

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-4.225 Psychiatric Services

PURPOSE AND EFFECT: The purpose of Rule 59G-4.225, Florida Administrative Code (F.A.C.), is to incorporate by reference the Florida Medicaid Psychiatric Services Coverage Policy, _____. The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

SUBJECT AREA TO BE ADDRESSED: Psychiatric Services.

An additional area to be addressed during the workshop will be the potential regulatory impact Rule 59G-4.225, Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919 FS.

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

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

DATE AND TIME: February 24, 2016, 11:00 a.m. – 12:00 Noon

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

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

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

e-mail:

Robert.Reifinger@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.225 Psychiatric Services.

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

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

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-14.001 Definitions

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-14.001, Florida Administrative Code (F.A.C.), is to update the definitions and incorporate the requirements of Rules 59G-14.002-14.007, F.A.C., as appropriate. The amendment also revises the rule title to Florida Kidcare Dispute Review and Grievance Process.

SUBJECT AREA TO BE ADDRESSED: Definitions.

An additional area to be addressed during the workshop will be the potential regulatory impact Rule 59G-14.001, F.A.C., will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.818 FS.

LAW IMPLEMENTED: 409.818 FS.

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

DATE AND TIME: February 25, 2016, 10:00 a.m. – 11:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Angela Wiggins. 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: Angela Wiggins, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4198, e-mail: Angela.Wiggins@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-14.001 Florida Kidcare Dispute Review and Grievance Process Definitions.

(1) Purpose. The Florida Kidcare Dispute Review and Grievance Process (Process) is a comprehensive review of disputes relating to eligibility, enrollment, and health care services for the Title XXI, Children's Health Insurance Program (CHIP). This rule will specify program requirements in accordance with Title 42, Code of Federal Regulations (CFR), sections 457.1130-457.1180.

(2) Confidentiality. The Process conforms to section 409.821, Florida Statutes (F.S.), the Health Insurance Portability and Accountability Act of 1996, and 42 CFR, Part 431, Subpart F, with respect to confidentiality of information.

(3) Definitions. The following definitions are applicable to the Title XXI, Florida Kidcare programs (Florida Department of Health's (DOH) Children's Medical Services Managed Care Plan Network (CMS Managed Care Plan), Florida Healthy Kids, and Medikids (MediKids) and to all sections of Florida Kidcare Grievance Procedures, Chapter 59G-14, F.A.C. These definitions do not apply to any complaint or grievance issues relating to Florida Medicaid for Children eligibility, enrollment, or renewal activities. For Medicaid eligibility and enrollment complaint or grievance issues, families must request a Medicaid Fair Hearing by contacting the Department of Children and Family Services (DCF) as referenced in Rule 65-2.045, F.A.C.

(a) Adverse action notice – Letter regarding denial of eligibility, suspension or termination of enrollment, or disenrollment for failure to pay the premium.

(b) Children's Medical Services Managed Care Plan (CMS Managed Care Plan) Integrated Care System (ICS) – Contracted entity providing administrative services including provider network contracting, service authorizations, quality improvement programs, and first level complaints and appeals for CMS.

(c) CMS Managed Care Plan Statewide Grievance Panel – Entity responsible for reviewing the appropriateness of the appeal decisions for enrollees who receive health services for which an ICS is not responsible, and making a recommendation to the Deputy State Health Officer (DSHO) for the CMS Managed Care Plan.

(1) "Applicant" refers to a parent or guardian of a child or a child whose disability of nonage has been removed under Chapter 743, F.S., who applies for eligibility under Sections 409.810 -820, F.S. (Florida Kidcare Act).

(2) "Complaint" or "dispute" is a verbal or written expression of dissatisfaction, regarding an eligibility or enrollment decision received within 90 calendar days of the

date of the letter indicating the suspension or termination of a child's enrollment.

(d)(3) "Complainant – An individual listed on the enrollee's Florida Kidcare account as " or "grievant" is a parent, caretaker, or an emancipated minor who submits a dispute, complaint, or grievance. legal guardian, an authorized representative of the parent or legal guardian or a child whose disability of nonage has been removed who submits a complaint or grievance on behalf of an applicant, enrollee or former enrollee of the Florida Kidcare Program. If a parent, legal guardian or a child whose disability of nonage has been removed appoints a representative to discuss the complaint or grievance on their behalf, they must complete and sign an Appointment of Representation Form, AHCA Med Serv Form 017, August 2007, one page, and the Authorization for the Use and Disclosure of Protected Health Information Form, AHCA Med Serv Form 018, August 2007, two pages, which are incorporated by reference. These forms name the representative and give the representative access to medical records in compliance with the Health Insurance Portability and Accountability Act (HIPAA).

(e) Dispute – Written request to review an eligibility or enrollment decision received within 90 calendar days of the date of an adverse action notice.

(f)(4) "Dispute Review File – Documents collected by the Florida Healthy Kids Corporation or provided by the family during the Resolution Hearing" is the complainant's opportunity to be heard by the Florida Kidcare Dispute Review Panel during the third level of the Florida Kidcare Formal Dispute Review Process. If requested, a professionally transcribed hearing is scheduled between the complainant and the Florida Kidcare Dispute Review Panel in the complainant's county of residence.

