

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Florida Real Estate Commission

RULE NO.: RULE TITLE:

61J2-3.020 Post-licensing Education for Active and Inactive
Broker and Sales Associate Licensees

PURPOSE AND EFFECT: The Commission proposes to
review and update the rule language.

SUBJECT AREA TO BE ADDRESSED: Post-licensing
education for active and inactive broker and sales associate
licensees.

RULEMAKING AUTHORITY: 475.05, 475.17 FS.

LAW IMPLEMENTED: 475.04, 475.17, 475.182 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: Lori
Crawford, Executive Director, Florida Real Estate
Commission, 400 W. Robinson Street, #N801, Orlando, Florida
32801, lori.crawford@myfloridalicense.com.

THE PRELIMINARY TEXT OF THE PROPOSED RULE
DEVELOPMENT IS NOT AVAILABLE.

Section II

Proposed Rules

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: RULE TITLE:

64B1-9.001 Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the rule
amendment to clarify the disciplinary guidelines.

SUMMARY: Substantial rewrite of the disciplinary guidelines.

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 concluded that this rule change
will not have any impact on licensees and their businesses or
the businesses that employ them. The rule will not increase any
fees, business costs, personnel costs, will not decrease profit
opportunities, and will not require any specialized knowledge
to comply. This change will not increase any direct or indirect
regulatory costs. Hence, the Board 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: 463.005(1), 463.005(1)(a) FS.

LAW IMPLEMENTED: 463.001, 463.011 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: Kama Monroe, JD, Executive Director,
Board of Acupuncture, 4052 Bald Cypress Way, Bin # C06,
Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

Substantial rewording of Rule 64B1-9.001 follows. See Florida
Administrative Code for present text.

64B1-9.001 Disciplinary Guidelines.

(1) When the Board finds any person has committed any of
the acts set forth in Section 456.072(1) or 457.109(1), F.S., it
shall issue a final order imposing appropriate penalties as
recommended in the following disciplinary guidelines.

(a) Attempting to obtain, obtaining, or renewing a license
to practice acupuncture by: bribery, or fraudulent
misrepresentations, or through an error of the Department or
Board.

(Sections 457.109(1)(a), 456.072(1)(h), F.S.)

1. Error of the Department or Board

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	letter of concern, or laws and rules continuing education	\$1,000 fine
<u>SUBSEQUENT OFFENSES</u>	laws and rules continuing education	\$1,000 fine

2. Bribery or fraudulent misrepresentation

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	\$10,000 fine	revocation
<u>SUBSEQUENT OFFENSES</u>	\$10,000 fine	revocation

(b) Having a license to practice acupuncture revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country.

(Sections 457.109(b), 456.072(1)(f), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	letter of concern	revocation
<u>SUBSEQUENT OFFENSES</u>	\$500 fine	revocation

(c) Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, of a crime in any jurisdiction which relates to the practice of acupuncture or to the ability to practice acupuncture.

(Sections 457.109(1)(c), 456.072(1)(c), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	letter of concern	\$10,000 fine or revocation
<u>SUBSEQUENT OFFENSES</u>	\$1,000 fine	suspension or revocation

(d) False, deceptive, or misleading advertising or advertising which claims that acupuncture is useful in curing any disease.

(Section 457.109(1)(d), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	letter of concern	\$1,000 fine
<u>SUBSEQUENT OFFENSES</u>	\$1,000 fine	suspension or revocation

(e) Advertising, practicing, or attempting to practice under a name other than one's own.

(Section 457.109(1)(e), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	letter of concern	\$1,000 fine
<u>SUBSEQUENT OFFENSES</u>	\$1,000 fine	suspension or revocation

(f) Failing to report to the Department any person who the licensee knows is in violation of this chapter or of the rules of the Department or Board.

(Sections 457.109(1)(f), 456.072(1)(i), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	letter of concern	\$500 fine
<u>SUBSEQUENT OFFENSES</u>	\$500 fine	suspension or revocation

(g) Aiding, assisting, procuring, employing, or advising any unlicensed person to practice acupuncture contrary to Chapter 457 or 456, F.S., or to a rule of the Department or Board.

(Sections 457.109(1)(g), 456.072(1)(j), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	\$500 fine and continuing education	\$5,000 fine and or suspension
<u>SUBSEQUENT OFFENSES</u>	\$500 fine	suspension or revocation

(h) Failing to perform any statutory or legal obligation placed upon a licensed acupuncturist.

