

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

RULE NO.: RULE TITLE:

5C-30.003 Penalties

PURPOSE AND EFFECT: The purpose is to specify penalties for violation of Chapter 5C-3, 5C-4, and 5C-31, F.A.C. The effect is to clarify and strengthen the penalties for rule violations.

SUBJECT AREA TO BE ADDRESSED: Penalties for violation of rules.

RULEMAKING AUTHORITY: 570.07(23), 585.002(4), 585.08(2)(a) FS.

LAW IMPLEMENTED: 570.07(15), 570.36(2), 585.003, 585.007(1), 585.08(2)(a), 585.145(1), 585.145(2), 585.16, 585.18, 585.19, 585.23, 585.40 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: Dr. Michael A. Short, State Veterinarian, Director, Division of Animal Industry, Florida Department of Agriculture and Consumer Services, 407 South Calhoun Street, Tallahassee, Florida 32399-0800; (850)410-0900, Fax: (850)410-0929

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE NO.: RULE TITLE:

61G10-12.001 Application and Examination Fees

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to adjust the portion of the examination fee that is paid to the testing service.

SUBJECT AREA TO BE ADDRESSED: Allocating the existing fee.

RULEMAKING AUTHORITY: 481.306, 481.307 FS.

LAW IMPLEMENTED: 455.217(7), 481.307 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: Ruthanne Christie, Executive Director, Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

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

DEPARTMENT OF HEALTH

Vital Statistics

RULE NOS.: RULE TITLES:

64V-1.001 Delayed Birth Registration Requirements; Fees

64V-1.002 Birth Certificate Amendments; Who May Apply; Fees

64V-1.0031 Birth Certificate Amendments by Adoption

64V-1.0032 Birth Certificate Amendments by Paternity Establishment/Disestablishment; Judicial and Administrative Process

64V-1.0033 Birth Certificate Amendment by Legal Change of Name; Judicial Process

64V-1.006 Birth Registration; Evidence Required for Births Occurring Outside of a Facility

64V-1.0061 Death and Fetal Death Registration

64V-1.007 Death and Fetal Death Certificate Amendments; Who May Apply; Fees; Documentary Evidence Requirements

64V-1.0131 Certifications of Vital Records; Information Required for Release; Applicant Identification Requirements

64V-1.016 Florida Putative Father Registry

PURPOSE AND EFFECT: The purpose and effect of these rule amendments is to update the requirements that must be met to allow the Department to issue certifications of vital records, to update forms and remove redundant rule language.

SUBJECT AREA TO BE ADDRESSED: The recording and reporting of vital statistics.

RULEMAKING AUTHORITY: 382.003(7), (10), (11), 382.019, 382.0255(1)(a), (3), 382.015(6), 382.016, 382.013, 382.008, 382.025, 382.026, 382.0085 FS.

LAW IMPLEMENTED: 382.003(7), (10),(11), 63.152, 382.015, 382.016, 382.017, 742.10, 742.16, 742.18(8), 409.256(11)(d), 68.07(4), 382.013, 382.025, 382.026, 382.0085 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: Ana Goold, Quality Assurance Manager, Bureau of Vital Statistics at (904)359-6900 or by email at Ana.Goold@flhealth.gov
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

Section II Proposed Rules

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NOS.: RULE TITLES:
61G15-19.001 Grounds for Disciplinary Proceedings
61G15-19.004 Disciplinary Guidelines; Range of Penalties;
 Aggravating and Mitigating Circumstances

PURPOSE AND EFFECT: 61G15-19.001 - The purpose of the amendment is to clarify that renewal of a license without completion of statutorily required continuing education is a disciplinary violation.

61G15-19.004 - The purpose of the amendment is to create a penalty guideline for violation of 19.001 as amended.

SUMMARY: 61G15-19.001 - Create new disciplinary violation.

61G15-19.004 - Create a penalty guideline

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

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

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

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

RULEMAKING AUTHORITY: 455.227, 471.008, 471.031, 471.033, 471.033(2) FS.

LAW IMPLEMENTED: 455.227, 471.025(1), 471.031, 471.033, 471.033(1)(f), (g), (2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: : Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303, (850)521-0500

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-19.001 Grounds for Disciplinary Proceedings.

(1) through (5) No change.

(6) A professional engineer shall not commit misconduct in the practice of engineering. Misconduct in the practice of engineering as set forth in Section 471.033(1)(g), F.S., shall include, but not be limited to:

(a) through (r) No change.

(s) Renewing or reactivating a license without completion of Continuing Education (CE) hours and subject areas as required by section 471.017, F.S. and Rule 61G15-22.001.

(7) through (8) No change.

Rulemaking ~~peefie~~ Authority 471.033(2) FS. Law Implemented 471.025(1), 471.033(1)(f), (g), (2) FS. History--New 1-8-80, Amended 6-23-80, 3-23-81, 6-4-85, Formerly 21H-19.01, Amended 5-14-86, 4-23-87, 11-8-88, 1-11-89, 7-3-90, 11-9-92, Formerly 21H-19.001, Amended 11-27-94, 5-20-02,_____.