(g)(5) "Enrollee – " means a child who has been determined eligible for and is receiving CHIP coverage under the Florida Kidcare Act Sections 409.810 -820, F.S.

(h) Florida Healthy Kids Corporation (Corporation) – Designated eligibility processor for the CHIP program. The Corporation is also responsible for conducting the dispute review process, preparing all written responses to the complainant, and addressing health service disputes or complaints with the Corporation's managed care plans.

(i) Grievance – Written request to review an eligibility or enrollment decision after the dispute review process has been completed. Complaints involving an eligibility or enrollment dispute between the Department of Children and Families (DCF) and the Corporation will proceed directly to the grievance level.

(6) "Florida Kidcare Partners" includes the Agency for Health Care Administration (MediKids), the Department of Children and Family Services (Medicaid for Children), the

Department of Health (Children's Medical Services Network), and the Florida Healthy Kids Corporation (Healthy Kids). Families with children receiving coverage under the Medicaid for Children Program must request a Medicaid Fair Hearing by contacting the Department of Children and Family Services (DCF) as referenced in Rule 65 2.045, F.A.C.

(7) "Florida Kidcare Formal Dispute Review Process" is a comprehensive review of an eligibility or enrollment complaint. The formal dispute review process begins when a written request to resolve a dispute is received by the Florida Healthy Kids Corporation's Resolution Coordinator. The entire dispute review process is conducted by the Florida Healthy Kids Corporation, the eligibility processor for the Florida Kidcare, Title XXI Programs.

(8) "Florida Kidcare Informal Dispute Review Process" is the initial contact in writing or telephone to the Florida Healthy Kids Corporation, expressing dissatisfaction with a disputable application or enrollment action.

(j)(9) "Florida Kidcare Grievance Committee (Committee) – " or "committee" is the Entity responsible for hearing and resolving grievances related to CHIP. The Committee consists of one representative from each of the following agencies:

1. Agency for Health Care Administration (AHCA) (Committee chair)
2. DCF
3. DOH
4. Florida Covering Kids and Families
5. Florida Healthy Kids Corporation

the Florida Kidcare Program when all avenues of resolutions through the Florida Kidcare Dispute Review Process have been exhausted. For Medicaid eligibility and enrollment grievance issues, families must request a Medicaid Fair Hearing by contacting the Department of Children and Family Services (DCF) as referenced in Rule 65 2.045, F.A.C.

(10) "Grievance" means a formal written complaint initiated to challenge an eligibility or enrollment decision only after all other forms of resolution have been exhausted through the Florida Kidcare Formal Dispute Review Process.

(k) (11) "Health Services – " means the Mmedical and dental benefits provided by the enrollee's an individual's health plan coverage (e.g., hospital services, physician services, prescription drugs and laboratory services).

(l) Quality Improvement Organization (QIO) – Organization certified through the Centers for Medicare and Medicaid Services, Office of Clinical Standards and Quality, to perform medical and utilization review functions.

(m) Reconsideration – Review of an adverse determination previously rendered by the QIO, at the request of the provider or Medikids enrollee.

(n) Subscriber Assistance Program – State external conflict resolution program authorized under section 408.7056, F. S., that provides an additional level of appeal if the health plan does not resolve the grievance.

(12) "Resolution Coordinator" is the person responsible for supervising the dispute review process and preparing a written response to the complainant explaining the Florida Healthy Kids Corporation or Florida Kidcare Dispute Review Process decision regarding eligibility or enrollment.

(13) "Third Party Administrator" is the entity contracted by Florida Healthy Kids Corporation that is responsible for administrative services for the Florida Kidcare Program, Title XXI Programs as authorized by Sections 624.91(5)(b)8., F.S.

(4) Dispute Review Process. Disputes relating to eligibility, enrollment, and health care services for CHIP are conducted in accordance with time frames required by 42 CFR 457.1160. Each CHIP program reviews and resolves health service matters through the processes described in section (7) of this rule.

(a) The dispute review process begins when the Corporation receives a dispute from a complainant. The Corporation will take the following actions for disputes received within ten working days of the adverse action notice:

1. Continue or reinstate health coverage retroactive to the first day of the month in which the request for continuation was received.
2. Restore the former premium amount. All premium payments must be paid in a timely manner to maintain coverage during the continuation period.

(b) The complainant is responsible for paying back all premiums and the costs of services rendered during the continuation period if the dispute is resolved in favor of Florida Kidcare.

(c) The Corporation must comply with the following time frames, upon receipt of the dispute:

1. Send written acknowledgement to the complainant, within three calendar days
2. Render a written decision within 15 calendar days

(d) The Corporation may request additional information from the complainant and extend the dispute review period for up to 30 calendar days. Additional information requested by the Corporation must be provided within ten calendar days; if requested information is not provided, the Corporation will render a decision based on the available information.

(e) The complainant will be notified of the approval or denial of the continuation of enrollment by the Corporation.

