available upon request. Based on the completed “Is a SERC Required?” form and summary and the analysis performed by District staff in preparing and completing those documents, the proposed rule amendments are not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

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

**RULEMAKING AUTHORITY:** 373.046(4), 373.113, 373.4131, 373.414, 373.415, 373.416, 373.418, 373.461 FS.

**LAW IMPLEMENTED:** 373.413, 373.4131, 373.414, 373.415, 373.416, 373.418, 373.426, 373.461(3) FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk, (386)329-4127. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Veronika Thiebach, Sr. Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)326-3026, email: vthiebach@sjrwmd.com

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

40C-4.091 Publications Incorporated by Reference.

(1) The Governing Board hereby adopts by reference:

(a) 1 Part I “Introduction, Organization, Definitions and Applicability available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-01831>,” Part II “General Criteria,” available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-01831>,”

~~01832], Part III “Stormwater Quantity/Flood Control,” available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-01833>, Part IV “Stormwater Quality,” available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-01834>, and Part V “Best Management Practices,” which are all available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-06351> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-03000>~~.~~

2. Part VI “Basin Criteria,” available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-06352> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-03001>~~,

3. Appendix A “Drainage Basins for Cumulative Impacts Evaluation and Regional Watersheds for Mitigation Banking,” available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-03008>,

4. Appendix B “Legal Description Upper St. Johns River Hydrologic Basin,” “Legal Description Ocklawaha River Hydrologic Basin,” “Legal Description Wekiva River Hydrologic Basin,” “Legal Description Wekiva Recharge Protection Basin,” “Legal Description Econlockhatchee River Hydrologic Basin,” “Legal Description Sensitive Karst Areas Basin, Alachua County,” “Legal Description Tomoka River Hydrologic Basin,” “Legal Description Spruce Creek Hydrologic Basin,” “Legal Description Sensitive Karst Areas Basin, Marion County,” and “Legal Description Lake Apopka Hydrologic Basin,” available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-06353> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-02999>~~,

5. Appendix C (“Methodology and Design Example for the Modified Rational Hydrograph Method”) available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-03009>, and

6. Appendix D, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-03010>, of the document entitled “Environmental Resource Permit Applicant’s Handbook, Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District,” effective (*effective date* ~~10-1-13~~).

(b) No change.

(c) Water quality standards of Chapter 62-4, F.A.C., (~~October 1, 2013 February 16, 2012~~), available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-06354> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-03003>~~, Chapter 62-302, F.A.C., (~~June 7, 2015 December 20, 2012~~), available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-06355>

~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-03004>~~, Chapter 62-520, F.A.C., (July 12, 2009), available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-03005>, and Chapter 62-550, F.A.C., (~~July 7, 2015 February 16, 2012~~), available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-06356> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-03006>~~).

(d) through (e) No change.

(2) No change.

This rule will become effective on January 1, 2016, or upon the date that any related amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection in the Notice of Rule Development published in the Florida Administrative Register on September 3, 2014 (Vol. 40, No. 17) take effect, whichever is later.

Rulemaking Authority 369.318, 373.044, 373.046(4), 373.113, 373.117, 373.4131, 373.4136, 373.414, 373.415, 373.416, 373.418, 373.461 FS. Law Implemented 120.60, 369.316, 369.318, 373.016(2), 373.042, 373.0421, 373.046, 373.085, 373.086, 373.103, 373.117, 373.129, 373.413, 373.4131, 373.4135, 373.4136, 373.414, 373.415, 373.416, 373.418, 373.419, 373.423, 373.426, 373.461(3), 403.0877, FS. History—New 12-7-83, Amended 10-14-84, Formerly 40C-4.091, Amended 5-17-87, Formerly 40C-4.0091, Amended 8-20-87, 10-1-87, 10-11-87, 11-26-87, 8-30-88, 1-1-89, 8-1-89, 10-19-89, 4-3-91, 9-25-91, 11-12-91, 3-1-92, 7-14-92, 9-8-92, 9-16-92, 11-12-92, 11-30-92, 1-6-93, 1-23-94, 2-27-94, 11-22-94, 10-3-95, 8-20-96, 11-25-98, 12-3-98, 1-7-99, 1-11-99, 8-21-00, 7-8-01, 10-11-01, 4-10-02, 9-26-02, 3-7-03, 11-11-03, 2-1-05, 12-3-06, 7-1-07, 5-13-08, 11-5-08, 10-29-09, 2-16-10, 12-27-10, 10-1-13, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Veronika Thiebach, Sr. Assistant General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4488 and Thomas Mayton Jr., Sr. Assistant General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4108

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 10, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 12, 2015

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

RULE NO.: RULE TITLE:

40C-41.023 Basin Boundaries

PURPOSE AND EFFECT: Management District (SJRWMD) initiated rulemaking to amend its rules consistent with notice published in the Florida Administrative Register on February 12, 2015, the St. Johns River Water Section 373.4131, F.S.

These rules were last amended on October 1, 2013, to make them consistent with section 373.4131, F.S., which required the Department of Environmental Protection (“DEP”) in coordination with the five water management districts (“WMDs”) to develop statewide environmental resource permitting (“ERP”) rules. The purpose and effect of this rulemaking will be to make corrections and provide clarifications that have been identified as necessary since October 1, 2013. More specifically, the rulemaking will: (1) delete the reference to standard and general (stormwater) permits in subsection 40C-41.063(4), F.A.C., since the statewide ERP rules only provide for issuance of conceptual approval and individual permits; (2) reflect the movement of Rule 40C-42.091, F.A.C. into 40C-4.091, F.A.C.; (3) replace, with better graphics, the figures depicting special basins (identified as Figures 41-1 through 41-4 in 40C-41.023, and as Figures 13.0-1 through 13.0-4 in the “Environmental Resource Permit Applicant’s Handbook, Volume II: For Use within the Geographic Limits of the St. Johns River Water Management District” (Volume II) which is incorporated by reference in subsection 40C-41.043(5), F.A.C.); and (4) update the effective date for Part VI of Volume II as SJRWMD also will correct wording glitches in Volume II. These corrections include deleting language in 13.4.4.(d) (Off-site Land Preservation) that SJRWMD had intended to delete in the previous rulemaking to reflect the adoption of the Uniform Mitigation Assessment Method (UMAM), inserting language in 13.4.2 (Floodplain Storage Criteria) that it had intended to carry over from the rule as it existed before October 1, 2013, and amending Appendix B of Volume II to reflect that lands within Polk County were transferred to the Southwest Florida Water Management District, effective at 12:01 a.m. on July 1, 2003, per subsection 373.0691(2), Florida Statutes (2015).

**SUMMARY:** The proposed rule revisions will correct and clarify text in light of provisions in Chapter 62-330, F.A.C., and movement of Rule 40C-42.091, F.A.C. into Rule 40C-4.091, F.A.C., correct wording glitches in Volume II (including minor changes to provisions regarding off-site land preservation and floodplain storage criteria) that resulted from the initial rulemaking for the statewide ERP rules, and amend the boundaries of the Ocklawaha River Basin to reflect that lands within Polk County were transferred by operation of law to the Southwest Florida Water Management District.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The District has completed for the Governor’s Office of Fiscal Accountability and Regulatory Reform (OFARR) the “Is a SERC Required?” form and prepared a summary of the proposed rule amendments, which are both available upon request. Based on the completed “Is a SERC Required?” form and summary and the analysis performed by District staff in preparing and completing those documents, the proposed rule amendments are not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

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

**RULEMAKING AUTHORITY:** 369.318, 373.044, 373.113, 373.4131, 373.415, 373.418 FS.

**LAW IMPLEMENTED:** 369.318, 373.413, 373.4131, 373.414, 373.415, 373.416, 373.418, 373.426, 373.461 FS.

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

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**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Veronika Thiebach, Sr. Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)326-3026, email [vthiebach@sjrwmd.com](mailto:vthiebach@sjrwmd.com)

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

40C-41.023 Basin Boundaries.

(1) The Upper St. Johns River Hydrologic Basin is that area generally depicted in Figure 41-1 and defined in “Environmental Resource Permit Applicant’s Handbook Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District”, (*effective date* ~~40-1-13~~), Appendix B which is hereby incorporated by reference available at

[\[https://www.flrules.org/Gateway/reference.asp?No=Ref-06353](https://www.flrules.org/Gateway/reference.asp?No=Ref-06353) <http://www.flrules.org/Gateway/reference.asp?No=Ref-06353>

~~02999~~] and upon request from the St. Johns River Water Management District, 4049 Reid Street, Palatka, FL 32177-2529.

(2) through (6) No change.

(7) The Sensitive Karst Areas Basin is that area generally depicted in Figures 41-2, 41-3, and 41-4 and defined in “Environmental Resource Permit Applicant’s Handbook Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District”, Appendix B.

(8) No change.

Substantial revisions to Figures 41-1 through 41-4 in rule 40C-41.023, F.A.C., follow. See Florida Administrative Code for present Figures.