(Sections 457.109(1)(h), 456.072(1)(k), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	letter of concern and \$500 fine	suspension or revocation
<u>SUBSEQUENT OFFENSES</u>	\$500 fine	suspension or revocation

(i) Making or filing a report, signed in the capacity of a licensed acupuncturist, which the licensee knows to be false, intentionally or negligently failing to file a report or record required by state or federal law, willfully impeding or obstructing such filing or inducing another person to do so.

(Sections 457.109(1)(l), 456.072(1)(l), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	letter of concern and \$500 fine	\$5,000 and or suspension
<u>SUBSEQUENT OFFENSES</u>	\$5,000 fine and continuing education	suspension or revocation

(j) Exercising influence within a patient-acupuncturist relationship for purposes of engaging a patient in sexual activity, or engaging or attempting to engage a patient in verbal or physical sexual activity.

(Sections 457.109(1)(j), 456.072(1)(v), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	\$500 fine	\$10,000 fine, suspension and or revocation
<u>SUBSEQUENT OFFENSES</u>	\$5,000 fine	revocation

(k) Making misleading, deceptive, untrue, or fraudulent representations in or related to the practice of acupuncture or employing a trick or scheme in the practice of acupuncture when such scheme or trick fails to conform to the generally prevailing standards of treatment in the community.

(Section 457.109(1)(k), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	\$10,000 fine	\$10,000 fine and revocation
<u>SUBSEQUENT OFFENSES</u>	\$10,000 fine	\$10,000 fine and revocation

(l) Soliciting patients, either personally or through an agent, through the use of fraud, intimidation, undue influence, or a form of overreaching or vexatious conduct.

(Sections 457.109(1)(l), 456.072(1)(y), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	\$10,000 fine	\$10,000 fine, suspension and or revocation
<u>SUBSEQUENT OFFENSES</u>	\$10,000 fine	\$10,000 fine, suspension and or revocation

(m) Failing to keep written medical records which are consistent with the standard of care in acupuncture.

(Section 457.109(1)(m), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	letter of concern and continuing education in documentation	\$1,000 fine
<u>SUBSEQUENT OFFENSES</u>	\$1,000 fine	probation and or suspension

(n) Exercising influence on the patient to exploit the patient for the financial gain of the licensee or of a third party.

(Sections 457.109(1)(n), 456.072(1)(n), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	\$1,000 fine	\$10,000 fine, suspension and or revocation
<u>SUBSEQUENT OFFENSES</u>	\$2,000 fine	revocation

(o) Being unable to practice acupuncture with reasonable skill and safety to patients by reason of illness, use of alcohol, drugs, narcotics, chemicals, or any other type of material or as a result of any mental or physical condition.

(Sections 457.109(1)(o), 456.072(1)(z), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	suspension until such time as the licensee can	revocation

	provide Board's satisfaction to demonstrate ability to practice with reasonable skill and safety	
<u>SUBSEQUENT OFFENSES</u>	suspension until such time as the licensee can provide Board's satisfaction to demonstrate ability to practice with reasonable skill and safety	revocation

(p) Gross or repeated malpractice or the failure to practice acupuncture with that level of care, skill, and treatment which is recognized by a reasonably prudent, similar acupuncturist as being acceptable under similar conditions and circumstances.

(Section 457.109(1)(p), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	letter of concern and continuing education	\$1,000 fine, suspension and continuing education
<u>SUBSEQUENT OFFENSES</u>	probation	revocation

(q) Practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities which the licensee knows or has reason to know that he or she is not competent to perform.

(Sections 457.109(1)(q), 456.072(1)(o), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	letter of concern and continuing education	\$1,000 fine, suspension and continuing education
<u>SUBSEQUENT OFFENSES</u>	probation	revocation

(r) Delegating or contracting for professional responsibilities by a person when the licensee delegating or contracting for such responsibilities knows or has reason to know that such person is not qualified by training, experience, or licensure to perform them.

(Sections 457.109(1)(r), 456.072(1)(q), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	letter of concern	\$1,000 fine,

	<u>and continuing education</u>	<u>suspension and CE</u>
<u>SUBSEQUENT OFFENSES</u>	<u>probation</u>	<u>revocation</u>

(s) Violating any provision of Chapter 457 or 456, F.S., a rule of the Board or Department, or a lawful order of the Board previously entered in a disciplinary hearing or failing to comply with a lawfully issued subpoena of the department.