(f) The complainant may appeal the dispute review process decision to the Corporation's Chief Executive Officer (Officer) or designee, if dissatisfied. The Officer will notify the complainant of his or her decision in writing within ten calendar days of the complainant's dispute review decision

appeal request, and provide information regarding additional appeal rights.

(g) The complainant may appeal the Officer's decision by submitting a grievance request through the Corporation to AHCA, within ten calendar days of the decision. The Corporation must forward the grievance request and the dispute review file to AHCA within five calendar days of receipt of the grievance request.

(5) Grievance Process.

(a) The Agency for Health Care Administration will send notice acknowledging receipt of the grievance to the complainant and a request for any additional information, if needed, within five calendar days of receipt.

(b) Upon the complainant's request, AHCA will send a copy of the dispute review file to the complainant within five calendar days of the request.

(c) If a complainant chooses to have someone represent them during the grievance process, the following forms must be requested from AHCA: Appointment of Representation Form, AHCA Med-Serv Form 017 and the Authorization for Use and Disclosure of Protected Health Information Form, AHCA Med-Serv Form 018, August 2007, incorporated by reference. These forms will be sent to the complainant within five calendar days of the request. If the complainant does not return the completed representation forms to AHCA within ten calendar days, the grievance process will continue based on the contents of the dispute review file.

(d) The Agency for Health Care Administration will provide written notification to the complainant that the review process decision remains unchanged, within twenty calendar days of receiving the grievance documentation, inclusive of all required forms, when it agrees with the dispute review decision.

(6) Grievance Committee Meeting.

(a) If AHCA determines that further consideration of the decision is needed, the Committee will schedule a meeting to hear the grievance. The Agency for Health Care Administration will send a meeting notice to the complainant or the complainant's appointed representative notifying them of the date, time, and location of the Committee meeting.

(b) The complainant may participate in the Committee meeting or appoint an authorized representative for the grievance process. The complainant and their representative are responsible for the costs associated with attending or participating in the Committee meeting. If necessary, AHCA will arrange for participation by telephone.

(c) Committee members or their designee(s) are required to attend meetings or participate by telephone.

(d) The Committee decides by a verbal majority vote. The decision of the Committee is final and all Florida Kidcare partners must abide by the decision. The complainant is

notified in writing of the Committee's decision within ten calendar days of the committee meeting.

(7) Health Services Disputes.

(a) Complainants must submit health services disputes in accordance with each Florida Kidcare program's health services dispute process.

(b) Each Florida Kidcare program entity has developed its own procedure for resolving health services disputes, as follows:

1. Corporation – When a complainant sends the Corporation a written health services dispute, the Corporation forwards the dispute and all pertinent information to the health plan. The Corporation must confirm and document that appropriate action has been taken within twenty calendar days of receipt of the complainant's dispute.

2. Medikids – Complainants may file an appeal directly with the enrollee's health plan.

3. Children's Medical Services Managed Care Plan – Complainants may submit health services disputes to the CMS Managed Care Plan Integrated Care System for ICS-provided services. The ICS Appeal Committee will review the dispute. Complainants may submit non-ICS health services disputes to the CMS Managed Care Plan area office. The regional CMS Plan Appeal Committee will review these health services disputes.

(8) Appeals.

(a). Complainants may appeal decisions made by the Corporation's or Medikids' health plans through the Subscriber Assistance Program.

(b) Complainants dissatisfied with health services decisions rendered by AHCA's QIO may file an appeal directly with the QIO to request reconsideration.

(c) Complainants dissatisfied with the ICS Appeal Committee's or the regional CMS Managed Care Plan Appeal Committee's decision may request a CMS Managed Care Plan Statewide Grievance Panel review. The CMS Managed Care Plan Statewide Grievance Panel will review the dispute and make a recommendation to the Deputy State Health Officer. The decision of the DSHO is final for all health service issues. Rulemaking Authority 409.818 FS. Law Implemented 409.818 FS. History–New 2-27-08, Amended _____.

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: 64B11-2.003
RULE TITLE: Fees; Application

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to incorporate the revised application form DH-MQA 1152.

SUBJECT AREA TO BE ADDRESSED: Incorporation of the revised OT/OTA application into the rule.

RULEMAKING AUTHORITY: 456.013, 468.221, 468.204 FS

LAW IMPLEMENTED: 456.013, 456.0635, 468.209, 468.213(1), 468.221 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: Allen Hall, Executive Director, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:

64B19-11.012 Application Forms

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to incorporate the revised licensure application in the respective rule and to delete unnecessary language from the rule.

SUBJECT AREA TO BE ADDRESSED: Incorporation of the revised form for application and deletion of unnecessary language.

RULEMAKING AUTHORITY: 456.013, 490.004(4), 490.005 FS.

LAW IMPLEMENTED: 456.013, 456.0635, 490.005, 490.0051, 490.006, 490.007(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

**Section II
Proposed Rules**

NONE

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

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE NO.: RULE TITLE:

66B-1.005 Funds Allocation

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. 220, November 12, 2015 issue of the Florida Administrative Register.