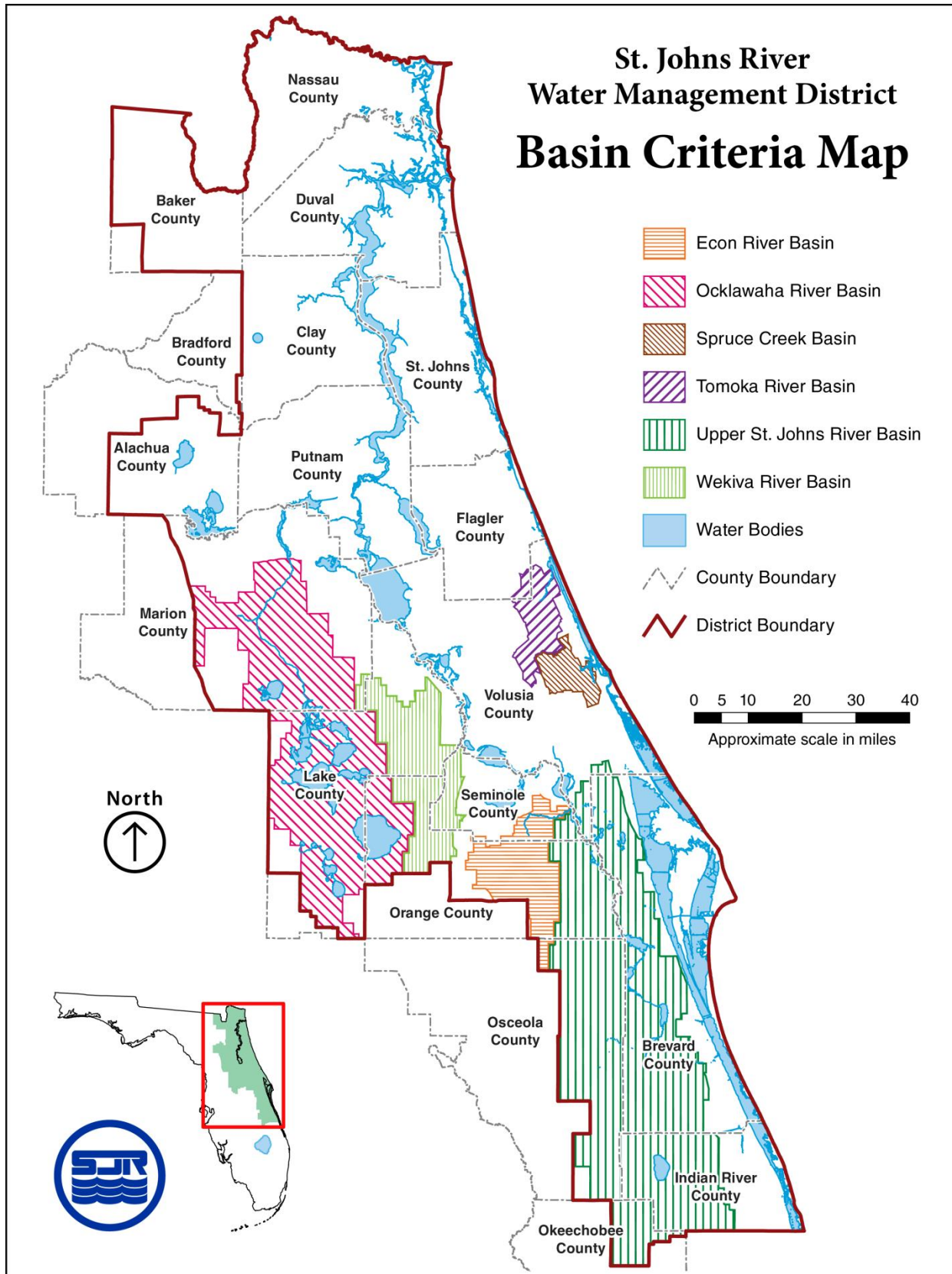


Figure 41-1 Basin Criteria Map



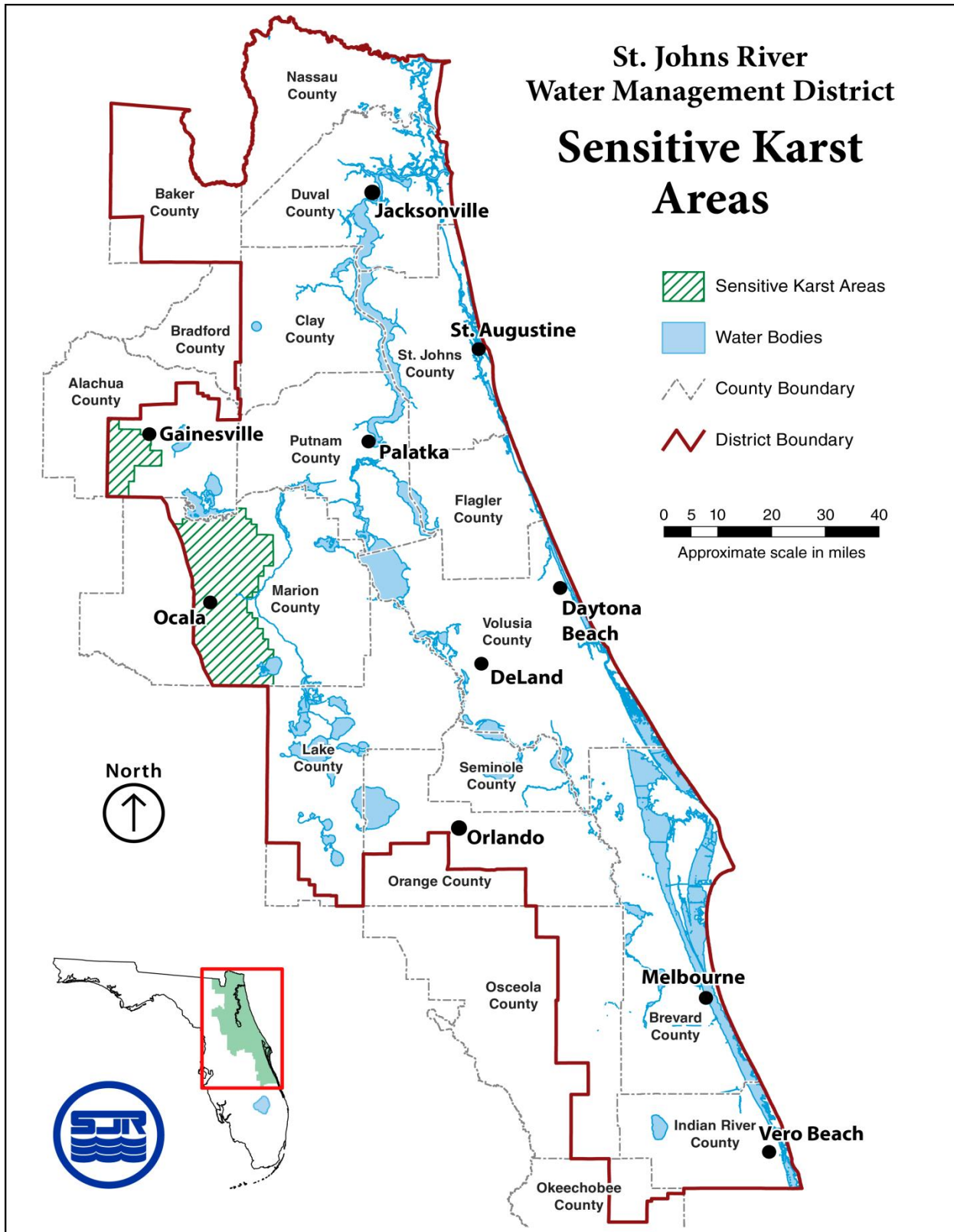
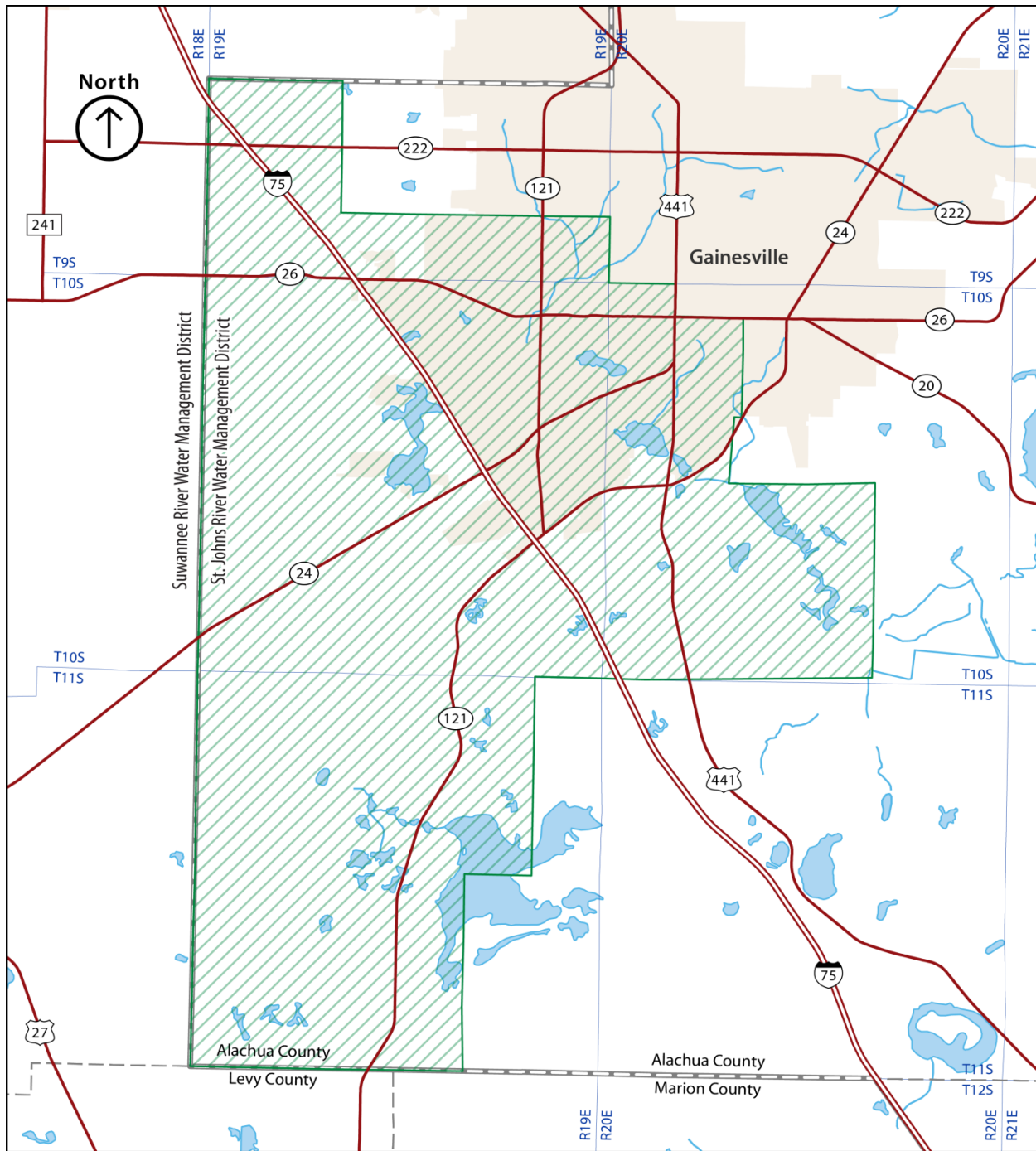
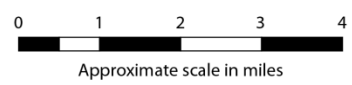



Figure 41-2 Sensitive Karst Areas in the St. Johns River Water Management District





# Alachua County Karst Area



 Sensitive karst area basin  
Limestone is within 20 feet of land surface. The area is a major recharge area for the Floridan aquifer.

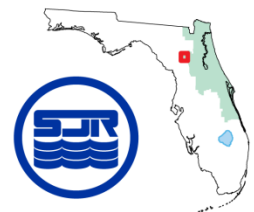
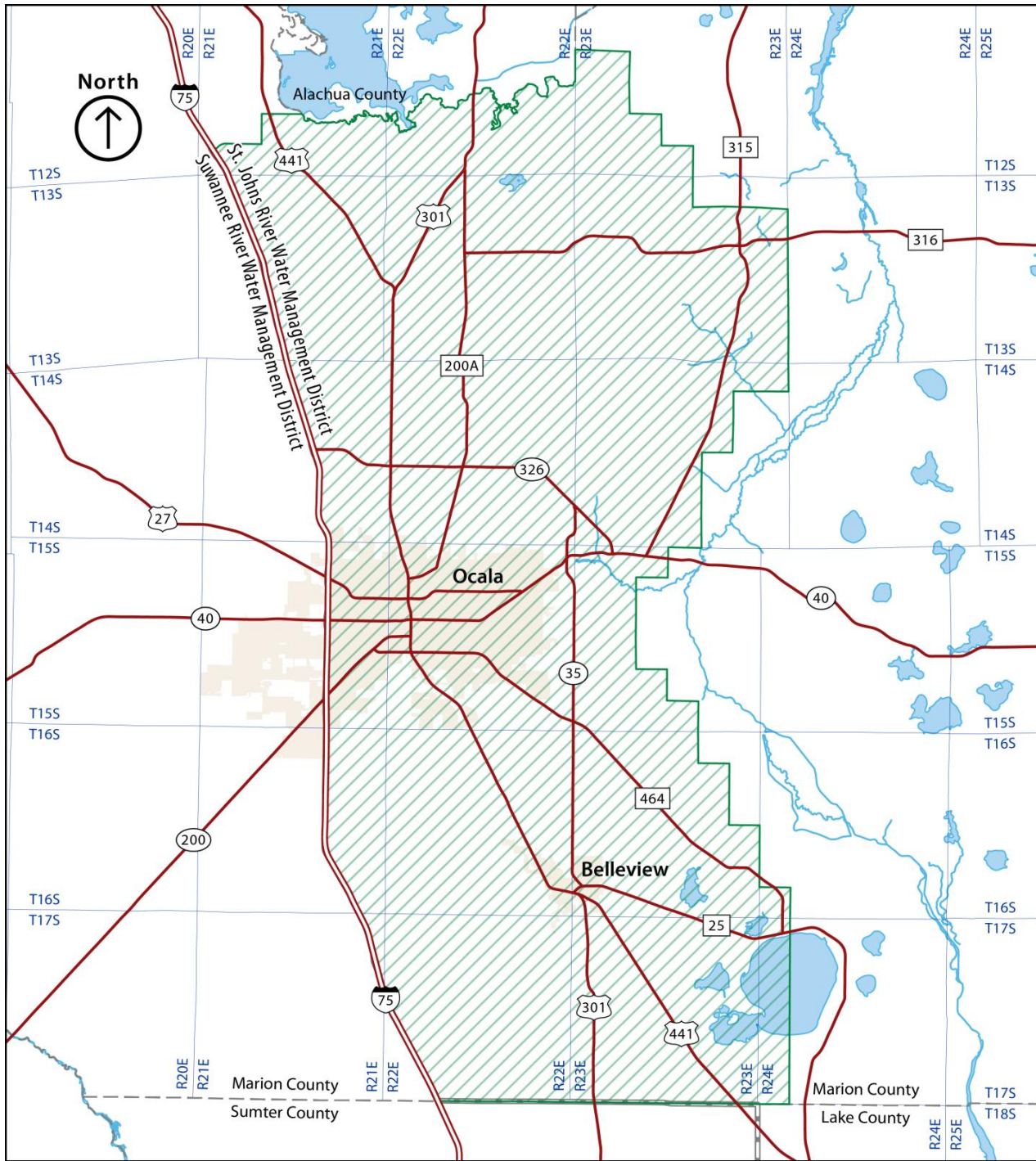
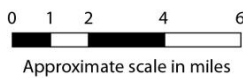


Figure 41-3 Alachua County Karst Area



## Marion County Karst Area




 Sensitive karst area basin  
Limestone is within 20 feet of land surface. The area is a major recharge area for the Floridan aquifer.



Figure 41-4 Marion County Karst Area

This rule will become effective on January 1, 2016, or upon the date that any related amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection in the Notice of Rule Development published in the Florida Administrative Register on September 3, 2014 (Vol. 40, No. 17) take effect, whichever is later.

Rulemaking Authority 369.318, 373.044, 373.113, 373.4131, 373.414, 373.415, 373.418 FS. Law Implemented 369.318, 373.413, 373.4131, 373.414, 373.415, 373.416, 373.418, 373.426, 373.461 FS. History—New 12-7-83, Amended 5-17-87, 8-30-88, 4-3-91, 9-25-91, 7-14-92, 10-3-95, 11-25-98, 10-11-01, 3-7-03, 2-10-05, 12-3-06, 10-1-13,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Veronika Thiebach, Sr. Assistant General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, 386-329-4488 and Thomas Mayton Jr., Sr. Assistant General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, 386-329-4108

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River Water Management District.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 10, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 12, 2015

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

RULE NO.: RULE TITLE:  
40C-41.043 Application of Chapter

PURPOSE AND EFFECT: Management District (SJRWMD) initiated rulemaking to amend its rules consistent with notice published in the Florida Administrative Register on February 12, 2015, the St. Johns River Water Section 373.4131, F.S. These rules were last amended on October 1, 2013, to make them consistent with section 373.4131, F.S., which required the Department of Environmental Protection (“DEP”) in coordination with the five water management districts (“WMDs”) to develop statewide environmental resource permitting (“ERP”) rules. The purpose and effect of this rulemaking will be to make corrections and provide clarifications that have been identified as necessary since October 1, 2013. More specifically, the rulemaking will: (1) delete the reference to standard and general (stormwater) permits in subsection 40C-41.063(4), F.A.C. since the statewide ERP rules only provide for issuance of conceptual approval and individual permits; (2) reflect the movement of Rule 40C-42.091, F.A.C. into Rule 40C-4.091, F.A.C.; (3) replace, with better graphics, the figures depicting special basins (identified as Figures 41-1 through 41-4 in Rule 40C-

41.023, F.A.C., and as Figures 13.0-1 through 13.0-4 in the “Environmental Resource Permit Applicant’s Handbook, Volume II: For Use within the Geographic Limits of the St. Johns River Water Management District” (Volume II) which is incorporated by reference in subsection 40C-41.043(5), F.A.C.); and (4) update the effective date for Part VI of Volume II as SJRWMD also will correct wording glitches in Volume II. These corrections include deleting language in 13.4.4.(d) (Off-site Land Preservation) that SJRWMD had intended to delete in the previous rulemaking to reflect the adoption of the Uniform Mitigation Assessment Method (UMAM), inserting language in 13.4.2 (Floodplain Storage Criteria) that it had intended to carry over from the rule as it existed before October 1, 2013, and amending Appendix B of Volume II to reflect that lands within Polk County were transferred to the Southwest Florida Water Management District, effective at 12:01 a.m. on July 1, 2003, per subsection 373.0691(2), Florida Statutes (2015).