61G15-19.004 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) No change.

(2) The following disciplinary guidelines shall be followed by the Board in imposing disciplinary penalties upon licensees for violation of the below mentioned statutes and rules:

VIOLATION	PENALTY RANGE	
	FIRST VIOLATION	SECOND AND SUBSEQUENT VIOLATIONS
(a) Violating any provision of Section 455.227(1), 471.025 or 471.031, F.S., or any other provision of Chapter 471, F.S., or rule of the Board	Reprimand and \$1,000 fine, to One (1) year suspension, two (2) years probation and \$5,000 fine	One (1) year suspension, two (2) years probation and \$5,000 fine to Revocation

or Department (Sections 471.033(1)(a) and 455.227(1)(b), (q), F.S)		
1. through 4. No change.		
5. Failure to complete continuing education (Section 471.017(3), F.S. and Rule 61G15-22.001, F.A.C.)	Reprimand and \$1,000 fine, to Suspension until licensee demonstrates compliance	Suspension until licensee demonstrates compliance to Revocation
5.6. No change.		
6.7. No change.		
7.8. No change.		
8.9. No change.		
9.10. No change.		
10.11. No change		
11.12. No change.		
12.13. No change.		
13.14. No change .		
14.15. No change.		
(b) through (f) No change.		

(g) Fraud, deceit, negligence, incompetence or misconduct (Sections 471.033(1)(g) and 455.227(1)(a), (m), F.S.)		
1. through 3. No change.		
4. Misconduct (subsection 61G15-19.001(6), F.A.C.)	Reprimand and \$1,000 fine to one (1) year suspension	One (1) year suspension to Revocation and \$5,000 fine.
a. through h. No change.		
i. <u>Renewing or reactivating a license without completion of continuing education hours (paragraph 61G15-19.001(6)(s), F.A.C.)</u>	Reprimand, \$1,000 fine, to suspension until licensee demonstrates compliance	One (1) year suspension and \$1,000 fine to Revocation
(h) through (m) No change.		

(3) No change.

Rulemaking Authority 455.227, 471.008, 471.031, 471.033 FS. Law Implemented 455.227, 471.031, 471.033 FS. History—New 1-7-87, Formerly 21H-19.004, Amended 11-27-94, 5-22-01, 11-15-01, 5-20-02, 11-21-06, 2-21-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Professional Engineers
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 10, 2016
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 1, 2016

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: RULE TITLE:

64B17-6.005 Costs of Duplicating Medical Records

PURPOSE AND EFFECT: The rule amendment conforms the rule's provisions to section 486.057(17) FS

SUMMARY: Update 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 this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.057, 486.025 FS.

LAW IMPLEMENTED: 456.057, 456.058 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-6.005 Costs of Duplicating Medical Records.

(1) Any person licensed pursuant to Chapter 486, Florida Statutes, required to release copies of reports or patient medical records, or make reports or records available for digital scanning, may condition such release upon payment by the requesting party of no more than the reasonable costs of reproducing the records, including reasonable staff time.

(2) through (3) No change.

Rulemaking Specific Authority 456.057, 486.025 FS. Law Implemented 456.057, 456.058 FS. History—New 10-14-91, Formerly 21MM-6.005, 61F11-6.005, 59Y-6.005, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Board of Physical Therapy Practice

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 5, 2016
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 1, 2016

Section III Notice of Changes, Corrections and Withdrawals

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE NO.: 19B-4.001 RULE TITLE: Application

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. 42 No. 17, January 27, 2016 issue of the Florida Administrative Register.

These changes are being made to address comments expressed by the Joint Administrative Procedures Committee.

19B-4.001 Application.

(1) No change.

(2) The Florida Prepaid College Plan Master Contract, Form No. FPCB 2016-02, Effective <https://www.flrules.org/gateway/reference.asp?No=Ref04374>[Insert DoS Reference Website Link], is hereby incorporated by reference.

(3) through (4) No change.

Changes and comments to the incorporated Master Contract, Form No. FPCB 2016-02, Effective , include:

1. Confirmation that Section 1.03, which defines the term “Application,” contains the totality of the information sought in the application and conforms with this Rule provision.
2. Adding where appropriate the specific reference to IRS Form 1099-Q.
3. Two revisions to add clarifying language regarding the Board’s ability to amend the Master Contract in order to comply with Federal laws and regulations and the Florida Legislature’s grant of authority.

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE NO.: 19B-16.003 RULE TITLE: Participation Agreement

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. 42 No. 17, January 27, 2016 issue of the Florida Administrative Register. These changes are being made to address comments expressed by the Joint Administrative Procedures Committee.

19B-16.003 Participation Agreement.