(Sections 457.109(1)(s), 456.072(1)(v), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>letter of concern and \$500 fine</u>	<u>suspension and or revocation</u>
<u>SUBSEQUENT OFFENSES</u>	<u>\$500 fine</u>	<u>suspension and or revocation</u>

(t) Conspiring with another to commit an act, or committing an act, which would tend to coerce, intimidate, or preclude another licensee from lawfully advertising his or her services.

(Section 457.109(1)(t), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>letter of concern</u>	<u>\$1,000 fine</u>
<u>SUBSEQUENT OFFENSES</u>	<u>\$1,000 fine</u>	<u>suspension or revocation</u>

(u) Fraud or deceit or gross negligence, incompetence, or misconduct in the operation of a course of study.

(Section 457.109(1)(u), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>\$2,000 fine</u>	<u>\$10,000 fine and revocation</u>
<u>SUBSEQUENT OFFENSES</u>	<u>\$2,000 fine</u>	<u>\$10,000 fine and revocation</u>

(v) Failing to comply with state, county, or municipal regulations or reporting requirements, relating to public health and the control of contagious and infectious diseases.

(Section 457.109(1)(v), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>\$500 fine and continuing education</u>	<u>\$1,000 and continuing education</u>
<u>SUBSEQUENT OFFENSES</u>	<u>\$1,000 and continuing education</u>	<u>\$5,000 and continuing education</u>

(w) Failing to comply with any rule of the Board relating to health and safety, including, but not limited to, the sterilization of needles and equipment and the disposal of potentially infectious materials.

(Sections 457.072(1)(w), F.S., 456.072(1)(b), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>\$500 fine and continuing</u>	<u>\$1,000 and continuing</u>

	<u>education</u>	<u>education</u>
<u>SUBSEQUENT OFFENSES</u>	<u>\$1,000 and continuing education</u>	<u>\$5,000 and continuing education</u>

(x) Failing to comply with continuing education requirements, including requirements for HIV/AIDS education.

(Sections 457.109(1)(x), 456.072(1)(b)(e), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>suspension until continuing education completed</u>	<u>\$1,000 and suspension until continuing education completed</u>
<u>SUBSEQUENT OFFENSES</u>	<u>suspension until continuing education completed</u>	<u>revocation</u>

(y) Having been found liable in a civil proceeding for knowingly filing a false report or complaint with the department against another licensee.

(Section 456.072(1)(g), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>\$500 fine</u>	<u>suspension or revocation</u>
<u>SUBSEQUENT OFFENSES</u>	<u>revocation</u>	<u>revocation</u>

(z) Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding.

(Section 456.072(1)(r), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>letter of concern</u>	<u>\$1,000 fine</u>
<u>SUBSEQUENT OFFENSES</u>	<u>\$2,000 fine</u>	<u>revocation</u>

(aa) Failing to report to the Board in writing with 30 days after the licensee has been convicted or found guilty of, or entered a pleas of nolo contendere to, regardless of adjudication, a crime in any jurisdiction.

(Section 456.072(1)(x), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>letter of concern</u>	<u>\$2,000 fine and CE's</u>
<u>SUBSEQUENT OFFENSES</u>	<u>\$500 fine</u>	<u>\$2,000 fine and CE</u>

(bb) Using information about people involved in a motor vehicle accident which has been derived from accident reports made by law enforcement officers or persons involved in accidents pursuant to Section 316.066, F.S., or using information published in a newspaper or other news publication or through a radio or television broadcast that has used

information gained from such reports, for the purposes of solicitation of the people involved in such accidents.

(Section 456.072(1)(y), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	\$500 fine	suspension
<u>SUBSEQUENT OFFENSES</u>	\$1,000 fine	revocation

(cc) Practicing acupuncture injection therapy without first providing notice to the Board of intent to practice acupuncture injection therapy and proof of successful completion of the required course of study. For the purpose of this rule the required course of study for the practice of acupuncture injection therapy shall not be a home study course and the required course shall at a minimum require 60 hours of training in the following areas:

1. History and development of acupuncture injection therapy;
2. Differential diagnosis;
3. Definitions, concepts, and pathophysiology;
4. The nature, function, channels entered, and contraindications of herbal, homeopathic, and nutritional injectables;
5. Diseases amenable to treatment with acupuncture injection therapy and the injectables appropriate to treat them;
6. Identification of appropriate points for treatment, including palpatory diagnosis;
7. A review of anatomy and referral zones;
8. Universal precautions including management of blood borne pathogens and biohazardous waste;
9. Procedures for injections, including preparing the injectables, contraindications and precautions;
10. 10 hours of clinical practice on a patient or patients; and
11. Administration techniques and equipment needed.