66B-1.005 Funds Allocation.

The Board will allocate funding for this program based upon the District’s overall goals, management policies, fiscal responsibilities and operational needs for the upcoming year. If funds are determined to be available for the program, the District will notify potential eligible state and regional agencies of the availability of program funding and the authorized submission period. Applications will be reviewed by the Board utilizing District Form No. 00-25 and No. 00-25 (a) thru (f) Cooperative Assistance Program Application Evaluation and Rating Worksheet (effective date 4-24-06) hereby incorporated by reference and available from the District office.

(1) through (5) No change.

(6) Public Navigation: Projects or project elements in the category of public navigation that will qualify for up to seventy-five percent (75%) program funds must be within the Intracoastal Right-of-Way (ROW), or provide public navigation channel access to two or more publicly accessible launching, mooring or docking facilities. In addition, the following shall apply:

(a) Navigation channel dredging: The project sponsor must demonstrate that the source of channel sedimentation has been identified and is in the process of, or has been controlled, or that the frequency and amount of shoaling is such that dredging will provide an improvement to the channel that will last for twenty (20) years or more and therefore is more cost effective than identifying and correcting the cause of shoaling, or that the cost of identifying the source of channel sedimentation exceeds the cost of the dredging project;

(b) Navigation channel lighting and markers must be located on primary or secondary public navigation channels.

All other public navigation projects or project elements must have a minimum of one facility open to the public and will only qualify for up to fifty percent (50%) program funding. Dredging that is associated or ancillary to another use (such as a boat ramp, marina or pier) will be prioritized according to the associated use.

(7) Land Acquisition: Land acquisition projects that provide for commercial/industrial waterway access shall qualify for a maximum of fifty (50) percent funding. All other land acquisition projects shall qualify for a maximum of twenty-five (25) percent program funding. All pre-agreement expenses for land acquisition must be completed within one-year of the date of application for funding. All funded land acquisition projects must construct the required boating access facility within 7 years of completion of the land acquisition, or the District may require the applicant to refund the program funding. Immediately upon acquiring title to the land, the applicant shall record a declaration of covenants in favor of the District stating that if the required boating access facility is not constructed within 7 years and dedicated for the public use as a boating access facility for a minimum period of 25 years after completion of construction, the District shall require the applicant to refund the program funding.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1), (3) FS. History—New 12-17-90, Amended 2-6-97, Formerly 16T-1.005, Amended 5-17-98, 3-31-99, 3-21-01, 7-30-02, 3-3-04, 4-21-05, 4-24-06, 4-15-07, 3-25-08, 4-1-09, 3-7-11, 3-7-12, 4-10-13, _____.

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE NO.: RULE TITLE:
66B-2.005 Funds Allocation
 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. 220, November 12, 2015 issue of the Florida Administrative Register.

66B-2.005 Funds Allocation.

The Board will allocate funding for this program based upon the District’s overall goals, management policies, fiscal responsibilities and operational needs for the upcoming year. Funding allocations to navigation related districts, member counties and local governments shall be based upon the proportional share of the District’s ad valorem tax collections from each county. If funds are determined to be available for the program, the District will notify potential eligible governmental agencies of the availability of program funding. Applications will be reviewed by the Board utilizing District Forms No. 91-25 and 91-25 (A) through (F) Waterways

Assistance Program Application and Evaluation Worksheet (effective date 1/2014), hereby incorporated by reference and available

at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-03568> and available from the District office or by download from the District’s webpage at: www.aicw.org.

(1) through (5) No change.

(6) Public Navigation: Projects or project elements in the category of public navigation that will qualify for up to seventy-five percent (75%) program funds must be within the Intracoastal Right-of-Way (ROW), or provide public navigation channel access to two or more publicly accessible launching, mooring or docking facilities. In addition, the following shall apply:

(a) Navigation channel dredging: The project sponsor must demonstrate that the source of channel sedimentation has been identified and is in the process of, or has been controlled, or that the frequency and amount of shoaling is such that dredging will provide an improvement to the channel that will last for twenty (20) years or more and therefore is more cost effective than identifying and correcting the cause of shoaling, or that the cost of identifying the source of channel sedimentation exceeds the cost of the dredging project.

(b) Navigation channel lighting and markers must be located on primary or secondary public navigation channels.

Navigation projects or project elements that have one facility open to the public will qualify for up to fifty percent (50%) program funding. Dredging that is associated or ancillary to another use (such as a boat ramp, marina or pier) will be prioritized according to the associated use.

(7) Land Acquisition: Land acquisition projects that provide for commercial/industrial waterway access shall qualify for a maximum of fifty (50) percent funding. All other land acquisition projects shall qualify for a maximum of twenty-five (25) percent program funding. All pre-agreement expenses for land acquisition must be completed within one-year of the date of application for funding. All funded land acquisition projects must construct the required boating access facility within 7 years of completion of the land acquisition, or the District may require the applicant to refund the program funding. Immediately upon acquiring title to the land, the applicant shall record a declaration of covenants in favor of the District stating that if the required boating access facility is not constructed within 7 years and dedicated for the public use as a boating access facility for a minimum period of 25 years after completion of construction, the District shall require the applicant to refund the program funding.