SUMMARY: The proposed rule revisions will correct and clarify text in light of provisions in Chapter 62-330, F.A.C., and movement of Rule 40C-42.091, F.A.C. into Rule 40C-4.091, F.A.C., correct wording glitches in Volume II (including minor changes to provisions regarding off-site land preservation and floodplain storage criteria) that resulted from the initial rulemaking for the statewide ERP rules, and amend the boundaries of the Ocklawaha River Basin to reflect that lands within Polk County were transferred by operation of law to the Southwest Florida Water Management District.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The District has completed for the Governor’s Office of Fiscal Accountability and Regulatory Reform (OFARR) the “Is a SERC Required?” form and prepared a summary of the proposed rule amendments, which are both available upon request. Based on the completed “Is a SERC Required?” form and summary and the analysis performed by District staff in preparing and completing those documents, the proposed rule amendments are not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal



for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.4131, 373.415, 373.418 FS.

LAW IMPLEMENTED: 369.318, 373.413, 373.4131, 373.414, 373.415, 373.416, 373.418, 373.426, 373.461 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk, (386)329-4127. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Veronika Thiebach, Sr. Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)326-3026, email: vthiebach@sjrwmd.com

THE FULL TEXT OF THE PROPOSED RULE IS:

40C-41.043 Application of Chapter.

(1) through (4) No change.

(5) The Governing Board hereby incorporates by reference Part VI (sections 13.0-13.8.3), "Basin Criteria" of the document entitled "Environmental Resource Permit Applicant's Handbook, Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District", (*effective date 10-1-13*), available at [<https://www.flrules.org/Gateway/reference.asp?No=Ref-06352> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-03004>~~], and upon request from the St. Johns River Water Management District, 4049 Reid Street, Palatka Florida 32177-2529.

This rule will become effective on January 1, 2016, or upon the date that any related amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection in the Notice of Rule Development published in the Florida Administrative Register on September 3, 2014 (Vol. 40, No. 17) take effect, whichever is later.

Rulemaking Authority 369.318, 373.044, 373.113, 373.4131, 373.414, 373.415, 373.418 FS. Law Implemented 369.318, 373.413, 373.4131, 373.414, 373.415, 373.416, 373.418, 373.426, 373.461 FS. History—New 12-7-83, Amended 5-17-87, 8-30-88, 4-3-91, 9-25-91, 7-14-92, 10-3-95, 11-25-98, 10-11-01, 3-7-03, 2-10-05, 12-3-06, 10-1-13, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Veronika Thiebach, Sr. Assistant General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, 386-329-4488 and Thomas Mayton Jr., Sr. Assistant General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4108

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 10, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 12, 2015

### WATER MANAGEMENT DISTRICTS

#### St. Johns River Water Management District

RULE NO.: RULE TITLE:

40C-44.091 Publications Incorporated by Reference

PURPOSE AND EFFECT: By notice published in the Florida Administrative Register on February 12, 2015, the St. Johns River Water Management District (SJRWMD) initiated rulemaking to amend its rules consistent with Section 373.4131, F.S. These rules were last amended on October 1, 2013, to make them consistent with section 373.4131, F.S., which required the Department of Environmental Protection ("DEP") in coordination with the five water management districts ("WMDs") to develop statewide environmental resource permitting ("ERP") rules. The purpose and effect of this rulemaking will be to make corrections and provide clarifications that have been identified as necessary since October 1, 2013, and to address comments received from the Joint Administrative Procedures Committee (JAPC). More specifically, the effect of the rulemaking will be to: (1) update the effective date for Part VII of the "Environmental Resource Permit Applicant's Handbook, Volume II: For Use within the Geographic Limits of the St. Johns River Water Management District" (Volume II), incorporated by reference in Rule 40C-44.091, F.A.C., since SJRWMD intends to amend this part of Volume II; (2) replace references to "reuse" with "harvesting" or "stormwater harvesting" since those terms are used in Volume II to refer to methods that prevent the discharge of stormwater into surface waters of the State by deliberate application of stormwater for irrigation; (3) repeal subsections 40C-44.065(2)-(3) and rule 40C-44.900, F.A.C. as the District has determined these provisions are no longer needed in light of (a) amendments that became effective October 1, 2013, and (b) existing statutory and rule provisions; (4) add a definition of "NAVD" in Rule 40C-44.021, F.A.C.; and (5) update subsection 40C-44.301(3), F.A.C., which currently references Rule 40C-44.900, F.A.C., because Rule 40C-44.900, F.A.C. is

being repealed (for being redundant with subsection 40C-44.101(2), F.A.C.). The proposed rule revisions to Part VII of Volume II will: (1) delete references to appendices D through G which are now incorporated by reference in Rules 40C-44.061 and 40C-44.101, F.A.C. as Forms 40C-44.101(2), EN-14M, Table 1, and EN-52 (including §§14.3, 16.3.2, 16.6.2, 16.6.3); (2) revise in part the procedure for processing and submitting applications for certain agricultural surface water management systems to make it consistent with “Environmental Resource Permit Applicant’s Handbook, Volume I (General and Environmental)” (including §15.4.1); (3) delete certain provisions related to performance standards that have been determined unnecessary since they are subsumed or incorporated in other provisions of the rule or addressed by statute (including §§14.5, 19.1.1); and (4) amend several provisions to implement conforming, clarifying and technical changes (including §§ 15.4, 16.3.2, 16.6.2, 16.6.3, 17.2, 18.1.1, 19.2.2, 19.2.4).

**SUMMARY:** The proposed rule amendments will correct and clarify text in light of provisions in Chapter 62-330, F.A.C. and “Environmental Resource Applicant’s Handbook, Volume I (General and Environmental)” and make conforming, technical and clarifying changes throughout the rules and “Applicant’s Handbook Environmental Resource Applicant’s Handbook, Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District”. Additionally, subsection 40C-44.301(3), F.A.C. will be updated to reference 40C-44.101(2), F.A.C. (rather than 40C-44.900, F.A.C.), and rule 40C-44.900, F.A.C. and subsections 40C-44.065(2) and (3), F.A.C. will be repealed since they are subsumed or incorporated in other rule or statutory provisions.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The District has completed for the Governor’s Office of Fiscal Accountability and Regulatory Reform (OFARR) the “Is a SERC Required?” form and prepared a summary of the proposed rule amendments, which are both available upon request. Based on the completed “Is a SERC Required?” form and summary and the analysis performed by the District’s staff in preparing and completing those documents, the proposed

rule amendments are not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

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

**RULEMAKING AUTHORITY:** 369.318, 373.016, 373.044, 373.113, 373.118, 373.171, 373.406, 373.413, 373.4131, 373.416, 373.418 FS.

**LAW IMPLEMENTED:** 373.016, 369.318, 373.016, 373.103, 373.406, 373.409, 373.413, 373.4131, 373.416, 373.418, 373.426, 373.461 373.603, 373.609, 373.613 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk, (386)329-4127. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Veronika Thiebach, Sr. Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)326-3026, email: vthiebach@sjrwmd.com

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

40C-44.091 Publications Incorporated by Reference.

(1) The Governing Board hereby adopts by reference Part VII (sections 14.0-19.2.6), available at [<https://www.flrules.org/Gateway/reference.asp?No=Ref-06357>]~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-03002>~~ and upon request from the St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529 of the document entitled “Environmental Resource Permit Applicant’s Handbook, Volume II: For Use Within The Geographic Limits of the St. Johns River Water Management District”, effective (*effective date* ~~10-1-13~~).

(a) through (b) No change.

(2) through (3) No change.

This rule will become effective on January 1, 2016, or upon the date that any related amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection in the Notice of Rule Development published in the Florida Administrative Register on September 3, 2014 (Vol. 40, No. 17) take effect, whichever is later.

Rulemaking Authority 369.318, 373.044, 373.113, 373.171, 373.406, 373.4131, 373.416, 373.418 FS. Law Implemented 369.318, 373.406, 373.413, 373.4131, 373.416, 373.418, 373.426, 373.461, 373.603, 373.609, 373.613 FS. History—New 8-11-91, Amended 10-20-92, 10-3-95, 12-3-06, 10-1-13,\_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**  
Veronika Thiebach, Sr. Assistant General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, 386-329-4488 and Thomas Mayton Jr., Sr. Assistant General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4108

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Governing Board of the St. Johns River Water Management District

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** November 10, 2015

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** February 12, 2015 (for 40C-44.021, 40C-44.065, 40C-44.066, 40C-44.071, 40C-44.091, 40C-44.101, 40C-44.900, F.A.C.) and November 12, 2015 (for 40C-44.301, F.A.C. only)

**DEPARTMENT OF HEALTH**

**Board of Hearing Aid Specialists**

**RULE NO.:**           **RULE TITLE:**

64B6-4.009       Inactive and Delinquent Status Fees

**PURPOSE AND EFFECT:** The Board proposes the rule amendment to remove outdated language from the rule.

**SUMMARY:** Outdated language will be removed from the 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 the rule at its Board meeting, the Board determined that a SERC was not necessary and that the rule amendment will not require ratification by the Legislature because outdated language is being eliminated. 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:** 456.036(3), (4), (7), (8) FS.

**LAW IMPLEMENTED:** 456.036(3), (4), (7), (8) FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Sue Foster, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258

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

64B6-4.009 Inactive and Delinquent Status Fees.

The fees for individuals holding a license pursuant to Section 484.045, F.S., shall be as follows:

(1) through (2) No change.

(3) The fee for delinquent status ~~as set forth in Section 455.271(7), F.S.,~~ shall be \$375.00.

(4) through (5) No change.

Rulemaking Specific Authority 456.036(3), (4), (7), (8) FS. Law Implemented 456.036(3), (4), (7), (8) FS. History—New 12-6-94, Formerly 61G9-4.017, Amended 12-20-05,\_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**  
Board of Hearing Aid Specialists

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Board of Hearing Aid Specialists

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** September 11, 2015

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** November 6, 2015

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Insurance Agents and Agency Services**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
69B-227.130	Definitions
69B-227.140	Providers
69B-227.160	Instructors
69B-227.170	Courses
69B-227.180	Course Offering and Attendance Records
69B-227.190	Certification of Students
69B-227.260	Study Aids
69B-227.310	Grounds for Disapproval, Suspension, or Revocation of Approval of a Provider, School Official, Supervising Instructor, or Instructor; Other Penalties
69B-227.350	Duration of Suspension or Revocation, and Effect of Suspension or Revocation upon Associated Authorizations

**PURPOSE AND EFFECT:** Rule Chapter 69B-227, F.A.C., establishes requirements for prelicensing courses and course providers for insurance agents and other licensees of the Department.

**SUMMARY:** The proposed amendment requires that the school official designated by the provider is subject to approval by the Department. The amendment also provides standards for approval of bail bond course instructors. The amendment shortens the Department’s time to approve a course offering from 15 to 5 days. The amendment also requires the actual instructional time to match the number of hours indicated in the offering application submitted to the Department. The amendment prohibits instructors and school officials from soliciting or receiving login information relating to Department databases. The amendment also prohibits providers, instructors, and school officials from providing a study manual which is available from a vendor identified by the Department. The amendment further prohibits providers, instructors, and school officials from soliciting or receiving material contained in a licensing examination. A new rule is added to provide standards for the suspension or revocation of authorization of providers, instructors and school officials.

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

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

the potential impact of the proposed rule and determined that there will be no adverse economic impact or regulatory increases that would require legislative ratification.

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

**RULEMAKING AUTHORITY:** 624.308(1), 626.2817 FS.

**LAW IMPLEMENTED:** 624.307(1), 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.207, 627.7014, 627.7015, 627.7074, 627.745, 648.34, 648.286, 648.386 FS.

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

**DATE AND TIME:** January 11, 2016, 1:00 p.m.

**PLACE:** Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Heather Cleary, telephone: (850)413-5355, email: Heather.Cleary@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Heather Cleary, Senior Management Analyst Supervisor, Bureau of Licensing, Division of Agent & Agency Services, Florida Department of Financial Services, address: 200 E. Gaines Street, Tallahassee, Florida 32399-0320, telephone: (850)413-5355, email: Heather.Cleary@myfloridacfo.com

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

69B-227.130 Definitions.

For purposes of this rule chapter, the following definitions shall apply.

(1) through (5) No change.

(6) “Blended Course” means a course that consists of a combination of the classroom, self-study correspondence or self-study online study methods.

(6) through (9) are renumbered to (7) through (10) No change.

~~(11)(10)~~ “Curriculum” means an educational program, a group of related courses of study, or program of studies offered by an institution, school, college or university, which includes course materials, examinations, tests, outlines, and



student handouts for purposes of obtaining a designation as identified in ~~subsection~~ ~~Section~~ 626.221(2), F.S.

(11) through (23) are renumbered to (12) through (24) No change.

~~(24) "School" means an institution for teaching and learning. School includes a training program within an authorized insurance company, an insurance company association, an insurance agents or adjusters association, or an insurance trade association or society.~~

(25) through (28) No change.

Rulemaking Authority 624.308(1), 626.2817 FS. Law Implemented 624.307(1), 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.7015, 627.7014, 627.745, 648.34, 648.286 FS. History—New 4-11-94, Formerly 4-211.130, 69B-211.130, Amended 9-1-14,\_\_\_\_\_.

69B-227.140 Providers.

(1) No change.

~~(2) Provider Qualifications. A provider that offers an insurance representative qualification course must be a school or college approved by the Department, except that life and health courses may be offered by independent programs of study approved by the Department.~~

~~(2)(3) Provider Requirements.~~

(a) No change.

(b) The provider shall designate a school official who shall be accountable for the actions of the provider, including the provider's instructors, speakers, and monitors and be subject to administrative action pursuant to Rule 69B-227.310, F.A.C., on Form DFS-H2-464. The provider shall inform the Department of any change in the designated school official within thirty (30) days of the change. The provider must have at least one school official designated at all times. The provider shall not allow any individual to act as a school official who has not been approved as such by the Department under the standards in Rule 69B-227.310, F.A.C.

(c) through (d) No change.

~~(3)(4) Self-study course providers shall:~~

(a) through (c) No change.

Rulemaking Authority 624.308(1), 626.2817 FS. Law Implemented 624.307(1), 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.7015, 627.7074, 627.745, 648.34, 648.386 FS. History—New 4-11-94, Formerly 4-211.140, 69B-211.140, Amended 9-1-14,\_\_\_\_\_.

69B-227.160 Instructors.

(1) No change.

(2)(a) No change.

(b) For all pre-licensing courses except bail bond, a registered instructor must possess at least two (2) of the following requirements, subject to the limitations imposed in Rule 69B-227.310, F.A.C.:

1. No change.

2. At least forty (40) hours ~~hours~~ instructional experience in the last four (4) years.

3. and 4. No change.