(Section 457.109(1)(w),(x), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	\$1,000 fine	suspension or revocation
<u>SUBSEQUENT OFFENSES</u>	\$1,000 fine	revocation

(dd) Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, under 18 U.S.C. s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 U.S.C. ss. 1320a-7b, relating to the Medicaid program.

(Section 456.072(1)(ii), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	\$10,000 fine	revocation
<u>SUBSEQUENT OFFENSES</u>	\$10,000 fine	revocation

(ee) Failing to remit the sum owed to the State for an overpayment from the Medicaid Program pursuant to a final order, judgment, or Stipulation or settlement. Section 456.072(1)(jj), F.S.

(Section 456.072(1)(jj), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	suspension until complied	revocation
<u>SUBSEQUENT OFFENSES</u>	suspension until complied	revocation

(ff) Being terminated from the state Medicaid Program pursuant to Section 409.913, F.S., any other state Medicaid program, or the federal Medicare program, unless eligibility to participate in the program from which the practitioner was terminated has been restored. Section 456.072(1)(kk), F.S.

(Section 456.072(1)(kk), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	revocation	revocation

(gg) Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, a crime in any jurisdiction which related to health care fraud. Section 456.072(1)(ll), F.S.

(Section 456.072(1)(ll), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	\$1,000 fine	\$10,000 fine and/or suspension or revocation
<u>SUBSEQUENT OFFENSES</u>	\$3,000 fine	revocation

(hh) Willfully failing to comply with s. 627.64194 or s. 641.513 with such frequency as to indicate a general business practice. Section 456.072(1)(oo). The usual recommended penalty shall be Probation and a fine of \$1,000 up to Revocation and a fine of \$10,000.

(Section 456.072(1)(oo), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	letter of concern	\$4,000.00 fine
<u>SUBSEQUENT OFFENSES</u>	\$1,000 fine	\$10,000 fine and revocation

(ii) Failing to comply with, failing to successfully complete, or being terminated from an impaired practitioner treatment program.

(Section 456.072(1)(hh), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	suspension	revocation

(2) Based upon consideration of the following factors, the Board may impose disciplinary action other than those penalties recommended above:

- (a) The danger to the public;
- (b) The number of repetitions of offenses, other than an adjudicated offense for which the licensee is presently being penalized;
- (c) The length of time since date of violation;
- (d) The number of complaints filed against the licensee;
- (e) The length of time the licensee has practiced acupuncture;
- (f) The actual damage, physical or otherwise, to a patient;
- (g) The deterrent effect of the penalty imposed;
- (h) The effect of the penalty upon the licensee’s livelihood;
- (i) Any efforts for rehabilitation;
- (j) The actual knowledge of the licensee pertaining to the violation;
- (k) Attempts by the licensee to correct or stop a violation or refusal of a licensee to correct or stop a violation;
- (l) Any action relating to discipline or denial of a certificate or license in another state including, findings of guilt or innocence, standards applied, penalties imposed and penalties served;
- (m) Any other mitigating circumstances.

(3) Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Sections 120.57(1) and (2), F.S., the Board shall act in accordance with the disciplinary guidelines and shall impose a penalty within the range corresponding to the violations. Any of the above penalties may include continuing education. For applicants, any and all offenses listed herein are sufficient for refusal to certify an application for licensure. In addition to the penalty imposed, the Board shall recover the costs of investigation and prosecution of the case. Additionally, if the Board makes a finding of pecuniary benefit or self-gain related to the violation, then the Board shall require refunds of fees billed and collected from the patient or a third party on behalf of the patient.

(4) The provisions of subsections (1) through (4) above shall not be construed as to prohibit civil action or criminal prosecution as provided in Section 457.116 or 456.072, F.S., and the provision of subsections (1) through (4) above shall not be construed so as to limit the ability of the Board to enter into binding stipulations with accused parties as per Section 120.57(4), F.S.