(8) No change.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1), (3) FS. History—New 12-17-90, Amended 6-24-93, 9-5-96, 2-6-97, Formerly 16T-2.005, Amended 5-17-98, 8-26-99, 3-21-01, 7-30-02,

3-3-04, 4-21-05, 4-24-06, 4-15-07, 3-25-08, 4-1-09, 3-7-11, 3-7-12, 4-10-13, 1-27-14, - - .

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

NOTICE IS HEREBY GIVEN that on February 2, 2016, the Southwest Florida Water Management District, received a petition for a variance or waiver.

Petitioner’s Name: First Baptist Church of Plant City Florida, Inc.

Rule No.: 40D-22.201

Nature of the rule for which variance or waiver is sought: lawn and landscape irrigation

The Petition has been assigned tracking No. 16-4217.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext. 2298, water.variances@watermatters.org.

The Southwest Florida Water Management District (District) does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the District’s functions, including access to and participation in the District’s programs and activities. Anyone requiring reasonable accommodation as provided for in the Americans with Disabilities Act should contact the District’s Human Resources Bureau Chief, 2379 Broad St., Brooksville, FL 34604-6899, telephone: (352)796-7211 or 1(800)423-1476 (FL only), ext. 4703 or email ADACoordinator@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).

Any interested person or other agency may submit written comments within 14 days after the publication of this notice.

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 December 31, 2015, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), F.A.C., and Paragraph 5-202.11(A), 2009 FDA Food Code from Mammamia Gelati located in Miami. 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 front food preparation area.

The Petition for this variance was published in Vol. 42, No. 1 on January 4, 2016. The Order for this Petition was signed and approved on January 11, 2016. 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 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, 190 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

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

On February 8, 2016, the Division issued an order. The Final Order was in response to a Petition for an emergency permanent Variance from Stonewall Bar, filed January 12, 2016, and advertised on January 13, 2016, in Vol. 42, No. 8, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from

Rule 5.2.1.7.1 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), F.A.C., that requires a minimum clearance of 79 inches in the machine space within the machine room because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2016-005).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.: RULE TITLE:

61G6-6.017 Duration of Examination Scores

NOTICE IS HEREBY GIVEN that on January 11, 2016, the Electrical Contractors' Licensing Board, received a petition for variance or waiver filed by Danny M. Hicks, Sr. Petitioner is seeking a variance or waiver of Rule 61G6-6.017, F.A.C., which requires for the purpose of certification, a passing examination score on any part of the examination shall be valid only for a period of two (2) years from the date of the examination.

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

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

The Division of Vocational Rehabilitation announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 24, 2016, 2:00 p.m. – 3:00 p.m., ET

PLACE: Conference call number: 1(888)670-3525, pass code: 3670295879

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Florida Division of Vocational Rehabilitation (VR) will conduct a public forum to discuss the Workforce Innovation and Opportunity Act (WIOA) Section 412, which gives VR agencies discretion to provide specific services or equipment to eligible individuals who are at risk of losing their job. Feedback and discussion during the call is encouraged.

Comments related to WIOA Section 412 can also be e-mailed directly to VR at the following address: vrplan@vr.fldoe.org.

A copy of the agenda may be obtained by contacting: Elizabeth Moody, (850)245-3281, Elizabeth.Moody@vr.fldoe.org.

A copy of the agenda may be obtained by contacting: Elizabeth Moody, (850)245-3281, Elizabeth.Moody@vr.fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Elizabeth Moody, (850)245-3281, Elizabeth.Moody@vr.fldoe.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).

For more information, you may contact: Elizabeth Moody, (850)245-3281, Elizabeth.Moody@vr.fldoe.org.

DEPARTMENT OF EDUCATION

State Board of Education

The State Advisory Committee for the Education of Exceptional Students announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 10, 2016, 2:00 p.m.

PLACE: Telephone conference: 1(888)670-3525, passcode: 8006155226#

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Understanding Exceptional Student Education Funding Streams.

A copy of the agenda may be obtained by contacting: State Advisory Committee, Bureau of Exceptional Education and Student Services, Florida Department of Education, 325 West Gaines Street, Suite 614, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 28 days before the workshop/meeting by contacting: Bureau of Exceptional Education and Student Services, at (850)245-0475. 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: Bureau of Exceptional Education and Student Services, at (850)245-0475.

DEPARTMENT OF TRANSPORTATION

The Commercial Motor Vehicle Review Board announces a public meeting to which all persons are invited.

DATE AND TIME: March 10, 2016, 8:30 a.m.

PLACE: FDOT District Two - Madison Conference Room, 1109 South Marion Avenue, Lake City, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:
This is a monthly meeting of the Commercial Motor Vehicle Review Board for the purpose of reviewing penalties imposed upon any vehicle or persons under the provisions of Chapter 316, Florida Statutes, relating to weights imposed on the highway by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

A copy of the agenda may be obtained by contacting: Heather Nelson, Executive Assistant, Commercial Motor Vehicle Review Board, 605 Suwannee Street MS 90, 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 48 hours before the workshop/meeting by contacting: Heather Nelson. 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).