(3) For bail bond courses, an instructor must meet the qualifications as set forth in Section 648.386(4), F.S., subject to the limitations imposed in Rule 69B-227.310, F.A.C.;

(4) No change.

Rulemaking Authority 624.308(1), 626.2817 FS. Law Implemented 624.307(1), 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.7015, 627.7074, 627.745, 648.34, 648.386 FS. History—New 4-11-94, Formerly 4-211.160, 69B-211.160, Amended 9-1-14,\_\_\_\_\_.

69B-227.170 Courses.

(1) No change.

(2) Requirements for all courses.

(a) through (c) No change.

(d) All time used for examination shall be in addition to required course hours.

(e) A provider may not use copyrighted material without the expressed written consent of the owner of such material.

(3) No change.

(4) Additional requirements for correspondence courses.

(a) No change.

(b) Students are required to acknowledge their understanding that the course must be completed without assistance. The student acknowledgement shall also include a statement that the student understands that a violation of such standards shall result in an administrative sanction based on subsection ~~Section~~ 626.611(7), F.S., and the loss of course credit.

(c) through (d) No change.

(5) No change.

(6) Blended courses must satisfy the requirements for all of the study methods being requested and must include "Blended Course" in the course title.

Rulemaking Authority 624.308(1), 626.2817 FS. Law Implemented 624.307(1), 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.7015, 627.7074, 627.745, 648.34, 648.386 FS. History—New 4-11-94, Formerly 4-211.170, 69B-211.170, Amended 9-1-14,\_\_\_\_\_.

69B-227.180 Course Offering and Attendance Records.

(1) Each provider must submit, in accordance with the submission procedures in Rule 69B-227.290, F.A.C., a course offering on Form DFS-H2-397, "Offering Application," which is incorporated by reference in Rule 69B-227.290, F.A.C., each time the course is offered. The application must be submitted to the Department at least five (5) fifteen (15) days prior to the date and time the course is offered. The Department shall assign a Course Offering Number to each course offering. This number must be entered on Form DFS-

H2-400, "Roster," which is incorporated by reference in Rule 69B-227.290, F.A.C.

(2) No change.

(3) Classes must be in session on scheduled dates during specified hours. Instructional time submitted on the course offering application shall match the number of hours on the corresponding Department-approved course.

(4) No change.

Rulemaking Authority 624.308(1), 626.2817 FS. Law Implemented 624.307(1), 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.7015, 627.7074, 627.745, 648.34, 648.386 FS. History—New 4-11-94, Formerly 4-211.180, 69B-211.180, Amended 9-1-14, \_\_\_\_\_.

69B-227.190 Certification of Students.

(1) through (2) No change.

(3) Providers, instructors, and school officials are prohibited from, directly or indirectly, soliciting or receiving information from a person regarding that person's, or another person's, MyProfile login information, or any other login information that is related to any database located, operated or administered on or through the Department's website.

Rulemaking Authority 624.308(1), 626.2817 FS. Law Implemented 624.307(1), 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.7015, 627.7074, 627.745, 648.34, 648.386 FS. History—New 4-11-94, Formerly 4-211.190, 69B-211.190, Amended 9-1-14, \_\_\_\_\_.

69B-227.260 Study Aids.

(1) Each school official shall, prior to the commencement of a pre-licensing course furnish to each student the name and contact information for the current study manual vendor and verify the first day of class that each student is aware that the state licensing examination will be based upon the latest edition of the approved study manual. Study manuals are required for the following courses:

(a) General Lines Agent, Personal Lines Agent, or Customer Representative, ~~or Limited Customer Representative.~~

(b) No change.

(c) Health & Life (Including Annuities & Variable Contracts) Life, Health, and Variable Annuity Agent.

(d) through (e) No change.

(2) No change.

(3) All providers, instructors, and school officials are prohibited from, directly or indirectly, providing or disseminating a study manual, or any portion thereof, that has not been purchased from the vendor contracted by the Department, pursuant to subsection (2). All copying of any study manual, in whole or in part, by a provider, instructor, school official, or person acting on their behalf, is prohibited without the express written consent of the copyright holder.

(4) Providers, instructors, and school officials are prohibited from, directly or indirectly, soliciting or receiving information from a person regarding the questions or material contained on a test or an examination administered pursuant to, or in relation to, Rule Chapters 69B-227 and 69B-228, F.A.C.

Rulemaking Authority 624.308(1), 626.2817 FS. Law Implemented 624.307(1), 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.7015, 627.7074, 627.745, 648.34, 648.386 FS. History—New 4-11-94, Formerly 4-211.260, 69B-211.260, Amended 9-1-14, \_\_\_\_\_.

69B-227.310 Grounds for Disapproval, Suspension, or Revocation of Approval of a Provider, School Official, Supervising Instructor, or Instructor; Other Penalties.

The Department shall disapprove an application or, fine, order restitution by, suspend, or revoke approval of a provider, school official, or instructor if:

(1) Consistent with the standards in Rule Chapters 69B-231 and 69B-241, F.A.C., it finds that the individual, entity, or officer, owner or director thereof, has had a license, permit, registration, or other authority to conduct business in the areas of education, insurance, or other financial ~~services~~ services industry subject to a finding, injunction, suspension, prohibition, revocation, denial, judgment, final agency action, or administrative order by any court of competent jurisdiction, administrative law proceeding, state agency, federal agency, or federally established regulatory body or association;

(2) through (4) No change.

(5) The individual, entity, or officer, owner or director thereof, whether or not licensed as an agent or agency, title agent or agency, adjuster or adjusting firm, customer representative, service representative, or managing general agent, violates any provision of Sections 626.611 or 626.621, F.S.

Rulemaking Authority 624.308(1), 626.2817 FS. Law Implemented 624.307(1), 624.418, 624.4211, 626.2817, 626.611, 626.621, 626.681, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.7015, 627.7074, 627.745, 648.34, 648.37 FS. History—New 4-11-94, Formerly 4-211.310, 69B-211.310, Amended 9-1-14, \_\_\_\_\_.

69B-227.350 Duration of Suspension or Revocation, and Effect of Suspension or Revocation upon Associated Authorizations

(1) The Department shall, in its order suspending a provider, school official, supervising instructor or instructor authorization, or in its order suspending the eligibility of a person to hold or apply for such authorization, specify the period during which the suspension is to be in effect. The suspension period shall not exceed 2 years. A person whose authorization or eligibility has been previously suspended who subsequently seeks authorization pursuant to this rule chapter

must apply and qualify in the same manner as a first-time applicant and is subject to the requirements of this rule chapter and Section 626.207, F.S. Additionally, the Department shall not approve an application if it finds that the circumstance or circumstances for which the authorization or eligibility was suspended still exist or are likely to recur. The waiting periods specified in Section 626.207, F.S., also apply to the applicants.

(2) No person or appointee under any authorization revoked by the Department, nor any person whose eligibility to hold same has been revoked by the Department, shall apply for another authorization under this rule chapter within 2 years from the effective date of such revocation or, if judicial review of such revocation is sought, within 2 years from the date of final court order or decree affirming the revocation. A person whose authorization or eligibility has been previously revoked who subsequently seeks authorization pursuant to this rule chapter must apply and qualify for authorization in the same manner as a first-time applicant and is subject to the requirements of this rule chapter and Section 626.207, F.S. In addition, the Department shall not grant a new authorization or reinstate eligibility to hold such authorization if it finds that the circumstance or circumstances for which the eligibility was revoked or for which the previous authorization was revoked still exist or are likely to recur. The waiting periods specified in Section 626.207, F.S., also apply to the applicants.

(3) The Department shall not grant or issue any authorization under this rule chapter to any person whose authorization or eligibility has been revoked twice.

(4) During the period of suspension or revocation of an authorization, and until a new authorization is issued, the former provider, school official, supervising instructor or instructor may not engage in or attempt or profess to engage in any transaction or business for which an authorization is required under this rule chapter.

(5) Upon suspension or revocation of any one authorization of a person, or upon suspension or revocation of eligibility to hold an authorization, the Department shall also suspend or revoke any other authorization or status of eligibility held by the person under this rule chapter.

Rulemaking Authority 626.2817 FS. Law Implemented 626.2817, 627.207 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Heather Cleary, Senior Management Analyst Supervisor,  
Bureau of Licensing, Division of Agent & Agency Services,  
Florida Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE  
PROPOSED RULE: Jeff Atwater, Chief Financial Officer,  
Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: December 10, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAR: October 13, 2015

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Consumer Services**

RULE NOS.:     RULE TITLES:  
69J-8.008        Selection of Neutral Evaluator  
69J-8.009        Evaluation Process

PURPOSE AND EFFECT: The period of time that an insurer has to contact an insured after notice of a request to have a neutral evaluation of a sinkhole claim is increased from 3 days to 5 days. The amendment also clarifies that failure to comply with the 5-day requirement does not invalidate a party’s right to neutral evaluation or to disqualify proposed evaluators without cause.

SUMMARY: An insurer must contact a policyholder or the policyholder agent within five (5) days of notification of a request for neutral evaluation of a sinkhole insurance claim. However, failure to comply with the five (5) day time limit does not negate the insurer’s right to neutral evaluation or its right to disqualify 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 not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The agency has performed an analysis and found the impact is not significant because the amounts of insurance required are not changing from what was previously required on the now repealed form.

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: 627.7074(18) FS.

LAW IMPLEMENTED: 627.7074 FS.

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

DATE AND TIME: January 6, 2015, 9:30 a.m.

PLACE: Room 139, Larson Building, 200 E. Gaines Street, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tasha Carter, telephone: (850)413-5800, e-mail: Tasha.Carter@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tasha Carter, Director, Division Consumer Services, Department of Financial Services, address: 200 East Gaines Street, Room 518A, Larson Building, Tallahassee Florida 32399-0321, telephone: (850)413-5800, email: Tasha.Carter@myfloridacfo.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69J-8.008 Selection of Neutral Evaluator.

(1) No change.

(2) The insurer shall contact the policyholder or its representative and the parties shall attempt to reach an agreement on selection of a neutral evaluator. The insurer shall contact the policyholder or its representative to attempt to reach an agreement in writing within 5 ~~3~~ business days upon receipt of the notification of the date notified of the neutral evaluation request. The insurer shall provide a copy of its written correspondence to the Department ~~department~~ at the same time written contact is made to the policyholder or its representative. If the parties come to mutual agreement on the selection of a neutral evaluator, both parties shall so inform the department, in writing, by emailing such information to the following email address: NeutralEvaluation@MyFloridaCFO.com. Failure of the insurer to contact the policyholder or its representative in writing within 5 business days does not invalidate either party's right to neutral evaluation or their ability to disqualify evaluators with or without cause.

(3) through (9) No change.

Rulemaking Authority 627.7074(18) FS. Law Implemented 627.7074 FS. History--New 11-4-07, Amended 12-26-13, 7-27-15,

69J-8.009 Evaluation Process.

(1) No change.

(2) The evaluation proceeding shall take the form of an informal conference, and shall not be subject to rules of procedure or evidence applicable in a court or administrative proceeding. The neutral evaluator, all approved professionals utilized in accordance with subsection 627.7074(11), F.S., and

all representatives of the parties must be allowed reasonable access to the interior and exterior of insured structures to be evaluated or for which a claim has been made.

(3) through (9) No change.

Rulemaking Authority 627.7074(18) FS. Law Implemented 627.7074 FS. History--New 11-4-07, Amended 12-26-13, 7-27-15,

NAME OF PERSON ORIGINATING PROPOSED RULE: Tasha Carter

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 12/07/2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 09/28/2015

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Consumer Services**

RULE NOS.: RULE TITLES:

69J-166.002 Mediation of Commercial Residential Property Insurance Claims

69J-166.031 Mediation of Residential Property Insurance Claims

PURPOSE AND EFFECT: The proposed amendment is intended to promote clarity and efficiency in the mediation of property insurance claims. Rule 69J-166.002, F.A.C., governs the mediation of commercial residential property insurance claims. Rule 69J-166.031, F.A.C., governs the mediation of residential property insurance claims. Both rules are being amended to do the following:

- Cross reference the new rule for approval of mediators for the program.
- Clarify that an insurer must make a claim determination before submitting a claim to mediation.
- Change the start date for the 21 days to resolve a claim before a mediation conference is held.
- Identify the website at which the mediation request form may be obtained.
- Specify that a mediation conference will be held within 15 miles of the insured property unless agreed otherwise by the parties.
- Provide various additional clarifications and minor revisions.

SUMMARY: New Rule Chapter 69B-250 for certification of mediators is referenced. Insurers must make a claim determination before submitting a claim to mediation. The twenty-one (21) day period to resolve a claim prior to mediation begins with the receipt of the request for mediation by the Department of Financial Services. A website is provided to obtain a mediation request form. The description "a reasonable proximity" is replaced with "15 driving miles"

of the insured property as a description of the permissible location of a mediation in absence of agreement of the parties, and unless the Administrator provides a location.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The agency has performed an analysis of reasonably anticipated costs associated with the rule and found no significant impact on persons subject to the rule.

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

**RULEMAKING AUTHORITY:** 624.308(1), 626.9611, 627.7015(4) FS.

**LAW IMPLEMENTED:** 624.307(1), (2), (4), (5), 626.9541(1)(a), (e), (i), (u), 626.9561, 626.9581(1), 626.9641(1)(g), 627.7015 FS.

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

**DATE AND TIME:** January 7, 2016, 9:30 a.m.

**PLACE:** Room 139 Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tasha Carter, telephone: (850)413-5800, email: Tasha.Carter@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Tasha Carter, Director, Division of Consumer Services, Department of Financial Services, address: 200 E. Gaines Street, Room 518A, Larson Building, Tallahassee, FL 32399-0321, telephone: (850)413-5800, email: Tasha.Carter@myfloridacfo.com

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

Chapter 69J-166, F.A.C.: Property Insurance Claims  
69J-166.002 Mediation of Commercial Residential Property Insurance Claims.

(1) No change.

(2) Definitions. The following definitions shall apply for purposes of this rule:

(a) No change.