Rulemaking Authority 456.079(1), 457.104 FS. Law Implemented 456.072, 456.079, 457.109 FS. History—New 12-8-86, Amended 8-6-89, Formerly 21AA-9.001, 61F1-9.001, Amended 11-21-95, Formerly 59M-9.001, Amended 8-3-00, 5-20-02, 5-24-04, 1-26-06, 5-2-12, 3-01-2017, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Acupuncture
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Acupuncture
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2017
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 31, 2017

Section III
Notice of Changes, Corrections and
Withdrawals

NONE

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT
Criminal Justice Standards and Training Commission
RULE NO.: RULE TITLE:
11B-20.0016: Inspection of Instructor Certification Applications
NOTICE IS HEREBY GIVEN that on June 9, 2017, the Florida Department of Law Enforcement received a petition for a permanent waiver of subsection 11B-20.0016(3), F.A.C., from Captain David Vincent on behalf of the Citrus County Public Safety Training Center ("Petitioner"). Petitioner wishes to waive that portion of the Rule that states, in pertinent part: The effective date of the instructor certification shall be the date the application is approved by Commission staff... In justification of its petition for waiver, Petitioner asserts that in, January of 2016, Petitioner contacted Mr. William Roberson to ask him to become a Breath Test Operator ("BTO") Instructor for Petitioner. On February 5, 2016, Mr. Roberson completed the BTO Instructor Course, for which he received a certificate of completion and his Breath Test Instructor Performance Report. In May of 2016, Mr. Roberson began the requisite internship under the direction of another BTO Instructor and provided all paperwork necessary for his instructor certification application ("application") to Petitioner's staff; however, Petitioner's staff, under the mistaken belief that another entity was handling Mr.

Roberson's certification, failed to submit Mr. Roberson's application to the staff of the Criminal Justice Standards and Training Commission, leaving Mr. Roberson technically uncertified even though he had completed all the requirements for certification. In October and November of 2016, Mr. Roberson taught three BTO certification and/or re-certification courses for Petitioner after Petitioner's coordinators failed to notice that Mr. Roberson did not hold a BTO Certification. Petitioner alleges that, should the waiver not be granted, Petitioner will suffer a substantial hardship as it would be required to bring back all the students who attended the courses taught by Mr. Roberson in October and November of 2016 and put them through another course of instruction. Petitioner also alleges that the waiver satisfies the purpose of the underlying statutes, as only an error on the part of Petitioner in the processing of Mr. Roberson's application kept Mr. Roberson from achieving certification in May of 2016.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Dana Kelly, Agency Clerk- Office of the General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302 or by phone at (850)410-7676.

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 May 31, 2017 the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, and Section 5-203.13, 2009 FDA Food Code from Chefs on the Run Corp located in Homestead. The above referenced F.A.C. addresses the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water. They are requesting to share the mop sink located on the premises of El Toro Taco.

The Petition for this variance was published in Vol. 43, No. 106, F.A.R., on June 1, 2017. The Order for this Petition was signed and approved on June 15, 2017. 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 mop sink located on the premises of El Toro Taco (SEA2332975), 1 S. Krome Ave Homestead, FL 33030, is maintained in a clean and sanitary manner and is provided with hot and cold running water under pressure. If the ownership of

Chefs on the Run Corp and/or El Toro Taco Inc. changes, a signed agreement for use of the mop sink is required immediately.

A copy of the Order or additional information may be obtained by contacting Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Florida Forest Service

The Florida Department of Agriculture and Consumer Services, Florida Forest Service (FFS) and the Babcock Ranch Preserve (BRP) Babcock Ranch Advisory Group (BRAG) announces a public meeting to which all persons are invited.

DATE AND TIME: June 27, 2017, 9:00 a.m.

PLACE: Charlotte Harbor Event and Conference Center, 75 Taylor Street, Myakka Rooms A & B, Punta Gorda, Florida 3395

GENERAL SUBJECT MATTER TO BE CONSIDERED: Allowing the BRP Babcock Ranch Advisory Group to assist FFS by providing guidance and advice concerning the management and stewardship of the Babcock Ranch Preserve. Comments may be presented orally or in writing at the hearing. Written comments may also be submitted to the FFS's State Office at 3125 Conner Boulevard, Room 240, Tallahassee, FL 32399-1650, to the attention of Cat Ingram, Intergovernmental Liaison.

A copy of the agenda may be obtained from the FFS State Office at the above address, or by contacting Cat Ingram, Intergovernmental Liaison, (850)681-5827, or online at http://www.freshfromflorida.com/public_notices/.