The Participation Agreement, Form No. FPCB 20146-05, <http://www.flrules.org/Gateway/reference.asp?No=Ref02640>~~[Insert DoS Reference Website Link]~~, is hereby incorporated by reference. The Terms and Conditions, applicable to the Participation Agreement, Form No. FPCB 2014a6-06,

<http://www.flrules.org/Gateway/reference.asp?No=Ref03229>~~[Insert DoS Reference Website Link]~~, is hereby incorporated by reference.

Changes and comments to the incorporated Terms and Conditions, applicable to the Participation Agreement, Form No. FPCB 2016-06, include:

1. Confirmation that the term “Application” contains the totality of the information sought in the application and conforms with Rule 19B-4.001.
2. Clarification and confirmation that in Section 3 the necessary information required by the Board in order to process the request for authorization means the Board requires sufficient information to validate the requestor has the authority to make the request (e.g. a properly notarized form, identification, legible requests).
3. Clarification and confirmation that in Section 10.03 upon receipt of sufficient documentation means the Board requires sufficient information to validate the requestor has the authority to make the request (e.g. service records, discharge papers, enrollment papers) appropriate for the different branches of the Armed Services.

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE NO.: RULE TITLE:
19B-17.001 Florida ABLE, INC.; Requirements; Use of Board Property

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. 42 No. 17, January 27, 2016 issue of the Florida Administrative Register. These changes are being made to address comments expressed by the Joint Administrative Procedures Committee.

19B-17.001 Florida ABLE, Inc.; Requirements; Use of Board Property.

(1) Florida ABLE, Inc., a not-for-profit corporation established pursuant to Section 1009.986, F.S., shall:

- (a) through (c) No change.

~~(d) Allow the Florida Prepaid College Board, its employees or designees, or other state agencies as provided by law to audit Florida ABLE, Inc., through the use of an independent certified public accountant and shall provide any supplemental data requested upon reasonable notice at the corporation’s offices during normal business hours.~~

(2) No change.

Rulemaking Authority 1009.971(1) and (4) FS; 1009.986(10) FS. Law Implemented 1009.986 FS. History–New_____.

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE NO.: RULE TITLE:
19B-17.001 Florida ABLE, INC.; Requirements; Use of Board Property

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 17, January 27, 2016 issue of the Florida Administrative Register.

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

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE NO.: RULE TITLE:
19B-18.001 Application of Rule Chapter; Definitions

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. 42 No. 17, January 27, 2016 issue of the Florida Administrative Register.

These changes are being made to address comments expressed by the Joint Administrative Procedures Committee.

19B-18.001 Application of Rule Chapter; Definitions.

~~(1) These rules apply to participants of the Florida ABLE Program, a Qualified ABLE Program that allows persons to make contributions to an Account established for the purpose of paying the Qualified Disability Expenses of a Beneficiary.~~

(1)(2) For the purposes of the Florida ABLE Program and Rule Chapter 19B-18, F.A.C., defined terms and other definitions are set forth in the Participation Agreement and Terms and Conditions, which are incorporated by reference in Rule 19B-18.003, F.A.C.

Rulemaking Authority 1009.971(1) and (4) FS; 1009.986(10) FS. Law Implemented 1009.986 FS. History–New_____

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE NO.: RULE TITLE:
19B-18.002 Application for Participation in the Program

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. 42 No. 17, January 27, 2016 issue of the Florida Administrative Register.

These changes are being made to address comments expressed by the Joint Administrative Procedures Committee.

19B-18.002 Application for Participation in the Program.

(1) The Program ~~shall~~ ~~may~~ only require that applicants provide the following information:

- (a) through (h) No change.
- (2) No change.

Rulemaking Authority 1009.971(1) and (4) FS; 1009.986(10) FS. Law Implemented 1009.986 FS. History–New_____

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE NO.: RULE TITLE:
19B-18.003 Participation Agreement
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. 42 No. 17, January 27, 2016 issue of the Florida Administrative Register.

These changes are being made to address comments expressed by the Joint Administrative Procedures Committee.

19B-18.003 Participation Agreement.

The Participation Agreement, Form No. FPCB 2016-07, [Insert DoS Reference Website Link], is hereby incorporated by reference. The Terms and Conditions, applicable to the Participation Agreement, Form No. FPCB 2016-08, [Insert DoS Reference Website Link], is hereby incorporated by reference.

Changes and comments to the incorporated Terms and Conditions, applicable to the Participation Agreement, Form No. FPCB 2016-08, include:

1. Spacing fixed.
2. Bracketed language regarding “but not limited to” to clarify the statement is general, rather than exhaustive and outside the control of the Board.
3. Clarifying there is no approved “Request” form – account owners can use e-mail, letters or any other written medium.
- 4 Limiting and clarifying language regarding “reasonable attempt.”
5. Clarify “reasonable period of time” to mean within a time prescribed by the Secretary, applicable federal law, or if none, 120 days.
6. Revision to add clarifying language that a “reasonable opportunity” is six (6) months.
7. Revisions clarifying limitations on Board discretion in order to comply with federal laws and regulations and the Florida Legislature’s grant of authority.