(b) "Mediator" means an individual selected by the Department pursuant to Rule Chapter 69B-250, F.A.C. paragraph (7)(a) below.

(c) through (j) No change.

(3) No change.

(4) Claim Settlement.

(a) Notification of the right to mediate.

1. At the time a first-party claim which falls within the scope of this rule is filed by the policyholder, the insurer shall notify the policyholder of the right to participate in this program. An insurer is required to make the claim determination pursuant to Section 627.70131, F.S., before sending a notice of the right to mediate claims. An insurer is not required to send a notice of the right to mediate disputed claims when no payment has been made on a claim because the insurer concludes the amount of covered damages is less than the policyholder's deductible.

2. Notification shall be in writing and shall be legible, conspicuous, printed in at least 12-point type, and printed in typeface no smaller than any other text contained in the notice. The first paragraph of the notice shall contain the following statement: "The Chief Financial Officer for the State of Florida has adopted a rule to facilitate the fair and timely handling of commercial residential property insurance claims. The rule gives you the right to attend a mediation conference with your insurer in order to settle any dispute you have with your insurer about your claim. An independent mediator, who has no connection with your insurer, will be in charge of the mediation conference. You can start the mediation process after receipt of this notice by calling the Department of Financial Services at (877)693-5236. The parties will have 21 days from the date of the request is received by the Department notice to otherwise resolve the dispute before a mediation conference ~~hearing~~ can be scheduled."

3. The notice shall also:

a. No Change.

b. State that the parties have 21 days from the date of the request is received by the Department notice within which to settle the claim before the Department will assign a mediator;

c. Include the insurer's address and phone number for requesting additional information; ~~and~~

d. State that the Administrator will select the mediator; ~~and~~

e. Refer to the parties' right to disqualify a mediator for good cause and paraphrase the definition of good cause as set forth in paragraph (7)(c) (e) of this rule; and -

f. No change.

4. No change.

(b) Request for Mediation.

1. By the ~~Policyholder Insured~~. A policyholder An insured may request mediation by submitting a completed Form DFS-II-1669, Commercial Residential Mediation Request Form (Revised 6/15), ~~(Form DFS II-1669, Revised 2/09)~~ which is hereby incorporated by reference, to the Department of Financial Services, Mediation Section, Bureau of Education, Advocacy, and Research, 200 East Gaines Street, Tallahassee, Florida 32399-4212. A copy of the request form can be obtained online at the following website:

<http://www.myfloridacfo.com/Division/Consumers/Mediation/documents/DFS-II-1669CommResMedRequest.pdf> or by calling (877) 693-5236. If a policyholder an insured requests mediation prior to receipt of the notice of the right to mediation, the insurer shall be notified by the Department of the existence of the dispute 21 days prior to the Administrator processing the policyholder's insured's request for mediation. If an insurer receives a request for mediation, the insurer shall notify the Mediation Section within 3 business days 72 hours of receipt of the request by ~~fax to (850) 488-6372 or by email to~~ Mediation [www.mediation@myfloridacfo.com](mailto:www.mediation@myfloridacfo.com). The Administrator shall notify the insurer within 3 business days 72 hours of receipt of requests filed with the Department. The policyholder insured should provide the following information, if known:

a. Name, address, e-mail address, and daytime telephone number of the policyholder insured and location of the property if different from the address given;

b. The claim and policy number for the policyholder insured;

c. through e. No change.

2. By an Insurer. An insurer may request mediation by submitting a completed Form DFS-II-1669, Commercial Residential Mediation Request Form, as incorporated in Subparagraph 1. of this subsection, ~~(Form DFS II-1669, Revised 2/09)~~ to the Department of Financial Services, Mediation Section, Bureau of Education, Advocacy, and Research, 200 East Gaines Street, Tallahassee, Florida 32399-4212. A copy of the request form can be obtained online at the following website:

<http://www.myfloridacfo.com/Division/Consumers/Mediation/documents/DFS-II-1669CommResMedRequest.pdf> or by calling (877) 693-5236. The insurer shall provide a copy of its written mediation request to the insured at the same time it submits the request to the Department. The written request should contain the information set forth in subparagraph

(4)(b)1., if known. Mediation requests by insurers will be processed by the Administrator in the same manner as mediation requests by insureds.

(c) Upon receiving a request for mediation, and after the expiration of the 21 day resolution period, the Administrator shall randomly select from the Department's list a mediator to conduct the mediation conference. The Administrator shall notify the mediator of his or her selection and indicate the names and addresses of the parties and their known representatives, their phone numbers (if known), the Department's file number, the date of the request for mediation, and that the mediation is to occur within 21 45 days of assignment to the mediator request. The mediator will have three business days from the date of notification by the Administrator to accept or reject the selection. If the mediator rejects the selection or fails to accept the selection within three business days, or if the mediator is disqualified pursuant to paragraph (7)(c) (e), then the Administrator shall randomly select another mediator. For all mediation requests under this rule, the time limits in this section shall not be applicable for two years following the declaration of a disaster.

(5) No change.

(6) Mediation Costs. Pursuant to subsection Section 627.7015(3), F.S., the insurer shall bear all of the cost of conducting mediation conferences.

(a) through (d) No change.

(7) Mediators.

~~(a) Mediator Approval. The Bureau of Agent and Agency Licensing, Department of Financial Services, shall approve as mediators those persons who meet the qualifications set forth in Section 627.745(3)(b), F.S. Persons wishing to be approved as mediators shall submit their qualifications to the Bureau of Agent and Agency Licensing, Department of Financial Services, 200 East Gaines Street, Tallahassee, FL 32399-0319, on Form DI4 591, "Application for Appointment as a Mediator", which is incorporated by reference in subsection 69B-211.002(30), F.A.C. For two years following the declaration of a disaster, this program may additionally utilize mediators selected from a panel of circuit court civil certified mediators approved by the Florida Supreme Court pursuant to the Florida Rules of Certified and Court Appointed Mediators.~~

~~(b) List of Approved Mediators. The Bureau of Agent & Agency Licensing, Department of Financial Services, shall maintain a list of all approved mediators, which list shall include the mediator's name, address, telephone number, a listing of counties in which each mediator is willing to mediate, and date of entry to the list.~~

(c) through (d) renumbered (a) through (b)

~~(c)(e) Complaints; Discipline.~~ At any time a party may move to disqualify a mediator for good cause. Good cause consists of a conflict of interest between a party and the

mediator, that the mediator is unable to handle the conference competently, or other reasons that would reasonably be expected to impair the conference. Complaints concerning a mediator shall be written and submitted to the Department of Financial Services, Mediation Section, Bureau of Education, Advocacy and Education, 200 East Gaines Street, Tallahassee, Florida 32399-4212. ~~The Department shall review the following grounds for discipline:~~

~~1. Alleged instances of dishonest, incompetent, fraudulent, or unethical behavior on the part of a mediator;~~

~~2. Instances in which the mediator allegedly failed to promptly and completely respond to requests from the Department and instances in which the actions or failure to act on the part of the mediator violate this rule, including the standards set forth in this subsection or are counter to the intent and purpose of this mediation program or this rule;~~

~~3. Administrative action by any other agency or body against the mediator, regardless of whether the agency or body's regulation relates to mediation;~~

~~4. The mediator has been found guilty of or pled guilty or nolo contendere to a felony or a crime punishable by imprisonment of 1 year or more under the law of the United States of America or of any state thereof or under the law of any other country, without regard to whether a judgment of conviction has been entered by the court having jurisdiction of such cases.~~

~~If the Department determines that any of the above grounds exist, the Department shall institute proceedings in accordance with Chapter 120, F.S., to rescind the approval of the mediator to handle any mediation or arbitration program sponsored by the Department.~~

(8) Mediation Conference.

(a) Location.

1. The mediation conference shall be held at a reasonable location specified by the mediator within 15 driving miles a reasonable proximity of the insured property, unless all parties agree otherwise, the Administrator assigns the location pursuant to this paragraph, or the mediation location is made available by the Administrator pursuant to paragraph 8(a)2 below. The mediation location shall provide a space with a door for private conversation as well as a separate space for caucusing. In times of declared disaster, the Administrator shall assign the mediation location and notify the mediator of same, if the Administrator determines such action is necessary to facilitate and expedite the mediation process.

2. through 5. No change.

(b) Timing and Continuances. The mediation conference shall be held as scheduled by the mediator. Upon application by any party to the mediator for a continuance, the mediator shall, for good cause shown or if neither party objects, grant a continuance and shall notify all parties and the Administrator

of the date and place of the rescheduled conference. Good cause includes severe illness, injury, or other emergency which could not be controlled by the party and could not reasonably be remedied by the party prior to the conference by providing a replacement representative or otherwise. Good cause shall also include the necessity of obtaining additional information, securing the attendance of a necessary professional, or the avoidance of significant financial hardship. If the insured demonstrates to the mediator the need for an expedited mediation conference due to an undue hardship, the conference shall be conducted at the earliest date convenient to all of the parties and the mediator. Undue hardship will be demonstrated when holding the conference on a non-expedited basis would interfere with or contradict the treatment of a severe illness or injury, substantially impair a party's ability to assert their position at the conference, result in significant financial hardship, or other reasonably justified grounds.

(c) through (e) No change.

(f) Documentation Required.

1. and 2. No change.

a. and b. No change.

c. For claims where there is damage to the structure of the building or foundation, a written, expert analysis of the damage to the property consistent with the standards required in subsections Sections 607.0830(2) and 617.0830(2), F.S.

d. No Change.

(g) Disposition. Mediators shall report to the Department on the status of property insurance mediation conferences by submitting Form DFS-I5-1971, "Disposition of Property Insurance Mediation Conference (Revised 2/15) (~~rev. 10/08~~), which is hereby incorporated by reference, and available from the Department of Financial Services, Mediation Section, Bureau of Education, Advocacy and Research, 200 East Gaines Street, Tallahassee, Florida 32399-4212. If the claim is settled prior to the mediation conference being held, the insurer shall report the outcome of the issue to the mediator prior to the scheduled hearing and the mediator will submit Form DFS-I5-1971 confirming the settlement. A mediation conference will not be considered complete and the Administrator will not bill the insurer until this form is submitted.

(9) Disbursement of Costs.

(a) No change.

1. No change.

2. No change.

a. If the insured fails to appear at the conference, the conference shall be considered to have been held, and the insurer must make payment in accordance with paragraph ~~(6)(d)(a)~~ of this rule. If the insured wishes to schedule a new conference after failing to appear, the insured shall pay a sum



equal to the fees paid by the insurer for the first scheduled mediation. This sum shall be applied towards the second mediation with the insurer paying the balance of the cost of that second mediation. The mediator's fee shall be payable directly to the mediator and the administrative fee shall be paid to the Administrator.

b. No change.

(b) No change.

(c) If the mediator fails to appear at the conference, the mediator shall hold a second conference at no fee to the insured or the insurer. If it is determined that the parties settled the claim at the conference in which the mediator did not appear, the mediator would not be due payment from the insurer.

(10) Post-Mediation.

(a) At the conclusion of the mediation conference, the mediator will file ~~with the Department Form DFS-15-1971, the "Disposition of Property Insurance Mediation Conference, as adopted in subsection (8)(g) "~~ Form DFS 15 1971, with the Department, indicating whether or not the parties reached a settlement. ~~If the parties reached any settlement, then the mediator shall include a copy of the settlement agreement with Form DFS 15 1971.~~ In the event a settlement is reached, the insured shall have 3 business days from the date of the written settlement within which he or she may rescind the settlement provided that the insured has not cashed or deposited any check or draft disbursed to him or her for the disputed matters as a result of the conference. If a settlement agreement is reached and not rescinded, it shall act as a release of specific issues that were presented at the conference.

(b) No change.

(11) through (12) No change.

Rulemaking Authority 624.308(1), 626.9611, 627.7015(4) FS. Law Implemented 624.307(1), (2), (4), (5), 626.9541(1)(a), (e), (i), (u), 626.9561, 626.9581(1), 626.9641(1)(g), 627.7015 FS. History—New 8-30-09, Amended 1-6-14,\_\_\_\_\_.

69J-166.031 Mediation of Residential Property Insurance Claims.

(1) No change.

(2) Definitions. The following definitions shall apply for purposes of this rule:

(a) No change.

(b) "Mediator" means an individual selected by the Department pursuant to Rule Chapter 69B-250, F.A.C. paragraph (7)(a) below.

(c) through (h) No change.

(3) No change.

(4) Claim Settlement.

(a) Notification of the right to mediate.

1. At the time a first-party claim which falls within the scope of this rule is filed by the policyholder, the insurer shall

notify the policyholder of their right to participate in this program. An insurer is required to make the claim determination or elect to repair pursuant to Section 627.70131, F.S., before sending a notice of the right to mediate claims. An insurer is not required to send a notice of the right to mediate claims when no payment has been made or no election to repair has been made for a covered loss because the insurer concludes the amount of covered loss is less than the policyholder's deductible.

2. Notification shall be in writing and shall be legible, conspicuous, printed in at least 12-point type, and printed in typeface no smaller than any other text contained in the notice. The first paragraph of the notice shall contain the following statement: "The Chief Financial Officer for the State of Florida has adopted a rule to facilitate the fair and timely handling of residential property insurance claims. The rule gives you the right to attend a mediation conference with your insurer in order to settle any claim you have with your insurer. An independent mediator, who has no connection with your insurer, will be in charge of the mediation conference. You can start the mediation process after receipt of this notice by calling the Department of Financial Services at 1 (877)693-5236. The parties will have 21 days from the date ~~of~~ the request is received by the Department ~~notice~~ to otherwise resolve the dispute before a mediation conference ~~hearing~~ can be scheduled."

3. The notice shall also:

a. No change.

b. State that the parties have 21 days from the date ~~of~~ the request is received by the Department ~~notice~~ within which to settle the claim before the Department will assign a mediator;

c. Include the insurer's address and phone number for requesting additional information; ~~and~~

d. State that the Administrator will select the mediator; -

e. Refer to the parties' right to disqualify a mediator for good cause and paraphrase the definition of good cause as set forth in paragraph (7)(c) ~~(e)~~ of this rule; and -

f. No change.

4. No change.

(b) Request for Mediation.