FLORIDA COMMISSION ON OFFENDER REVIEW

The Parole Qualifications Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 18, 2016, 3:30 p.m.

PLACE: Conference call number: 1(888)670-3525; Passcode: 896 395 5482

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Upcoming vacancy for Commissioner for the Commission on Offender Review.

A copy of the agenda may be obtained by contacting: Sarah Rumph, SarahRumph@fcor.state.fl.us, (850)488-4460.

EXECUTIVE OFFICE OF THE GOVERNOR

The Florida Commission on Community Service (Volunteer Florida) announces a public meeting to which all persons are invited.

DATE AND TIME: March 9, 2016, 1:00 p.m. until all business is complete

PLACE: Omni Hotel, Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General Business.

A copy of the agenda may be obtained by contacting: Ellen Herold at (850)414-7400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Ellen Herold at (850)414-7400. 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: Ellen Herold at (850)414-7400.

EXECUTIVE OFFICE OF THE GOVERNOR

The Florida Commission on Community Service (Volunteer Florida) announces a public meeting to which all persons are invited.

DATE AND TIME: March 10, 2016, 8:00 a.m. until all business is complete

PLACE: Omni Hotel, Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General Business.

A copy of the agenda may be obtained by contacting: Ellen Herold at (850)414-7400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Ellen Herold at (850)414-7400. 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: Ellen Herold at (850)414-7400.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary

The Florida Greenways and Trails Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 19, 2016, 10:00 a.m. until business is concluded

PLACE: Dial 1(888)670-3525, follow instructions for participant, enter 1518575507, then press #

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct business of the Subcommittee on Florida Greenways and Trails Council Bylaws including discussion and Council member input on the draft of the updated bylaws.

A copy of the agenda may be obtained by contacting: Christine Small, Office of Greenways and Trails, Division of Recreation and Parks, Florida Department of Environmental Protection, 3800 Commonwealth Boulevard, MS 795, Tallahassee, Florida 32399-3000,

Christine.Small@dep.state.fl.us, (850)245-2939. The agenda and meeting materials will be available and posted at the Office of Greenways and Trails' website (FloridaGreenwaysandTrails.com) 7 days prior to the meeting. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Christine Small using the contact information shown above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

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

DATE AND TIME: February 23, 2016, 10:00 a.m.

PLACE: Department of Health, Tallahassee; telephone conference: 1(888)670-3525, pass code: 2681213003 #

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider cases where Probable Cause has previously been found.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

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: Joe Baker, Jr. 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 Opticianry

The Department of Health will hold an Optical Establishment Probable Cause Panel Meeting where a reconsideration will be heard. All interested parties are invited to attend the meeting, which is open to the public.

DATE AND TIME: February 23, 2016, 9:00 a.m.

PLACE: Florida Department of Health, 4042 Bald Cypress Way, Room 310S, Tallahassee, Florida 32399, (850)245-4474

GENERAL SUBJECT MATTER TO BE CONSIDERED: Optical Establishment Probable Cause Panel Meeting with Reconsideration.

A copy of the agenda may be obtained by writing to: Jennifer Wenhold, Executive Director, Department of Health, Board of

Opticianry 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771 (TDD). Persons requiring special accommodations due to disability or physical impairment should contact: Jennifer Wenhold at (850)245-4474 at least one week prior to the meeting date.

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Genetics and Newborn Screening Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 19, 2016, 10:00 a.m. – 2:30 p.m.

PLACE: Florida Department of Health, Bureau of Laboratories, Porter Auditorium, 1217 N. Pearl Street, Jacksonville, FL 32231

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Genetics and Newborn Screening Advisory Council is meeting to discuss Florida's Newborn Screening Program. For more information, or if you plan to attend, please contact: Whitney G. Jones at Whitney.Jones@FLHealth.gov or (850)245-4672.

Adjournment time is approximate, depending on completion of the advisory council business.

A copy of the agenda may be obtained by contacting: Whitney G. Jones at Whitney.Jones@FLHealth.gov or can be found online at http://www.floridahealth.gov/programs-and-services/childrens-health/newborn-screening/_documents/2-19-2016agenda.doc.

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: Whitney G. Jones at Whitney.Jones@FLHealth.gov or (850)245-4672. 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 CHILDREN AND FAMILIES

Family Safety and Preservation Program

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

DATE AND TIME: February 29, 2016, 1:00 p.m.

PLACE: 1317 Winewood Blvd, Bldg. 1, (Secretary's Conference Room), Tallahassee, FL 32399; conference call: 1(888)670-3525, conference code: 5170172527#

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This meeting is a CIRRT advisory committee meeting. Please note there has been a change to the location that was previously posted. This posting has the correct address.

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

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

For more information, you may contact: Lainie Camen.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

DATE AND TIME: February 17, 2016, 9:30 a.m.