Rulemaking Authority 1009.971(1) and (4) FS; 1009.986(10) FS. Law Implemented 1009.986 FS. History–New_____.

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE NO.: RULE TITLE:
19B-18.005 Account and Administration Fee
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. 42 No. 17, January 27, 2016 issue of the Florida Administrative Register.

These changes are being made to address comments expressed by the Joint Administrative Procedures Committee.

19B-18.004 Account and Investment Administration Fees.

Florida ABLE, Inc., will determine the amounts of the Account Fee and the Investment Administration Fee periodically and may consider factors including, ~~but not limited to,~~ the total amount invested in the Program by all Beneficiaries, the amounts of the fees that the Program must pay for investment management services, trustee services, records administration services, marketing services, and customer services and the annual budget of the Program. The fees charged will be available at [Website of the Florida ABLE Program].

Rulemaking Authority 1009.971(1) and (4) FS; 1009.986(10) FS. Law Implemented 1009.986 FS. History–New_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NOS.: RULE TITLES:
59C-1.040 Hospital Inpatient General Psychiatric Services
59C-1.041 Hospital Inpatient Substance Abuse Services
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. 42 No. 20, February 1, 2016 issue of the Florida Administrative Register.

59C-1.040 New Hospital Inpatient Psychiatric Services.

- (1) through (3)
- (4) Criteria for Determination of Need.
- (a) through (f). No change.

~~(g) Non-Competitive Applicants. The factors contained in paragraph (i) shall also be considered in the review of a single non-competitive certificate of need application within the district.~~

- (5) through (10) No change.

Rulemaking Authority 408.034(3), (8), 408.15(8) FS. Law Implemented 408.035, 408.036(1)(b), (c), 408.039(4)(a) FS. History–New 1-1-77, Amended 11-1-77, 6-5-79, 4-24-80, 2-1-81, 4-1-82, 11-9-82, 2-14-83, 4-7-83, 6-9-83, 6-10-83, 12-12-83, 3-5-84, 5-14-84, 7-16-84, 8-30-84, 10-15-84, 12-25-84, 4-9-85, Formerly 10-5.11,

Amended 6-19-86, 11-24-86, 1-25-87, 3-2-87, 3-12-87, 8-11-87, 8-7-88, 8-28-88, 9-12-88, 4-19-89, 10-19-89, 5-30-90, 7-11-90, 8-6-90, 10-10-90, 12-23-90, Formerly 10-5.011(1)(o), 10-5.040, Amended 8-24-93, 2-22-95, _____.

59C-1.041 New Hospital Inpatient Substance Abuse Services.

- (1) No change.
- (2) Definitions.
- (a) through (j). No change.
- (k) "Hospital Inpatient Substance Abuse Services."

Services provided under the direction of a professional trained and experienced in substance abuse services, including a psychiatrist, a physician certified by the American Society of Addiction Medicine, a physician subspecialty certified in Addiction Medicine by the American Osteopathic Association, a Certified Addictions Professional, a clinical psychologist, a clinical social worker (as defined in Section 491.003(2), F.S.) or a certified master social worker (as defined in Section 491.0145, F.S.) to persons whose sole diagnosis, or in the event of more than one diagnosis, the principal diagnosis is a substance abuse disorder defined in paragraph (2)(s) of this rule.

- (l) through (p) No change.
- (3) through (9) No change.

Rulemaking Authority 408.034(3), (8), 408.15(8) FS. Law Implemented ~~408.034(3), 408.034(8)~~, 408.035, 408.036(1)(b), (c), 408.039(4)(a) FS. History—New 1-1-77, Amended 11-1-77, 6-5-79, 4-24-80, 2-1-81, 4-1-82, 11-9-82, 2-14-83, 4-7-83, 6-9-83, 6-10-83, 12-12-83, 3-5-84, 5-14-84, 7-16-84, 8-30-84, 10-15-84, 12-25-84, 4-9-85, Formerly 10-5.11, Amended 6-19-86, 11-24-86, 1-25-87, 3-2-87, 3-12-87, 8-11-87, 8-7-88, 8-28-88, 9-12-88, 4-19-89, 10-19-89, 5-30-90, 7-11-90, 8-6-90, 10-10-90, 12-23-90, Formerly 10-5.011(1)(q), 10-5.041, Amended 8-24-93, 2-22-95, _____.

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER16-22
 RULE TITLE: Rescheduling of April Retailer Book Activation Promotion Drawings.