1. By the Policyholder Insured. A policyholder An insured may request mediation by contacting the Department at 1 (877)693-5236; by faxing a request to the Department at (850)488-6372; or by submitting a completed Form DFS-10-2082, Personal Residential Mediation Request Form (Revised 02/15), which is hereby incorporated by reference, writing to the Department of Financial Services, Mediation Section, Bureau of Education, Advocacy, and Research, 200 East Gaines Street, Tallahassee, Florida 32399-4212. The form may be obtained online at the following website: <http://www.myfloridacfo.com/Division/Consumers/Mediation/>

~~documents/DFS-I0-2082.pdf. If a policyholder an insured~~ requests mediation prior to receipt of the notice of the right to mediation, the insurer shall be notified by the Department of the existence of the dispute 21 days prior to the Administrator processing the policyholder's insured's request for mediation. If an insurer receives a request for mediation, the insurer shall notify the Mediation Section within 2 business days ~~48 hours~~ of receipt of the request by ~~fax~~ or email at Mediation@myfloridacfo.com. The Administrator shall notify the insurer within 3 business days ~~72 hours~~ of receipt of requests filed with the Department. The policyholder insured shall provide the following information, if known:

a. Name, address, e-mail address, and daytime telephone number of the policyholder insured and location of the property if different from the address given;

b. The claim and policy number for the policyholder insured;

c. through e. No change.

2. By an Insurer. An insurer may request mediation in the same manner as a policyholder ~~by faxing or emailing a written request to the Mediation Section~~. The insurer shall provide a copy of its written mediation request to the insured at the same time it submits the request to the Department. The written request shall contain the information set forth in subparagraph (4)(b)1., if known. Mediation requests by insurers will be processed by the Administrator in the same manner as mediation requests by insureds.

(c) Upon receiving a request for mediation, and after the expiration of the 21 day resolution period, the Administrator shall randomly select from the Department's list a mediator to conduct the mediation conference. The Administrator shall notify the mediator of his or her selection and indicate the names and addresses of the parties and their known representatives, their phone numbers (if known), the Department's file number, the date of the request for mediation, and that the mediation is to occur within 21 days of the date of assignment to the mediator ~~45 days of the request~~. The mediator will have three business days from the date of notification by the Administrator to accept or reject the selection. If the mediator rejects the selection or fails to accept the selection within three business days, or if the mediator is disqualified pursuant to paragraph (7)(c) ~~(e)~~, then the Administrator shall randomly select another mediator. For all mediation requests under this rule, the time limits in this section shall not be applicable for two years following the declaration of a disaster.

(5) No change.

(6) Mediation Costs. Pursuant to subsection Section 627.7015(3), F.S., the insurer shall bear all of the cost of conducting mediation conferences.

(a) through (d) No change.

(7) Mediators.

~~(a) Mediator Approval. The Bureau of Agent and Agency Licensing, Department of Financial Services, shall approve as mediators those persons who meet the qualifications set forth in Section 627.745(3)(b), F.S. Persons wishing to be approved as mediators shall submit their qualifications to the Bureau of Agent and Agency Licensing, Department of Financial Services, 200 East Gaines Street, Tallahassee, FL 32399-0319, on Form DI4 591, "Application for Appointment as a Mediator", which is adopted and incorporated by reference in subsection 69B-211.002(30), F.A.C. For two years following the declaration of a disaster, this program may additionally utilize mediators selected from a panel of circuit court civil certified mediators approved by the Florida Supreme Court pursuant to the Florida Rules of Certified and Court-Appointed Mediators, which are hereby incorporated into the rule by reference.~~

~~(b) List of Approved Mediators. The Bureau of Agent & Agency Licensing, Department of Financial Services, shall maintain a list of all approved mediators, which list shall include the mediator's name, address, telephone number, a listing of counties in which each mediator is willing to mediate, and date of entry to the list.~~

(c) through (d) renumbered to (a) through (b) No change.

~~(c)(e) Complaints; Discipline. At any time a party may move to disqualify a mediator for good cause. Good cause consists of conflict of interest between a party and the mediator, that the mediator is unable to handle the conference competently, or other reasons which would reasonably be expected to impair the conference. Complaints concerning a mediator shall be written and submitted to the Department of Financial Services, Mediation Section, Bureau of Education, Advocacy and Research, 200 East Gaines Street, Tallahassee, Florida 32399-4212. The Department shall review the following grounds for discipline:~~

~~1. Alleged instances of dishonest, incompetent, fraudulent, or unethical behavior on the part of a mediator;~~

~~2. Instances in which the mediator allegedly failed to promptly and completely respond to requests from the Department and instances in which the actions or failure to act on the part of the mediator violate this rule including the standards set forth in this subsection or are counter to the intent and purpose of this mediation program or this rule;~~

~~3. Administrative action by any other agency or body against the mediator, regardless of whether the agency or body's regulation relates to mediation;~~

~~4. The mediator has been found guilty of or pled guilty or nolo contendere to a felony or a crime punishable by imprisonment of 1 year or more under the law of the United States of America or of any state thereof or under the law of any other country, without regard to whether a judgment of~~

conviction has been entered by the court having jurisdiction of such cases.

~~If the Department determines that any of the above grounds exist, the Department shall institute proceedings in accordance with Chapter 120, F.S., to rescind the approval of the mediator to handle any mediation or arbitration program sponsored by the Department.~~

(8) Mediation Conference.

(a) Location.

1. The mediation conference shall be held at a reasonable location specified by the mediator within 15 driving miles a reasonable proximity of the insured property, unless all parties agree otherwise, the Administrator assigns the location pursuant to this paragraph, or the mediation location is made available by the Administrator pursuant to paragraph 8(a)2 below. The mediation location shall provide a space with a door for private conversation as well as a separate space for caucusing. In times of declared disaster, the Administrator shall assign the mediation location and notify the mediator of same, if the Administrator determines such action is necessary to facilitate and expedite the mediation process.

2. through 5. No change.

(b) Timing and Continuances. The mediation conference shall be held as scheduled by the mediator. Upon application by any party to the mediator for a continuance, the mediator shall, for good cause shown or if neither party objects, grant a continuance and shall notify all parties and the Administrator of the date and place of the rescheduled conference. Good cause includes severe illness, injury, or other emergency which could not be controlled by the party and could not reasonably be remedied by the party prior to the conference by providing a replacement representative or otherwise. Good cause include the necessity of obtaining additional information, securing the attendance of a necessary professional, or the avoidance of significant financial hardship. If the insured demonstrates to the mediator the need for an expedited mediation conference due to an undue hardship, the conference shall be conducted at the earliest date convenient to all of the parties and the mediator. Undue hardship will be demonstrated when holding the conference on a non-expedited basis would interfere with or contradict the treatment of a severe illness or injury, substantially impair a party's ability to assert their position at the conference, result in significant financial hardship, or other reasonably justified grounds.

(c) through (d) No change.

(e) Disposition. Mediators shall report to the Department on the status of property insurance mediation conferences by submitting Form DFS-I5-1971, "Disposition of Property Insurance Mediation Conference (Revised 2/15)" ~~(rev. 10/08)~~, which is hereby adopted herein and incorporated by reference.

If the claim is settled prior to the mediation conference being held, the insurer shall report the outcome of the issue to the mediator prior to the scheduled hearing and the mediator will submit Form DFS-I5-1971 confirming the settlement. A mediation conference will not be considered complete, and the Administrator will not bill the insurer, until this form is submitted.

(9) Disbursement of Costs.

(a) No change.

1. No change.

2. No change.

a. If the insured fails to appear at the conference, the conference shall be considered to have been held and the insurer must make payment in accordance with subsection paragraph (6)(a) of this rule. If the insured wishes to schedule a new conference after failing to appear, the total cost of mediation for the new conference will be borne by the insured. The new conference shall be rescheduled only upon the insured's payment of the total cost of the mediation at the rate specified in subsection (6) of this rule.

b. If the insurer fails to appear at the conference, the insurer shall make payment for the conference in accordance with subsection paragraph (6)(a) of this rule. If the insurer fails to appear at the conference without good cause, the insurer shall pay the insured's actual cash expenses incurred in attending the conference and shall pay a second total cost of mediation for the rescheduled conference. Good cause includes severe illness, injury, or other emergency which could not be controlled by the insurer and could not reasonably be remedied by the insurer prior to the conference by providing a replacement representative or otherwise. If an insurer fails to appear at conferences with such frequency as to evidence a general business practice of failure to appear, the Department will report the failure to appear to the Florida Office of Insurance Regulation as a potential violation of sub-paragraph Section 626.9541(1)(i)3.c., F.S. The Florida Office of Insurance Regulation will take such administrative action pursuant to Section 624.15, F.S.

c. If the mediator fails to appear at the conference, the mediator shall hold a second conference at no fee to the insured or the insurer. If it is determined that the parties settled the claim at the conference in which the mediator did not appear, the mediator would not be due payment from the insurer.

(b) No change.

(10) Post-Mediation.

(a) At the conclusion of the mediation conference, the mediator will file Form DFS-I5-1971, with the Department the "Disposition of Property Insurance Mediation Conference, as adopted in subsection (8)(e)" Form DFS I5-1971, with the Department, indicating whether or not the parties reached a

settlement. ~~If the parties reached any settlement, then the mediator shall include a copy of the settlement agreement with Form DFS-15-1971.~~ In the event a settlement is reached, the insured shall have 3 business days from the date of the written settlement within which he or she may rescind the settlement provided that the insured has not cashed or deposited any check or draft disbursed to him or her for the disputed matters as a result of the conference. If a settlement agreement is reached and not rescinded, it shall act as a release of specific issues that were presented at the conference.

- (b) No change.
- (11) through (12) No change.

Rulemaking Authority 624.308(1), 626.9611, 627.7015(4) FS. Law Implemented 624.307(1), (2), (4), (5), 626.9541(1)(a), (e), (i), (u), 626.9561, 626.9581(1), 626.9641(1)(g), 627.7015 FS. History—New 8-18-94, Amended 5-1-96, 4-6-00, Formerly 4-166.031, 69B-166.031, Amended 9-24-09, 1-6-14,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Tasha Carter, Director, Division Consumer Services,  
Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE  
PROPOSED RULE: Jeff Atwater, Chief Financial Officer,  
Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: 12/08/2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAR: August 3, 2015

### Section III

## Notice of Changes, Corrections and Withdrawals

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

##### Florida Real Estate Appraisal Board

RULE NO.: 61J1-4.010      RULE TITLE: Supervision and Training of Registered Trainee Appraisers  
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. 215, November 4, 2015 issue of the Florida Administrative Register.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee.

The changes are as follows:

Subsection (2)(f) shall read:

(f) Registering the appraiser trainee with Department through use of DBPR FREAB 14, Supervisor Designation/Termination Form as set forth in the Department's Rule 61-35.026, F.A.C. effective April 2012,

~~hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 01987>.~~

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juana Watkins, Executive Director, Florida Real Estate Appraisal Board, 400 W. Robinson Street, #N801, Orlando, Florida 32801

#### DEPARTMENT OF FINANCIAL SERVICES

##### Division of State Fire Marshal

RULE NO.: 69A-39.009      RULE TITLE: Triennial Renewal of Firesafety Inspector and Fire Code Administrator Certification  
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. 184, September 22, 2015 issue of the Florida Administrative Register.

The changes to the proposed rule are being made in response to comments from the Joint Administrative Procedures Committee.

69A-39.009 ~~Triennial~~ Renewal of Firesafety Inspector and Fire Code Administrator Certification.

(1)(a) Firesafety Inspector and Fire Code Administrator Certificates, unless renewed, expire four ~~three~~ years after the issuance, reissuance, or last renewal date of the certificate, whichever date is later. Certification as a Fire Code Administrator or reissuance or renewal of that certification shall also renew the Firesafety Inspector Certificate required by subparagraph 69A-39.003(3)(a)1., F.A.C.

- (b) No change.
- (c) If a certificate expires and:
  1. through 2. No change.
  3. More than eight ~~six~~ years have accrued since the certificate expired:
    - a. through b. No change.

Rulemaking Authority ~~633.104(3)~~ ~~633.104(4)~~ 633.104(4) FS. Law Implemented 633.216 FS. History—New 11-21-83, Formerly 4A-39.09, Amended 8-2-88, 3-1-89, Formerly 4A-39.009, Amended 8-27-12,\_\_\_\_\_.

#### DEPARTMENT OF FINANCIAL SERVICES

##### Division of Funeral, Cemetery, and Consumer Services

RULE NO.: 69K-15.001      RULE TITLE: Course in Mortuary Science.  
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. 208, October 26, 2015 issue of the Florida Administrative Register.

Subsequently, amended by a Notice of Change published in Vol. 41, No. 239, December 11, 2015, issue of the Florida Administrative Register.

69K-15.001 Course in Mortuary Science.

(1) ~~The term “course in mortuary science,” will be approved by the Board if taught as used in Sections 497.368(1)(d) and 497.370(2), F.S., shall be deemed and construed to mean a course of study at a university school or college accredited by the American Board of Funeral Service Education, a university or college accredited by a regional accrediting agency regional association of colleges and schools recognized by the United States Department of Education, or other schools, colleges and universities in the subject areas identified in paragraph 497.368(1)(d), F.S. schools as approved by the Board, which includes the subjects of theory and practice of embalming, restorative art, pathology, anatomy, microbiology, chemistry, hygiene, and public health and sanitation.~~

The remainder of the proposed rule reads as previously published.

**Section IV  
Emergency Rules**

NONE

**Section V  
Petitions and Dispositions Regarding Rule  
Variance or Waiver**

**DEPARTMENT OF EDUCATION**

Commission for Independent Education

NOTICE IS HEREBY GIVEN that on December 16, 2015, the Commission for Independent Education received a petition for a variance regarding the financial information sought for licensure and found in subsection 6E-2.004(6), F.A.C., and Section V of Form 604, incorporated into Rule 6E-2.004, F.A.C. This petition was filed by Nicolas G. Hayek Watchmaking School, License No. 4659.