General Meeting *Agenda

*Subject to change

- Call to Order; Welcome & Introductions
- Message from FFS Director; Sunshine Law Reminder
- BRAG Purpose & Responsibility
- Approve BRAG 11-24-15 Meeting Minutes
- BRAG Election of New Vice Chair
- Current Ranch Status – FFS BRP Achievements Since August 1, 2016
- Super Lease Update
- Recreation Update
- FWC Update – Hunting Activities, Hunt Camps, & Panther Information

- Chair’s Comments; Group Discussion, Future Schedule, Next Meeting
- Public Comment
- Process Summation & Adjournment

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: FFS’s State office at the above listed address. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

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

DATE AND TIME: Friday, July 21, 2017; 9:00 a.m. until all business is concluded

PLACE: Biltmore Hotel & Resort, 1200 Anastasia Avenue, Coral Gables, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to consider enforcement proceedings including consideration of investigation officers’ reports, rules, Board business, rules workshop and other general business. This is a public meeting.

A copy of the agenda may be obtained by contacting: Denise Graves, (352)333-2505 or denise.graves@myfloridalicense.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 Denise Graves, (352)333-2505 or denise.graves@myfloridalicense.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the

proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Denise Graves, (352)333-2505 or denise.graves@myfloridalicense.com.

DEPARTMENT OF HEALTH

The Department of Health IRB announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 5, 2017, 9:00 a.m.

PLACE: Telephone conference number 1(888)670-3525, participant code 2922384719#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Institutional Review Board (IRB) conference call agenda items. A copy of the agenda may be obtained by contacting: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)245-4444, ext. 3591.

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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)245-4444, ext. 3591. 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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)245-4444.

DEPARTMENT OF HEALTH

Board of Dentistry

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

DATE AND TIME: July 7, 2017, 9:00 a.m. ET

PLACE: Phone conference number 1(888)670-3525; when prompted, enter conference code 4552635641#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel with reconsiderations and expert witness applications.

A copy of the agenda may be obtained by contacting: www.floridasdentistry.gov. If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record

includes 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. Persons requiring special accommodations due to disability or physical impairment should contact the Board Office at (850)245-4474.

DEPARTMENT OF HEALTH

Board of Optometry

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

DATE AND TIME: July 19, 2017, 9:00 a.m.

PLACE: Disney's Contemporary Resort, 4600 N. World Drive, Lake Buena Vista, FL 32830

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business, to include licensure and discipline.

A copy of the agenda may be obtained by contacting: <http://floridasoptometry.gov/>.

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

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

For more information, you may contact Anthony.Spivey@flhealth.gov.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida Fish and Wildlife Conservation Commission announces public meetings to which all persons are invited.

DATES AND TIMES: July 10, 2017, 8:30 a.m.; July 11, 2017, 8:30 a.m.

PLACE: Orange County Convention Center, West Building – 2nd Floor, Room WF3, 9800 International Drive, Orlando, Florida 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and discuss substantive and procedural issues associated with the Fish and Wildlife Conservation Commission and to take action on proposed rules and policy issues. The meeting may include fact-finding field trips to Commission managed areas or facilities and to other areas to learn about management, and enforcement activities.

A copy of the agenda may be obtained by contacting: Lisa Zullo, Florida Fish and Wildlife Conservation Commission, 620 S. Meridian St., Tallahassee, FL 32399-1600.

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

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

For more information, you may contact Mr. Bud Vielhauer, General Counsel, 620 South Meridian Street, Tallahassee, Florida 32399-1600 or (850)487-1764.

Florida Development Finance Corporation

The Board of Directors for the Florida Development Finance Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 21, 2017, 2:00 p.m. – 3:00 p.m.

PLACE: Enterprise Florida, Inc., South Conference Room, 800 N. Magnolia Avenue; Suite 1100, Orlando, FL 32803; dial-in number 1(800)501-8979, access code 9565695

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss the following:

- Meeting Minutes: 4/27/17
- Resolution No. 17-07: Downtown Doral Charter Elementary School, Inc.
- FY 2017-2018 Proposed Budget
- Other Business / Project Updates

A copy of the agenda may be obtained by contacting Jennifer Jenkins, FDFC Administrative Coordinator, (407)956-5658.

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 Jennifer Jenkins, FDFC Administrative Coordinator, (407)956-5658. 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 Jennifer Jenkins, FDFC Administrative Coordinator, (407)956-5658.