SUMMARY: The Department of the Lottery will reschedule the eighteen drawings for the April Retailer Book Activation Promotion, described in Rule 53ER16-17, F.A.C., from Thursday, April 14, 2016 to Wednesday, April 20, 2016. All other provisions set forth in Rule 53ER16-17, F.A.C. will remain in effect.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Anthony B. Miller, Deputy General Counsel Legal Analyst, Department of the Lottery, 250 Marriott Drive Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER16-22 Rescheduling of April Retailer Book Activation Promotion Drawings.

(1) Due to technical difficulties, the date of the eighteen drawings for the April Retailer Book Activation Promotion, described in Rule 53ER16-17, F.A.C., is changed from Thursday, April 14, 2016 to Wednesday, April 20, 2016.

(2) Except as provided in subsections (1) above, all other provisions set forth in Rule 53ER16-17, F.A.C. shall remain in effect.

Rulemaking Authority 24.105(9)(i), 24.109(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History—New 4-18-16.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 4-18-16

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT
 Criminal Justice Standards and Training Commission

RULE NO.: 11B-27.002
 RULE TITLE: Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers

NOTICE IS HEREBY GIVEN that on April 15, 2016, the Criminal Justice Standards and Training Commission, received a petition for a temporary waiver of paragraph 11B-27.002(4)(a), F.A.C., from Rudolph Elie. The Petitioner wishes to temporarily waive for that portion of the rule that states: within four years of the beginning date of a Commission-approved Basic Recruit Training Program, an individual shall successfully complete the program, achieve a passing score on the applicable State Officer Certification Examination, and gain employment, and certification as an officer. Petitioner states that he has been offered a conditional offer of employment with the Florida City Police Department if the waiver is granted. Petitioner states he successfully completed a Commission-approved Correctional Officer crossover training from May 16, 2011 through November 18, 2011. Petitioner states he achieved a passing score on the State Officer Certification Exam on January 12, 2012. Petitioner states that strict application of the rule creates a substantial hardship and violates principles of fairness because Petitioner would have to sponsor himself through another crossover program thereby incurring a six month loss of income.

Petitioner states the purpose of the underlying statute would be achieved if the waiver is granted.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Linton B. Eason, Assistant General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302 or by calling (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE NO.: RULE TITLE:

11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers

NOTICE IS HEREBY GIVEN that on March 23, 2016, the Criminal Justice Standards and Training Commission, received a petition for a temporary waiver of paragraph 11B-27.002(4)(a), F.A.C. from Chief Jason Shaw, Palatka Police Department on behalf of Orestes Cossio. The Petitioner wishes to temporarily waive for that portion of the rule that states: within four years of the beginning date of a Commission-approved Basic Recruit Training Program, an individual shall successfully complete the program, achieve a passing score on the applicable State Officer Certification Examination, and gain employment, and certification as an officer. Petitioner states that Mr. Cossio successfully completed a Commission-approved Basic Recruit Training Program from February 27, 2012 through July 26, 2012. Petitioner states that Mr. Cossio completed a new hire oral review with the Palatka P.D. and was selected to continue with the hiring process. Petitioner states that on February 4, 2016 Mr. Cossio was given a conditional offer of employment pending the outcome of the waiver request. Petitioner states that strict application of the rule creates a substantial hardship and violates principles of fairness because an expensive and extensive pre-employment process performed and would have to be repeated in addition to the financial hardship to Mr. Cossio. Petitioner states the purpose of the underlying statute would be achieved if the waiver is granted.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Linton B. Eason, Assistant General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302 or by telephone at: (850)410-7676.

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 April 13, 2016, the Southwest Florida Water Management District received a petition for a variance or waiver.

Petitioner's Name: Island Club West H.O.A.

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. 16-4220.

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.

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

NOTICE IS HEREBY GIVEN that on April 15, 2016, the South Florida Water Management District (District), received a petition for Variance (Application 160415-21) from Century Village Master Management Company Inc. (Century Village East, Deerfield Beach, FL), 3501 West Drive, Deerfield Beach, FL 33442-2085. The property is located in Broward County, Sections 2, 3, Township 48 South, Range 42 East. The petition seeks relief from provisions in subsection 40E-24.201(7), Florida Administrative Code, which states that irrigation of existing landscaping shall be conducted on specific days, pursuant to Section 120.542, Fla. Stat.

A copy of the Petition for Variance or Waiver may be obtained by contacting: the Regulation Division, during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 3301 Gun Club Road, West Palm Beach, FL 33406; by telephone at 682-6911; by email at permits@sfwmd.gov or by accessing the District's website (www.sfwmd.gov/ePermitting) using the Application/Permit Search. To be considered, comments must be received by the close of business on May 3, 2016, at the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33401, Attn: District Clerk. For additional information, contact James Harmon at (561)682-6777 or email: jharmon@sfwmd.gov.