A copy of the Petition for Variance or Waiver may be obtained by contacting: The Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400, (850)245-3206.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On November 9, 2015, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(2)(a), F.A.C., subsection 61C-4.010(7), F.A.C., subsection 61C-4.010(6), F.A.C., and Section 6-402.11, 2009 FDA Food Code from D Vita Nuova Pizza located in Miami. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom on the same level be provided for use by customers and employees. They are requesting to utilize bathrooms located on a different level.

The Petition for this variance was published in Vol. 41, No. 219, F.A.R., on November 10, 2015. The Order for this Petition was signed and approved on November 18, 2015. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the purpose of the underlying statute has been achieved by the Petitioner ensuring the public bathrooms located on the second floor of the Capital Shopping Center are maintained in a clean and sanitary manner and are provided with hot and cold running water under pressure, soap, approved hand drying devices, handwash sign and are available during all hours of operation. The Petitioner shall also ensure that directional signage is installed in the main restaurant area clearly stating the location of the bathrooms.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On November 12, 2015, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(a), F.A.C., and Section 5-203.13, 2009 FDA Food Code, from café Del Teatro located in Miami. The above referenced F.A.C. addresses the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water. They are requesting to share the mop sink located within the Olympia Building.

The Petition for this variance was published in Vol. 41, No. 222, F.A.R., on November 16, 2015. The Order for this Petition was signed and approved on December 1, 2015. After

a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the purpose of the underlying statute has been achieved by the Petitioner ensuring that the mop sink within the Olympia Building is maintained in a clean and sanitary manner and is provided with hot and cold running water under pressure. If the ownership of Café Del Teatro (Zylberotti LLC, Christian Zylberman) changes, a signed agreement for use of the mop sink is required immediately.

A copy of the Order or additional information may be obtained \_\_\_\_\_ by \_\_\_\_\_ contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On November 9, 2015, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), F.A.C., Section 5-203.13, 2009 FDA Food Code, Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code, subsection 61C-4.010(5), F.A.C., Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, and subsection 61C-4.010(1), F.A.C., from East Plaza Carts # 1-2 located in Orlando. The above referenced F.A.C. addresses the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water; that each establishment have an approved plumbing system installed to transport potable water and wastewater; that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided, and that each establishment have areas for food preparation and storage. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and to share the mop sink, dishwashing, food preparation and food storage areas with another licensed food service establishment under the same ownership and on the same premises.

The Petition for this variance was published in Vol. 41, No. 223, F.A.R., on November 17, 2015. The Order for this Petition was signed and approved on November 24, 2015. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial

hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the mop sink, dishwashing sink and food preparation and storage areas within Main Kitchen (NOS2327931) are maintained in a clean and sanitary manner, all sinks are provided with hot and cold running water under pressure and are available during all hours of operation. The handwash sinks must also be provided with soap, an approved hand drying device and a handwashing sign. If the ownership of Main Kitchen and East Plaza Carts # 1-2 (Levy Premium FoodService Limited Partnership) changes, a signed agreement between the two establishments for the use of the shared facilities must be provided to the division immediately.

A copy of the Order or additional information may be obtained \_\_\_\_\_ by \_\_\_\_\_ contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On November 9, 2015, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), F.A.C., Section 5-203.13, 2009 FDA Food Code, Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code, subsection 61C-4.010(5), F.A.C., Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, and subsection 61C-4.010(1), F.A.C., from Bombay Bistro located in Orlando. The above referenced F.A.C. addresses the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water; that each establishment have an approved plumbing system installed to transport potable water and wastewater; that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided, and that each establishment have areas for food preparation and storage. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and to share the mop sink, dishwashing, food

preparation and food storage areas with another licensed food service establishment under the same ownership and on the same premise.

The Petition for this variance was published in Vol. 41, No. 223, F.A.R., on November 17, 2015. The Order for this Petition was signed and approved on November 24, 2015. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the mop sink, dishwashing sink and food preparation and storage areas within Main Kitchen (NOS2327931) are maintained in a clean and sanitary manner, all sinks are provided with hot and cold running water under pressure and are available during all hours of operation. The handwash sinks must also be provided with soap, an approved hand drying device and a handwashing sign. If the ownership of Main Kitchen and Bombay Bistro (Levy Premium FoodService Limited Partnership) changes, a signed agreement between the two establishments for the use of the shared facilities must be provided to the division immediately.

A copy of the Order or additional information may be obtained \_\_\_\_\_ by \_\_\_\_\_ contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On November 4, 2015, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(a), F.A.C., Section 5-203.13, 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code, subsection 61C-4.010(5), F.A.C., Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, and subsection 61C-4.010(1), F.A.C., paragraph 61C-1.004(2)(a), F.A.C., subsection 61C-4.010(7), F.A.C., subsection 61C-4.010(6), F.A.C., Section 6-402.11, 2009 FDA Food Code from Zin Banquet Room located in Tallahassee. The above referenced F.A.C. addresses the

requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water; that each establishment have dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided, and that each establishment have areas for food preparation and storage; and at least one accessible bathroom be provided for use by customers and employees. They are requesting to share the mop sink, dishwashing, bathroom, food preparation and food storage facilities with another licensed food service establishment under the same ownership and on the same premises.

The Petition for this variance was published in Vol. 41, No. 219, F.A.R., on November 10, 2015. The Order for this Petition was signed and approved on November 25, 2015. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that the mop sink, dishwashing, bathrooms, food preparation and storage facilities within Zin (SEA4703201) are maintained in a clean and sanitary manner. All sinks must be provided with hot and cold running water under pressure and are available during all hours of operation. The handwash sinks must also be provided with soap, an approved hand drying device and a handwashing sign. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the ownership of Zin and/or Zin Banquet (Hospitality Management Tallahassee LLC) changes, a signed agreement between the two establishments for the use of the shared facilities must be provided to the division immediately.

A copy of the Order or additional information may be obtained \_\_\_\_\_ by \_\_\_\_\_ contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On November 18, 2015, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(a), F.A.C., and Paragraph 5-202.11(A), 2009 FDA Food Code from County Line Pizza located in Juno Beach. The above referenced F.A.C. addresses



the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink in the preparation area.

The Petition for this variance was published in Vol. 41, No. 227, F.A.R., on November 23, 2015. The Order for this Petition was signed and approved on December 8, 2015. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the purpose of the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink is provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

NOTICE IS HEREBY GIVEN that on November 9, 2015, the Board of Optometry received a petition for waiver of subsection 64B13-4.001(2), F.A.C., filed by Long D. Tran, OD, FAAO, regarding the requirement that applicants for licensure must have passed all 4 parts of the licensure examination within the 7 year period immediately preceding application for licensure. The Board will consider this petition at its meeting currently scheduled for December 4, 2015.

Comments on this petition should be filed with the Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting Anthony Spivey, Executive Director, at the above address or (850)245-4393.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

The Department of Financial Services hereby gives notice:

An Order has been issued Granting Petition for Variance or Waiver (Petition) filed by Alexander Mendoza (Petitioner) on

September 21, 2015. The following is a summary of the Department’s disposition of the Petition:

The Notice of Petition for Declaratory Statement was published October 26, 2015, in Vol. 41, No. 208 of the Florida Administrative Register.

Petitioner is applying for a Firefighters Supplemental Compensation Program. The Petitioner obtained an Associate of Science Degree in Electrical Mechanical Engineering Technology from Center for Research, Teaching and Administrative Counseling Foundation in Columbia. Petitioner’s degree is from a university that holds the equivalent of accreditation from an accrediting agency that is recognized by the U.S. Department of Education. Therefore, Petitioner has obtained the equivalent of the U.S. Associate of Science Degree. Rules 69A-37.084 and 69A-37.085, F.A.C.

A copy of the Order or additional information may be obtained by contacting Melissa E. Dembicer, Assistant General Counsel, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-0333, Melissa.dembicer@myfloridacfo.com.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

The Department of Financial Services hereby gives notice:

An Order has been issued Granting Petition for Variance or Waiver (Petition) filed by Camilo Rivas (Petitioner) on September 24, 2015. The following is a summary of the Department’s disposition of the Petition:

The Notice of Petition for Declaratory Statement was published October 26, 2015, in Vol. 41, No. 208 of the Florida Administrative Register.

Petitioner is applying for a Firefighters Supplemental Compensation Program. The Petitioner obtained a Bachelor Degree in Business Administration from Universidad “EAN” in Colombia. Petitioner’s degree is from a university that holds the equivalent of accreditation from an accrediting agency that is recognized by the U.S. Department of Education. Therefore, Petitioner has obtained the equivalent of the U.S. Bachelor’s Degree. Rules 69A-37.084 and 69A-37.085, F.A.C.

A copy of the Order or additional information may be obtained by contacting Melissa E. Dembicer, Assistant General Counsel, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-0333 or by email: Melissa.dembicer@myfloridacfo.com.

Section VI  
Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agricultural Museum announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 8, 2016, 10:00 a.m.

PLACE: County Government Office, EOC, 1769 E Moody Boulevard, # 3, Bunnell, FL 32110

GENERAL SUBJECT MATTER TO BE CONSIDERED: Strategic Planning Workshop.

A copy of the agenda may be obtained by contacting: Andrew Morrow at (386)446-7630.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

The Florida Alligator Marketing and Education Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 5, 2016, 10:00 a.m.

PLACE: Department of Agriculture and Consumer Services, Connor Complex, George Eyster Auditorium, 3125 Connor Boulevard, Tallahassee, Florida, (850)617-7291

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to address special business issues and initiatives of the Florida Alligator Marketing and Education Committee, for the current and next fiscal year.

A copy of the agenda may be obtained by contactin:g Nicole Haugdahl at (850)617-7291.

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: Nicole Haugdahl at (850)617-7291. 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: Nicole Haugdahl at (850)617-7291.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Florida Forest Service

The Department of Agriculture and Consumer Services, Florida Forest Service announces a public meeting to which all persons are invited.

DATE AND TIME: January 13, 2016, 9:00 a.m.; public hearing, 11:30 a.m. – 12:30 p.m.

PLACE: Charlotte Harbor Event and Conference Center, 75 Taylor Street, Punta Gorda, Florida 33950

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the BRP Management Plan Advisory Group (MPAG) to discuss and workshop the draft land management plan, and to allow the MPAG to review and discuss comments from the public hearing portion of the meeting, and provide recommendations to the FFS to help in development of a management plan for the BRP.

Public hearing subject matter: to solicit comments from the public on the management of the BRP. Comments may be presented orally or in writing at the hearing. Written comments may also be submitted to the FFS’s State Office at 3125 Conner Boulevard, Room 238, Tallahassee, FL 32399-1650, to the attention of Cat Ingram, Land Planning Coordinator, and should be mailed so as to arrive at the state office by Friday, January 8, 2016.

A copy of the agenda may be obtained by contacting Cat Ingram, Land Planning Coordinator at (850)681-5827 or online at [http://www.freshfromflorida.com/public\\_notices/](http://www.freshfromflorida.com/public_notices/).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting FFS’s State office at the above listed address. 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.

REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council

The East Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 20, 2016, 10:00 a.m.

PLACE: ECFRPC, 309 Cranes Roost Blvd., Suite 2000, Mayor John H. Land Boardroom, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular bi-monthly meeting of the East Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: Pegge Parker at pparker@ecfrpc.org or (407)262-7772, ext. 300.

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 two (2) days before the workshop/meeting by contacting: Pegge Parker at pparker@ecfrpc.org or (407)262-7772, ext. 300. 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: Pegge Parker at pparker@ecfrpc.org or (407)262-7772, ext. 300.

**REGIONAL PLANNING COUNCILS**

East Central Florida Regional Planning Council

The East Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 20, 2016, 9:00 a.m.

PLACE: ECFRPC, 309 Cranes Roost Blvd., Suite 2000, Mayor John H. Land Boardroom, Altamonte Springs, FL 32701

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Regular bi-monthly meeting of the Executive Committee.

A copy of the agenda may be obtained by contacting: Pegge Parker at pparker@ecfrpc.org or (407)262-7772, ext. 300.

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 two (2) days before the workshop/meeting by contacting: Pegge Parker at pparker@ecfrpc.org or (407)262-7772, ext. 300. 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: Pegge Parker at pparker@ecfrpc.org or (407)262-7772, ext. 300.

**WATER MANAGEMENT DISTRICTS**

Southwest Florida Water Management District

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

DATE AND TIME: Monday, January 4, 2016, 3:30 p.m.

PLACE: SWFWMD Headquarters, 2379 Broad Street, Brooksville, FL 34604

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Hernando County Task Force Meeting to receive public input and discuss issues relative to Lake Lindsey, the Weeki Wachee River, Mountain Lake and Hunters Lake.

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

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

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

For more information, you may contact: Jeanette.lopez@watermatters.org, 1(800)423-1476 (FL only) or (352)796-7211, ext. 4378 (Ad Order EXE0475).

**WATER MANAGEMENT DISTRICTS**

Southwest Florida Water Management District

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

DATE AND TIME: Wednesday, January 6, 2016, 2:00 p.m.

PLACE: SWFWMD Headquarters, 2379 Broad Street, Brooksville, FL 34604

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Springs Coast Steering Committee Meeting. Work through partnerships to restore and protect springs through implementation of system specific scientifically sound, community-based management plans. Approval of Crystal River/Kings Bay Plan.

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

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

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

For more information, you may contact: Chris.zajac@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, ext. 4413 (Ad Order EXE476).

**WATER MANAGEMENT DISTRICTS**

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

DATE AND TIME: Monday, January 11, 2016, 2:00 p.m.  
PLACE: Lecanto Government Building, 3600 West Sovereign Path, Suite 226, Lecanto, FL 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: Citrus County Task Force meeting to receive public input as discuss issues relative to the Tsala Apopka Chain of Lakes, Lake Rousseau and Crystal River/Kings Bay.

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

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

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

For more information, you may contact: Jeanette.lopez@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, ext. 4378 (Ad Order EXE0477).

**WATER MANAGEMENT DISTRICTS**

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

DATE AND TIME: Wednesday, January 6, 2016, 8:30 a.m.  
PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting is being held to review interview documentation and select the best qualified officer to reside in the District's Hampton Tract residence in exchange for providing security services to the District.

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

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

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

For more information, you may contact: Carmen.sanders@watermatters.org, 1(800)423-1476 (FL only) or (352)796-7211, ext. 4477 (Ad Order EXE0478).