PLACE: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Deliberation for cases pending before the Reemployment Assistance Appeals Commission that are ready for final review and the Chairman's report. No public testimony will be taken.

A copy of the agenda may be obtained by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. 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: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

HARDEE COUNTY ECONOMIC DEVELOPMENT AUTHORITY

The Hardee County Economic Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 22, 2016, 8:30 a.m.

PLACE: 412 W. Orange Street, Room 103, Wauchula, FL 33873

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Discuss funding grants.

A copy of the agenda may be obtained by contacting: Sandy Meeks, (863)773-9430.

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: Sandy Meeks, (863)773-9430. 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.

ENTERPRISE FLORIDA, INC.

The Enterprise Florida, Inc. and the Florida Defense Support Task Force announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, February 18, 2016, 09:00 a.m., ET – 11:00 a.m., ET

PLACE: Conference Call: Phone Number: 1(800)501-8979, Access Code: 8784566

To access web content please log into WebEx:

<https://enterprisefl.webex.com/enterprisefl/j.php?MTID=m12666c0eee9a612dafb54c5db18c7f94>; Meeting number: 739 561 419; Meeting password: KxXSf43N

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This meeting will discuss proposed actions that will assist in preserving, protecting and enhancing Florida's military installations and missions.

A copy of the agenda may be obtained by contacting: Marcy Sanders, (850)878-4566, msanders@enterpriseflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Marcy Sanders, (850)878-4566, msanders@enterpriseflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Bruce Grant, (850)878-0826, bgrant@enterpriseflorida.com.

MRGMIAMI

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

DATE AND TIME: Thursday, February 18, 2016, 5:30 p.m.

PLACE: City of Palm Beach Gardens Council Chambers, 10500 North Military Trail, Palm Beach Gardens, FL 33410

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Florida Department of Transportation (FDOT) District Four, will be hosting an Alternatives Public Workshop for SR 9/I-95 PGA Boulevard/Central Boulevard Project Development and Environment (PD&E) Study. The Alternatives Public Workshop is being conducted as an informal open house where all viable alternatives that have been developed will be on display. The goal of the workshop is to collect and evaluate the public's comments on these alternatives before selecting a preferred alternative. The primary purpose of this PD&E Study is to identify roadway improvements, which will enhance regional mobility for the area bound by this study and includes the addition of a new interchange on I-95 at Central Boulevard.

A copy of the agenda may be obtained by contacting: Ms. Bing Wang, P.E., Project Manager, Florida Department of Transportation District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4406 (Telephone), toll free at 1(800)336-8435, ext. 4406 or via email at Bing.Wang@dot.state.fl.us.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

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: Ms. Bing Wang, P.E., at (954)777-406, toll-free at 1(800)336-8435, ext. 4406 or in writing to Florida Department of Transportation District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309 or via email at Bing.Wang@dot.state.fl.us. Any persons who require translation services (free of charge) should also contact Ms. Bing Wang, P.E. at least seven (7) days before the meeting. 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. Bing Wang, P.E., Project Manager, Florida Department of Transportation District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4406, toll-free at (800)336-8435, ext. 4406 or via email at Bing.Wang@dot.state.fl.us.

Section VII
 Notice of Petitions and Dispositions
 Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has received the petition for declaratory statement from Dave Lowell on January 28, 2016. The petition seeks the agency's opinion as to the applicability of 61G4-15.033 F.A.C., as it applies to the petitioner.

The Petitioner seeks a declaratory statement regarding the scope of 61G4-15.033 F.A.C., "Certification of Marine Specialty Contractors" as to whether the license includes the wiring of the boat lift motors to the switch that operates the boat lift; the wiring of the power supply to the switch; and the changing out of motors, wiring between the motor and switch, and the switch on an existing boat lift. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Dan Biggins, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, (850)487-1395 or by electronic mail: Amanda.Wynn@myfloridalicense.com.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Office of Financial Regulation has received the petition for declaratory statement from Affinity Partnerships, LLC, on February 8, 2016. The petition seeks the agency's opinion as to the applicability of Chapter 494, Florida Statutes, as it applies to the petitioner.

The petition seeks a declaratory statement from the Office on whether Petitioner's proposed business activities (of operating as an independent lead generation platform for mortgage lending companies [through a call center, advertisements and/or website as noted in the Petition]) fall within Florida's Mortgage Brokerage and Lending Act, Chapter 494, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9643.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9643, by March 1, 2016.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that on February 8, 2016, the Office of Financial Regulation has issued an order disposing of the petition for declaratory statement filed by Consumer Credit Counseling Services of Greater Atlanta, Inc. dba ClearPoint Credit Counseling Solutions on November 19, 2015. The following is a summary of the agency’s disposition of the petition:

The petition sought a declaratory statement from the Office on whether Petitioner’s business activities (of assisting consumers with Debt Management Plans (DMP), where consumers enter into DMP agreements with Petitioner, and through an ancillary function funds are disbursed to Creditors) fall within Florida’s money transmitting licensing statute Chapter 560, Florida Statutes. 02/08/2016 - Final Order issued (Denying Petition for Declaratory Statement) on the grounds that Petitioner currently operates in Florida and currently performs said activities, thus a declaratory statement is not available because Petitioner is seeking approval of acts which have already occurred or are ongoing.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9643.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