DEPARTMENT OF HEALTH

Prescription Drug Monitoring Program

RULE NO.: RULE TITLE:

64K-1.003 Accessing Database

The Department of Health Prescription Drug Monitoring Program hereby gives notice of the issuance of an Order denying the petition for Variance or Waiver, filed on January 26, 2016, by Mary Lynn Ulrey, Chief Executive Officer of the Drug Abuse Comprehensive Coordinating Office. The Notice of Petition for Waiver or Variance was published on January 28, 2016, in Vol. 42, No.18, of the Florida Administrative Register. No comments were received in response to the petition. Petitioner sought a variance or waiver of the rule to

allow individuals with direct access to the Prescription Drug Monitoring Program to appoint a designee to access on their behalf. The Department's Order, filed on April 14, 2016, denied the Petitioner's request because the Petitioner seeks a waiver of the statutory requirements in § 893.055(7), Fla. Stat. The Department has no authority to waive the provisions of statute.

A copy of the Order or additional information may be obtained by contacting: Rebecca Poston, Program Manager, Prescription Drug Monitoring Program, 4052 Bald Cypress Way, Bin #C16, Tallahassee, Florida 32399-3299, Rebecca.Poston@FlHealth.gov.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

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

DATE AND TIME, Thursday, April 28, 2016, 5:00 p.m. – conclusion

PLACE: Mission San Luis, Kislak Classroom, 2100 West Tennessee Street, Tallahassee, FL 32304 or via teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Friends of Florida History Finance and Investment Committee will hold a meeting to conduct Friends' business and to support the Florida Department of State's Division of Historical Resources in its efforts to implement and manage programs designed to create statewide impact and position Florida as a national leader in historic preservation.

A copy of the agenda may be obtained by contacting: Diane Ogorzaly at Diane.Ogorzaly@DOS.MyFlorida.com or (850)245-6388.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

DEPARTMENT OF LEGAL AFFAIRS

The Department of Legal Affairs, Services and Resources Committee of the Statewide Council on Human Trafficking announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 9, 2016, 1:00 p.m.

PLACE: FDLE Jacksonville, 921 North Davis Street, Building E Training Rooms, Jacksonville, FL 32209; telephone conference: 1(888)670-3525, participant passcode: 9590495753.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Services and Resources Committee will address human

trafficking matters relating to content and structure of its committee report.

A copy of the agenda may be obtained from: Lynn Guyton, Lynn.Guyton@myfloridalegal.com or from the board's website at:

http://myfloridalegal.com/_85256CC5006DFCC3.nsf/0/8AE A5858B1253D0D85257D34005AFA72?Open&Highlight=0,s tatewide,council,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 7 days before the workshop/meeting by contacting: the Office of Attorney General Pam Bondi at (850)414-3300. 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: Lynn Guyton, Lynn.Guyton@myfloridalegal.com, (813)287-7950.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agriculture Center and Horse Park Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 4, 2016, 5:00 p.m.

PLACE: Florida Horse Park Administration Office, 11008 South Highway 475, Ocala, Florida 34480

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Executive Committee to discuss general business.

To obtain a copy of the agenda contact: Jennifer Barrett at (352)307-6699 or email: events@flhorsepark.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: Jennifer Barrett at 1(352)307-6699 or email: events@flhorsepark.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).

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation, District 2 announces a hearing to which all persons are invited.

DATE AND TIME: April 26, 2016, 4:30 p.m. – 6:30 p.m.

PLACE: Holiday Inn & Suites, 1302 N. Ponce De Leon Blvd., St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic and environmental effects of Financial Project ID: 434556-1, otherwise known as May Street/San Marco Avenue/W. San Carlos Avenue/US 1 Intersection Improvements. The Department previously held two public meeting where alternatives were presented for public input. Since that time, the Department participated in several other public meetings hosted by the City of St. Augustine and selected a preferred alternative. After listening to the input from these meetings, the Department has refined the preferred alternative. This hearing is being held as part of the Design phase to provide you with an opportunity to review the refined alternative and receive your comments regarding the new design. As of April 5, 2016, project documents will be available for review at the St. Johns County Public Library, 1960 Ponce De Leon Blvd., St. Augustine, FL 32084. Persons wishing to submit a written statement may do so at the hearing or mail them to the address provided no later than May 6, 2016. Public participation is solicited without regard to race, color, religion, sex, age, national origin, disability or family status.

A copy of the agenda may be obtained by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874. 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: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: May 3, 2016, 4:30 p.m. – 6:30 p.m.

PLACE: Bob Hayes Sports Center and Legends Center, 5054 Soutel Drive, Jacksonville, FL. 32208

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 This public hearing is being held to give interested persons an opportunity to express their views concerning the closure of the Norfolk Southern railroad-highway at-grade crossing on Edgewood Drive in Jacksonville, Florida. There will be an open house from 4:30 p.m. – 6:00 p.m. for document review followed by a comment period from 6:00 p.m. – 6:30 pm.

There is no presentation. Persons who wish to submit written statements may do so at the meeting or send them to the contact person listed below. Public participation is sought without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting Laura Regalado.