QCAusa

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

DATE AND TIME: June 29, 2017, 10:00 a.m. – 12:00 Noon

PLACE: North Tampa Branch Library, 8916 North Boulevard, Tampa, FL 33604

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation, District Seven, is holding a West Busch Boulevard (SR 580) Corridor Study Kick-Off Meeting for elected officials and agency representatives within the study limits. The limits of the project extend from North Dale Mabry Highway to North Nebraska Avenue, a distance of approximately 3.3 miles. The corridor study area includes portions of unincorporated Hillsborough County and the City of Tampa.

The purpose of the study is to work with the community, stakeholders and a Project Advisory Group (PAG) to develop a vision and identify needs and issues. At the kick-off meeting, we hope to identify PAG participants from the area to help develop a vision for the corridor that will guide proposed short and long-term recommendations. This may include issues relating to capacity, traffic operations, safety, access and egress, mobility, freight movements, transit, bicycles, and pedestrian movements. The FDOT Financial Project ID Number for the project is 435908-1-22-01.

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

Comuniquese Con Nosotros

Nos importa mucho la opinión del público sobre el proyecto. Si usted tiene preguntas o comentarios, o si simplemente desea más información, por favor comuniquese con nuestra representante, Lilliam Escalera, al (813)975-6403, Departamento de Transportación de Florida, 11201 N. McKinley Dr., Tampa, FL 33612, Lilliam.Escalera@dot.state.fl.us.

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. §327 and a Memorandum of Understanding dated December 14, 2016 and executed by the Federal Highway Administration and FDOT.

A copy of the agenda may be obtained by contacting: Mr. Brian Shroyer, Project Manager, (813)975-6449, Brian.Shroyer@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least Seven (7) days before the workshop/meeting by contacting Christopher Speese, Public Involvement Coordinator, (813)975-6405 or 1(800)226-7220, or Christopher.Speese@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Mr. Brian Shroyer, Project Manager, (813)75-6449, Brian.Shroyer@dot.state.fl.us.

Quest Corporation of America, Inc.

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

DATE AND TIME: Thursday, June 22, 2017, 5:30 p.m. – 7:30 p.m.

PLACE: Miami-Dade College InterAmerican Campus, 627 SW 27th Avenue, Room 401, Miami, Florida 33135

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management Number: 432639-6-22-01; FAP Number: 0202 054P; ETDM Number: 14230.

Project Description: Project Development and Environment (PD&E) Study, State Road (SR) 90/SW 8th Street and SW 7th Street from SR 9/SW 27th Avenue to Brickell Avenue, Miami-Dade County, Florida.

The purpose of the PD&E Study is to evaluate improvements along the project corridor including the interchange at SW 8th Street and Interstate 95 (I-95) to improve traffic operations, improve the existing and future physical, operational and safety deficiencies, promote a Complete Streets corridor, and improve access to the Brickell financial district and urban neighborhood. The Project Advisory Group (PAG) will be continuing discussions about the proposed project alternatives and the engineering, environmental, and socioeconomic and cost factors that will be considered in selecting a recommended alternative.

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

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C.

§327 and a Memorandum of Understanding (MOU) dated December 14, 2016 and executed by the Federal Highway Administration (FHWA) and FDOT.

A copy of the agenda may be obtained by contacting: Ms. Bao-Ying Wang, P.E., FDOT Project Manager, 1000 NW 111 Ave., Room 6251, Miami, FL 33172, (305)470-5211, baoying.wang@dot.state.fl.us@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least seven (7) days before the workshop/meeting by contacting Hong Benitez, P.E., (305)470-5219, hong.benitez@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Bao-Ying Wang, P.E., FDOT Project Manager, (305)470-5211, baoying.wang@dot.state.fl.us. Additional information is available on the project website at <http://www.fdotmiamidade.com/CalleOchoStudy.html>.

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Drugs, Devices and Cosmetics

NOTICE IS HEREBY GIVEN that the Division of Drugs, Devices and Cosmetics has received the petition for declaratory statement from Larry Roth, Counsel for Hill Dermaceuticals, Inc., 2650 South Mellonville Avenue, Sanford, FL 32773. The petition seeks the agency's opinion as to the applicability of subsection 61N-1.015(2), F.A.C., Sections 499.003(18), 499.0121(6)(e), F.S. and sub-paragraph 61N-1.012(6)(b)2., F.A.C. as they apply to the petitioner.