University of North Florida

RFQ 16-10 Campus Architects Continuing Agreement

NOTICE TO PROFESSIONAL CONSULTANTS

REQUEST FOR QUALIFICATIONS

RFQ 16-10

The University of North Florida Board of Trustees, a public body corporate, announces that Professional Services are required for miscellaneous projects, each not exceeding \$2,000,000 in total construction cost and studies each not exceeding \$200,000 in fees, are required for the University of North Florida located at 1 UNF Drive, Jacksonville, FL 32224.

Project information

Projects included in the scope of this agreement will be for renovations, alterations and additions that have a basic construction budget estimate of \$2,000,000 or less, or for studies of which the fee for professional services is \$200,000 or less. The University plans on awarding between three and four consultants for these projects. The awarded consultants will be utilized on an as needed basis for the duration of the agreement. The consultants awarded will not have an exclusive contract as the University may have additional consultants under contract during the same time period. The initial agreement period shall be for one year beginning July 1, 2016 through June 30, 2017 with an option to renew for up to two additional one year periods upon the agreement of both parties.

The proposed schedule for this project is:

- Advertisement February 10, 2016
- Pre-submittal Conference February 24, 2016 at 9 a.m.
- Submittals Due March 11, 2016 at 2 p.m.
- Evaluation Meeting(s) March 2016
- Interviews/Award April/May

Firms wishing to apply for consideration shall submit a Letter of Application/Interest with the appropriate documents from RFQ 16-10 titled Campus Architects Continuing Agreements.

The Letter of Application should have attached:

1. The most recent version of the "Professional Qualifications Supplement" completed by the applicant. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.
3. Five complete copies of the above requested data bound and in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

Minority business participation is strongly recommended and supported by the University of North Florida.

Blanket professional liability insurance will be required for this project in the amount of \$2,000,000 and will be provided as part of the Basic Services (each, aggregate and per occurrence).

As required by §287.133, Fla. Stat., a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$15,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplemental forms, descriptive project information and selection criteria may be obtained online at the UNF Procurement Services department website at https://www.unf.edu/procurement/Bids_and_Notices.aspx.

Submit one original and four complete copies of submittals to the above referenced address. RFQ submittals must be received no later than 2 p.m. on March 11, 2016. Facsimile (fax) or email submittals are not acceptable and will not be considered.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 DEP Solicitation No. 2016024C, Mechanical Treatment and Site Preparation for Fire Operations and Wildfire Risk Reduction

NOTICE OF Request for Proposal: On behalf of the Florida Department of Environmental Protection's the Procurement Office is soliciting formal, competitive, sealed bids from contractors for bid number 2016024C, Mechanical Treatment and Site Preparation for Fire Operations and Wildfire Risk Reduction.

The Department will post notice of any changes or additional meeting(s) on the Vendor Bid System (VBS) in accordance with section 287.042(3), Florida Statutes, and will not re-

advertise any notice in the Florida Administrative Register (FAR). Access the VBS at: http://www.myflorida.com/apps/vbs/vbs_www.main_menu

Section XII
Miscellaneous

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development
 Citrus Referendum Announcement

The Department of Agriculture and Consumer Services announces a change of the final return date for the proposed continuation of the Citrus Research Order in which all producers of citrus in Florida are invited to participate.

TIME PERIOD FOR REFERENDUM: Ballots and copies of the proposed order were mailed to all citrus producers affected who are in the state and whose names and addresses are known on January 22, 2016. Ballots and copies of the proposed order may be obtained from county extension offices in Desoto, Polk, Hardee, Hendry, Highlands, Indian River, and St. Lucie counties by producers not receiving them by mail, or by calling: Chris Denmark at (850)617-7341 or Shayla Ivey at (850)617-7306.

The date by which ballots must be returned to the Department is: Saturday, February 13, 2016.

GENERAL INFORMATION ABOUT THE REFERENDUM: The Department is required to conduct a referendum on continuing the order every six years. The current order expires on July 31, 2016.

If you have any questions, please call: Chris Denmark at (850)617-7341.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this referendum is asked to advise the Department by contacting: Chris Denmark at (850)617-7341. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TTY) or 1(800)955-8770 (Voice).

"Florida" "Citrus" "research" "Referendum"

DEPARTMENT OF HEALTH
 Board of Nursing

Notice of Emergency Action

On February 9, 2016, the State Surgeon General issued an Order of Emergency Restriction of License with regard to the license of Carolyn Ellen Scott, R.N., License #: RN 9379264. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2015).

The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Pharmacy

Notice of Emergency Action

On February 8, 2016, State Surgeon General issued an Order of Emergency Suspension of Registration with regard to the registration of Brian Fink, R.P.T., Registration #: RPT 41021. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2015). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Section XIII

**Index to Rules Filed During Preceding
Week**

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