**COMMISSION FOR THE TRANSPORTATION DISADVANTAGED**

The Commission for the Transportation Disadvantaged announces a public meeting to which all persons are invited.

DATE AND TIME: January 21, 2016, 2:00 p.m. until completion

PLACE: Florida Department of Transportation Auditorium, 605 Suwannee Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss regular Commission business.

A copy of the agenda may be obtained by contacting: Emily Enfinger, 605 Suwannee Street, MS 49, Tallahassee, Florida 32399, (850)410-5700, 1(800)983-2435.

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: Emily Enfinger, 605 Suwannee Street, MS 49, Tallahassee, Florida 32399, (850)410-5700, 1(800)983-2435. 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 BUSINESS AND PROFESSIONAL REGULATION**

Board of Pilot Commissioners  
The Board of Pilot Commissioners announces public meetings to which all persons are invited.

DATES AND TIMES: January 21, 2016, 9:30 a.m.; January 22, 2016; 9:00 a.m.

PLACE: Crowne Plaza Fort Lauderdale Airport/Cruise Port, 455 S. E. 24th Street (State Road 84) Ft. Lauderdale, FL 33316, (954)523-8080

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business, Port Tour, Committee Meetings, and Elections.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, FL 32399, (850)717-1982.

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: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, FL 32399, (850)717-1982. 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: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, FL 32399, (850)717-1982.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, "THE COMMISSION", Structural Technical Advisory Committee concurrently with the Fire Technical Advisory Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: December 28, 2015, 1:00 p.m. until completion

PLACE: Meeting to be conducted using communications media technology – teleconference and webinar. You must access the teleconference number for audio only and the webinar for visual only. The meeting is now accessible to mobile devices.

To join the STRUCTURAL / FIRE TAC online meeting:

1. Join the meeting at <https://global.gotomeeting.com/join/993716261>

2. Use your microphone and speakers (VoIP) - a headset is recommended. Or, call in using your telephone.

United States (toll-free): 1(877)309-2073, access code: 993-716-261, audio PIN: shown after joining the meeting, meeting ID: 993-716-261

Public point of access: Florida Building Commission, Northwood Centre, Department of Business and Professional Regulation, Suite 90A, 1940 North Monroe Street, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and accept interim report for research project titled "Evaluation of the Cost Impact of the 2015 I-Code Changes." Separately, the FIRE TAC will review and accept interim report for research project titled, "Evaluation of Fire Separation Requirements for Zero Lot Line -Residential", and other business on behalf of the Commission as stated on agenda.

A copy of the agenda may be obtained by contacting: Joe Bigelow or Mr. Robert Benbow, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit our website at: <http://floridabuilding.org/c/default.aspx>.

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 8 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, phone: (850)487-1824 or fax: (850)414-8436. 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: Joe Bigelow or Mr. Robert Benbow, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit our website at: <http://floridabuilding.org/c/default.aspx>.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, "THE COMMISSION", Electrical Technical Advisory Committee concurrently with the Roofing Technical Advisory Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: December 28, 2015, 9:00 a.m. until completion

PLACE: Meeting to be conducted using communications media technology, specifically teleconference and webinar: You must access both the teleconference number for audio only and the webinar for visual only. The meeting is now accessible to mobile devices.

To join the online Electrical / Roofing meeting

1. Join the meeting at <https://global.gotomeeting.com/join/329313789>

2. Use your microphone and speakers (VoIP) - a headset is recommended. Or, call in using your telephone.

United States (toll-free): 1 (877)568-4106, access code: 329-313-789, audio PIN: shown after joining the meeting, meeting ID: 329-313-789

Public point of access: Florida Building Commission, Northwood Centre, Department of Business and Professional Regulation, Suite 90A, 1940 North Monroe Street, Tallahassee, Florida.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review and accept interim report for research project titled "Evaluation of the Cost Impact of the 2015 I-Code Changes", and other business on behalf of the Commission as stated on the agenda.

A copy of the agenda may be obtained by contacting: Mr. Joe Bigelow, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 N. Monroe Street, Tallahassee, Florida 32399, calling (850)487-1824 or visiting our website at: <http://floridabuilding.org/c/default.aspx>.

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 8 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, phone: (850)487-1824 or fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Joe Bigelow, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit our website at: <http://floridabuilding.org/c/default.aspx>.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Accountancy

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

DATE AND TIME: January 20, 2016, 9:00 a.m.

PLACE: Conference call: 1(888)670-3525, conference code: 5652080150

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The Education Advisory Committee to consider items relating to the education requirements to sit for the CPA examination.

A copy of the agenda may be obtained by contacting Barbara Whitney, Regulation Specialist II, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Barbara Whitney, Regulation Specialist II, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607. 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 Barbara Whitney, Regulation Specialist II, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**RULE NOS.:RULE TITLES:**

62-560.400 Scope of Drinking Water Public Notification Rules

62-560.410 Public Notification - Primary Standards

62-560.430 Public Notification - Secondary Standards

62-560.440 Public Notification for Unregulated Contaminants

62-560.510 Drinking Water Variance Request

62-560.520 Drinking Water Exemption Request

The Florida Department of Environmental Protection announces a workshop to which all persons are invited.

DATE AND TIME: Monday, January 11, 2016, 10:00 a.m.

PLACE: Department of Environmental Protection, Bob Martinez Center, Room 609, 2600 Blair Stone Road, Tallahassee, Florida 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Update regarding public notification rulemaking. Notice of

Development of Proposed Rule was published December 19, 2014.

A copy of the agenda may be obtained by contacting: Virginia Harmon, Department of Environmental Protection, 2600 Blair Stone Road, MS 3520, Tallahassee, Florida 32399-2400, (850)245-8630, virginia.harmon@dep.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 five days before the workshop/meeting by contacting: Virginia Harmon, Department of Environmental Protection, 2600 Blair Stone Road, MS 3520, Tallahassee, Florida 32399-2400, (850)245-8630, virginia.harmon@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
RULE NOS.:RULE TITLES:**

- 62-550.200 Definitions for Public Water Systems
- 62-550.320 Secondary Drinking Water Standards: Maximum Contaminant Levels
- 62-550.512 Nitrate and Nitrite Monitoring Requirements
- 62-550.520 Secondary Contaminants Monitoring Requirements
- 62-550.720 Recordkeeping
- 62-550.730 Reporting Requirements for Public Water Systems
- 62-550.817 Additional Requirements for Subpart H Water Systems
- 62-550.821 Disinfectant Residuals, Disinfection Byproducts (Stage 1), and Disinfection Byproduct Precursors
- 62-550.828 Ground Water Rule

The Florida Department of Environmental Protection announces a workshop to which all persons are invited.

DATE AND TIME: Monday, January 11, 2016, 10:00 a.m.

PLACE: Department of Environmental Protection, Bob Martinez Center, Room 609, 2600 Blair Stone Road, Tallahassee, Florida 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Update regarding public notification rulemaking. Notice of Development of Proposed Rule was published December 19, 2014.

A copy of the agenda may be obtained by contacting: Virginia Harmon, Department of Environmental Protection, 2600 Blair Stone Road, MS 3520, Tallahassee, Florida 32399-2400, (850)245-8630, virginia.harmon@dep.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 five days before the workshop/meeting by

contacting: Virginia Harmon, Department of Environmental Protection, 2600 Blair Stone Road, MS 3520, Tallahassee, Florida 32399-2400, (850)245-8630, virginia.harmon@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF HEALTH**

Board of Medicine

The Dietetics and Nutrition Practice Council and Electrolysis Council under the Board of Medicine announces a public meeting to which all persons are invited.

DATE AND TIME: January 13, 2016, 1:00 p.m., ET

PLACE: Conference call: 1(888)670-3525; when prompted, insert participant code: 7811783909 followed by the # sign

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Orientation and Training for New Council Members.

A copy of the agenda may be obtained by contacting The Dietetics and Nutrition Practice Council/Electrolysis Council, 4052 Bald Cypress Way, BIN C-05, Tallahassee, FL 32399-3255, by visiting our website: [www.floridahealth.gov/licensing-and-regulation/dietetic-nutrition](http://www.floridahealth.gov/licensing-and-regulation/dietetic-nutrition), [www.floridahealth.gov/licensing-and-regulation/electrolysis/index.html](http://www.floridahealth.gov/licensing-and-regulation/electrolysis/index.html) or by calling the council office at (850)245-4373, ext. 3468.

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 the Department of Health at (850)245-4444, ext. 3418. 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.

**DEPARTMENT OF HEALTH**

Board of Medicine

The Board of Medicine - Probable Cause Panel South announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 8, 2015, 2:00 p.m.

PLACE: 1(888)670-3525, participation code: 125-528-7056

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Sheila Autrey at (850)245-4444, ext. 8210, [sheila.autrey@flhealth.gov](mailto:sheila.autrey@flhealth.gov).

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: Sheila Autrey at (850) 245-4444, ext. 8210, sheila.autrey@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued. For more information, you may contact Sheila Autrey at (850)245-4444, ext. 8210, sheila.autrey@flhealth.gov.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

The Board of Medicine - Probable Cause Panel North announces a public meeting to which all persons are invited.

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

**PLACE:** Telephone conference: 1(888)670-3525, participation code: 125-528-7056

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting Jacoyia Hill at (850)245-4444, ext. 8215 or emailing her at jacoyia.hill@flhealth.gov.

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: Jacoyia Hill, (850)245-4444, ext. 8215, jacoyia.hill@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Jacoyia Hill, (850)245-4444, ext. 8215, jacoyia.hill@flhealth.gov.

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Family Safety and Preservation Program**

**RULE NOS.:RULE TITLES:**

- 65C-28.001 Definitions
- 65C-28.002 Visitation
- 65C-28.003 Medical Treatment
- 65C-28.004 Placement Matching Requirements

- 65C-28.005 Changing Placements
- 65C-28.006 Permanency Staffings
- 65C-28.007 Voluntary Licensed Out-of-Home Care
- 65C-28.009 Adolescent Services
- 65C-28.010 Minor Parents in the Custody of the Department
- 65C-28.011 Criminal, Delinquency and Abuse/Neglect History Checks for Relative and Non-Relative Placements
- 65C-28.012 Home Studies for Relative and Non-Relative Placements
- 65C-28.013 Indian Child Welfare Act
- 65C-28.014 Behavioral Health Services
- 65C-28.015 Residential Mental Health Treatment
- 65C-28.017 Exit Interviews
- 65C-28.018 Meeting the Child's Educational Needs
- 65C-28.019 Normalcy

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

**DATE AND TIME:** January 12, 2016, 9:00 a.m. – 12:00 Noon, ET

**PLACE:** (1) Attend in person at Florida Department of Children and Families, 1317 Winewood Boulevard, Bldg. 1, 3rd Floor, Room 301G, Tallahassee, FL 32399-0700; (2) Via conference call: 1(888)670-3525, code: 312 614 9586 #

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of this public hearing is to discuss proposed rules within Chapter 28, Out-of-Home Care.

A copy of the agenda may be obtained by contacting: Jodi Abramowitz, (850)717-4189 or Jodi.abramowitz@myflfamilies.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Jodi Abramowitz. 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: Contact: Jodi Abramowitz, (850)717-4189 or Jodi.abramowitz@myflfamilies.com.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

The Wildlife Foundation of Florida announces a public meeting to which all persons are invited.

**DATE AND TIME:** January 5, 2016, 10:30 a.m. – 11:30 a.m.

**PLACE:** The public may participate in the call in Suite 100, Marathon Building, 2574 Seagate Dr., Tallahassee Please call (850)921-1144 for admittance into the Marathon Building.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Executive Board of the Wildlife Foundation of Florida



will conduct a teleconference for administrative business of the Foundation.

A copy of the agenda may be obtained by contacting: Ms. Marie Kokol, P.O. Box 11010, Tallahassee, Florida 32302, (850)717-8703.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Marie Kokol, P.O. Box 11010, Tallahassee, Florida 32302, (850)717-8703.

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

**DEPARTMENT OF HEALTH**

Council of Licensed Midwifery

**RULE NOS.:RULE TITLES:**

64B24-4.002 Approval of Training Program

64B24-4.007 Clinical Training

NOTICE IS HEREBY GIVEN that the Department of Health has received the petition for declaratory statement from Stacy Kline, a licensed midwife. The petition seeks the agency’s opinion as to the applicability of Section 467.009, Florida Statutes, as it applies to the petitioner.

The petitioner is seeking a declaratory statement from the Department as to whether a Florida licensed midwife can precept and train a student located in Florida who is enrolled in an out-of-state school of midwifery, specifically Midwives College of Utah.

A copy of the Petition for Declaratory Statement may be obtained by contacting: the Agency Clerk, Florida Department of Health, 4052 Bald Cypress Way, Bin #A-02, Tallahassee, FL 32399-1703, (850)245-4005, Shannon.Revels@FlHealth.gov.

Please refer all comments to the Agency Clerk, Florida Department of Health, by mail to 4052 Bald Cypress Way, Bin #A-02, Tallahassee, FL 32399-1703; via hand delivery to 2585 Merchants Row Blvd., Prather Building, Suite 110, Tallahassee, FL, or by facsimile transmission to (850)410-1448. Responses, motions to intervene, or requests for an agency 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**

AGENCY FOR HEALTH CARE ADMINISTRATION  
Certificate of Need

RECEIPT OF EXPEDITED APPLICATION

The Agency for Health Care Administration received the following CON applications for expedited review:

CON #10423Received: 12/15/15

County: Orange Service District: 7-2

Facility/Project: Westminster Baldwin Park

Applicant: Presbyterian Retirement Communities, Inc.

Project Description: Construct a 40-bed community nursing home through the delicensure of 40 beds at Westminster Winter Park

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DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No.: DEO-15-197

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-15-197 on December 16, 2015, in response to an application submitted by Timberbend Property Owners' Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order granted the applications 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](mailto:Katie.Zimmer@DEO.MyFlorida.com).

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DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No.: DEO-15-207

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-15-207 on December 17, 2015, in response to an application submitted by Sawgrass Village II Homeowners' Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order granted the applications 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](mailto:Katie.Zimmer@DEO.MyFlorida.com).

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### Section XIII

#### Index to Rules Filed During Preceding Week

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

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