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: Laura Regalado, Rail Crossing Opening Closure Program, Florida Department of Transportation Central Office, 605 Suwannee Street, MS 25, Tallahassee, Florida 32399-0450, (850)414-4528 or toll-free at 1(866)374-3368, ext. 4528. 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: Laura Regalado, Rail Crossing Opening Closure Program, Florida Department of Transportation Central Office, 605 Suwannee Street, MS 25, Tallahassee, Florida 32399-0450, (850)414-4528 or toll-free at 1(866)374-3368, ext. 4528.

REGIONAL PLANNING COUNCILS

Northeast Florida Regional Planning Council

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

DATE AND TIME: May 5, 2016, 10:00 a.m., Executive Committee Meeting

PLACE: 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Regular Committee meeting.

A copy of the agenda may be obtained by contacting: (904)279-0880 or sforde@nefrc.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 5 days before the workshop/meeting by contacting: (904)279-0880. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 2, 2016, 9:30 a.m.

PLACE: Treasure Coast Regional Planning Council, 421 SW Camden Avenue, Stuart, Florida 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Council's Budget and Personnel Committee will meet to

discuss a proposed amendment to the Council's current budget for Fiscal Year 2015-2016. This item will be on the agenda for the May 20, 2016 Council meeting.

A copy of the agenda may be obtained by contacting: Liz Gulick, (772)221-4060, lgulick@tcrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Liz Gulick, (772)221-4060, lgulick@tcrpc.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: Liz Gulick, (772)221-4060, lgulick@tcrpc.org.

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 20, 2016, 9:30 a.m.

PLACE: Indian River State College, Wolf High Technology Center, 2400 SE Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Treasure Coast Regional Planning Council will conduct its monthly meeting.

A copy of the agenda may be obtained by contacting: Liz Gulick, (772)221-4060, lgulick@tcrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Liz Gulick, (772)221-4060, lgulick@tcrpc.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: Liz Gulick, (772)221-4060, lgulick@tcrpc.org.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: April 26, 2016, 10:00 a.m.

PLACE: 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Everglades Technical Oversight Committee (TOC).

A copy of the agenda may be obtained at the District Website (<http://www.sfwmd.gov/toc>) or by contacting: Kim Chuirazzi at (561)682-2425.

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: Brenda Low, District Clerk, blow@sfwmd.gov or (561)682-6805. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kim Chuirazzi at (561)682-2425.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

The Florida Barbers' Board announces a public meeting to which all persons are invited.

DATE AND TIME: Sunday, July 17, 2016, 9:00 a.m.

PLACE: Hilton Naples, 5111 Tamiami Trail North, Naples, Florida 34103, (239)430-4900.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting the Florida Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

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 Florida Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: the Florida Barbers,' Board, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

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

DATES AND TIMES: July 18, 2016, 9:00 a.m.; July 19, 2016, 9:00 a.m.

PLACE: Hilton Naples, 5111 Tamiami Trail North, Naples, Florida 34103, (239)430-4900

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

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 Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: the Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection announces a public meeting to which all persons are invited.

DATE AND TIME: May 18, 2016, 9:30 a.m.

PLACE: UF/IFAS Brevard County Extension Office Auditorium, 3695 Lake Drive, Cocoa, FL 32926

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting of interested stakeholders to discuss the Indian River Lagoon Basin Management Action Plans (BMAPs). The BMAP is the means for implementation of the adopted Total Maximum Daily Loads (TMDLs). The primary purpose of this meeting is to provide the annual update on the adopted BMAP.

A copy of the agenda may be obtained by contacting: Yesenia Escribano, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair

Stone Road, MS 3565, Tallahassee, Florida 32399-2400, Yesenia.Escribano@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 48 hours before the workshop/meeting by contacting: Yesenia Escribano, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, Yesenia.Escribano@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Yesenia Escribano, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, Yesenia.Escribano@dep.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

The Department of Children and Families announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, April 26, 2016, 10:00 a.m. – 3:00 p.m.

PLACE: 4001 Pelee St., Orlando, FL, 32817, Hope Room.; telephone conference: 1(888)670-3525, participant code: 671 5356 658#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is for the Independent Living Services Advisory Council to conduct general Council business and continue their efforts of reviewing the implementation and operation of the Road-to-Independence Program.

A copy of the agenda may be obtained by contacting: Tory Wilson, Department of Children and Families, (850)717-4056, tory.wilson@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 1 day before the workshop/meeting by contacting: Tory Wilson, Department of Children and Families, (850)717-4056, tory.wilson@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

JACKSONVILLE SHERIFF’S OFFICE

The Jacksonville Sheriff’s Office announces a public meeting to which all persons are invited.

DATE AND TIME: May 16, 2016, 1:30 p.m.

PLACE: FSCJ North Campus - Northeast Florida Criminal Justice Center

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public meeting for Regional V Training Council.

ENTERPRISE FLORIDA, INC.

The Enterprise Florida Inc., Board of Directors announces a public meeting to which all persons are invited.

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

PLACE: Naples Beach Hotel & Golf Club, 851 Gulf Shore Boulevard North, Naples, Florida 34102

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting has been cancelled and will not take place.

A copy of the agenda may be obtained by contacting: Al Latimer, (407)956-5602, alatimer@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 day before the workshop/meeting by contacting: Al Latimer, (407)956-5602, alatimer@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).

ENTERPRISE FLORIDA, INC.

The Enterprise Florida Inc., Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 10, 2016, 11:00 a.m.

PLACE: Naples Beach Hotel & Golf Club, 851 Gulf Shore Boulevard North, Naples, Florida 34102

GENERAL SUBJECT MATTER TO BE CONSIDERED: These meetings will discuss on-going issues, deliberate new issues and consider other matters.

A copy of the agenda may be obtained by contacting: Louis Laubscher, (407)956-5631, llaubscher@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 day before the workshop/meeting by contacting: Louis Laubscher, (407)956-5631, llaubscher@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).

QCAUSA

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

DATE AND TIME: Tuesday, April 26, 2016, 5:30 p.m. – 6:30 p.m., CT

PLACE: Beulah Senior Center, 7425 Woodside Road, Pensacola, FL 32526

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation will hold a public information meeting regarding improvements to the intersection of State Road (S.R.) 10A (U.S. 90/Mobile Highway) and County Road (C.R.) 99 (Beulah Road) in Escambia County, FL.

Financial Project Identification Number: 436724-1-32-01

Proposed improvements for State Road 10A (U.S. 90/Mobile Highway) and County Road 99 (Beulah Road) consist of constructing a traffic signal, turn lanes, roadway lighting and other safety enhancements. Mobile Highway and Beulah Road will be widened and resurfaced to accommodate the improvements. Additional right-of-way is anticipated for this project.

The meeting will be held in an open-house format. There will be no formal presentation; however, maps, drawings, and other information will be on display. Representatives from FDOT will be available to explain proposed improvements, answer questions and receive comments.

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

A copy of the agenda may be obtained by contacting: FDOT GEC Project Manager, Tommy Johns, P.E., toll-free at 1(866)855-7275 or at tommy.johns@atkinglobal.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: FDOT GEC Project Manager, Tommy Johns, P.E., toll-free at 1(866)855-7275 or at tommy.johns@atkinglobal.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).

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

NONE

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

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

NONE

Notice of Disposition of Petition for Administrative Determination has been filed 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

EXEMPTION

The Agency for Health Care Administration approved the following exemption on April 16, 2016 pursuant to Section 408.036(3), Florida Statutes:

ID # E160007 District: 8-5 (Lee County)

Facility/Project: Lehigh Acres Health and Rehabilitation Center

Applicant: Lehigh Acres NH, LLC

Project Description: Divide CON #10239 into two components of 18 beds and two beds
Proposed Project Cost: \$0.00

AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

State Plan Amendment

The Agency for Health Care Administration announces that it is requesting an amendment to the Medicaid State Plan for the Medical School Faculty Reimbursement Methodology. The amendment reflects creation of a reimbursement methodology for services rendered by practitioners as defined under the Physician Quality Reporting System (PQRS), who are enrolled in Florida Medicaid, and employed by or contracted with a Florida public or private, non-profit, accredited medical, dental, or optometry school to provide supervision and teaching of medical, dental, or optometric students, residents, or fellows. This amendment to the State Plan has an expected negligible fiscal impact. The effective date for this amendment will be July 1, 2016.

Interested parties may contact the following staff for further information: Nicole Linn, Medicaid Program Finance, located at 2727 Mahan Drive, Mail Stop 23, Tallahassee, Florida 32308-5407, by telephone at: (850)412-4287 or by e-mail at: Nicole.linn@ahca.myflorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

Final Order No.: DEO-16-049

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-049 on April 18, 2016, in response to an application submitted by The Pines Owners Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

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

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

Section XIII
Index to Rules Filed During Preceding
Week

**INDEX TO RULES FILED BETWEEN APRIL 11, 2016
AND APRIL 15, 2016**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

59G-4.060	4/13/2016	5/3/2016	42/10	42/42 42/50
59G-4.200	4/13/2016	5/3/2016	42/31	
59G-4.207	4/13/2016	5/3/2016	42/10	

DEPARTMENT OF HEALTH

Board of Medicine

64B8-42.002	4/12/2016	5/2/2016	41/214	42/48
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Board of Nursing

64B9-3.008	4/13/2016	5/3/2016	42/34	
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**LIST OF RULES AWAITING LEGISLATIVE
APPROVAL PURSUANT TO SECTION 120.541(3),
FLORIDA STATUTES**

DEPARTMENT OF HEALTH

Medical Records Retention, Disposition, Reproduction

64B8-10.003	12/9/2015	**/**/*****	39/95	41/49
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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.