Hill Dermaceuticals, Inc., currently possesses a Florida Prescription Drug Manufacturer Permit with the Division. Hill Dermaceuticals, Inc., is petitioning to amend the Prescription Drug Manufacturer permit to include the address of the second building to the permit. Hill respectfully believes that the second building qualifies as part of the Establishment, as defined in Section 499.003(18), F.S. due to its close proximity to the first building (only 2,000 feet) with a intervening thoroughfare.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division of Drugs, Devices and Cosmetics, 2601 Blair Stone Road, Tallahassee, FL 32399, Dinah.Greene@myfloridalicense.com, (850)717-1802.

Please refer all comments to: Drew F. Winters, Division Director, Division of Drugs, Devices and Cosmetics, 2601 Blair

Stone Road, Tallahassee, FL 32399,
Drew.Winters@myfloridalicense.com, website
http://interredesignalpha/dbpr/ddc_division_notices.html.

Except for good cause shown, motions for leave to intervene or petitions for administrative hearing by persons whose substantial interests may be affected must be filed within 21 days after the publication of this notice.

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:

Ocala Herlong, LLC vs. Department of Transportation; Case No.: 17-3348RU

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

DEPARTMENT OF EDUCATION

University of South Florida

Major Project

NOTICE TO DESIGN/BUILD TEAMS

REQUEST FOR QUALIFICATIONS

The University of South Florida (USF), announces that Qualifications Based Design/Build Services, for design and

construction services will be required for the project listed below.

PROJECT NUMBER: USF 350-2

PROJECT AND LOCATION: Holly C, D, G Renovation, University of South Florida, Tampa Campus, Tampa, Florida.

PROJECT DESCRIPTION: Each of the three buildings is three or four stories and has two three- or four-story pods of four-bedroom apartments with shared bathrooms, living and kitchenette. There are four apartments per pod yielding eight apartments per floor. The pods are connected at each floor by common corridors to the center elevator and stair lobby. Previously open corridors, they were enclosed with walls which have insufficient insulation and an inadequate air conditioning. New infill walls and DX air conditioning system have been installed successfully on four Holly Apartment buildings and this project will install the identical aluminum and insulated glass curtainwalls and air conditioning systems for the common areas in the three remaining Holly C, D& G Apartment buildings, when these buildings are vacant for three months between May and August 2018. Additionally, the following scope will also be included in this project:

- Replace existing ERV units located in the stair accessible attic space of each building.
- New vinyl flooring surface for all the common pod areas and corridor circulation.
- New wood doors for all Apartment entrances.
- Refurbishment of Apartment interiors, rooms, baths, kitchenettes and living rooms which includes cabinets, counters, painting and new flooring installations.
- New domestic water plumbing risers (PEX-A tubing) to each apartment from the main new copper distribution lines recently installed in the respective attics.
- New LED lighting for common areas.

The estimated construction cost is \$9,000,000.

The Design/Build Team, also known as the Design and Construction Services Team (DCST) shall be responsible for the management of the process and project to meet project scope, budget and schedule requirements. The DCST services contract shall be in compliance with the Qualifications Based Design/Build selection provisions in Section 287.055, Florida Statutes, and Board of Governors Regulation 14.0055, including pre-construction fees, construction related service costs and a Guaranteed Maximum Price (GMP).

It is the University's responsibility to negotiate a fair, competitive and reasonable compensation per Section 287.055, Florida Statutes. A fair, competitive and reasonable compensation shall be evaluated based upon the following information: (1) Compensation on similar projects; (2) other compensation reference data; and (3) after approval of the

ranking, proposals requested from the shortlisted firms based upon a scope of services document to be provided at the time of negotiations.

The University of South Florida (USF), will contract with a single contract entity DCST who shall provide all services including, but not limited to, development of the Facilities Program, professional services, budgeting, cost estimating, construction services, labor, materials, and equipment required to design, construct, and furnish the project. The selected team will be required to provide computer drawings according to the standards of USF, including computer record drawings reflecting as-built conditions. Blanket professional design liability insurance will be required for this project in the amount of \$500,000 and will be provided as a part of Basic Services. The respondent must be capable of bonding at 100% of the value of the contract with a surety licensed to do business in the State of Florida with a Best Rating A, Class VIII. Project development including professional services is contingent upon availability of funds. If additional funding is realized, USF has the option to incorporate additional scope/funding under this contract. Any new construction projects shall be USGBC LEED certified, to a minimum certification level of Silver, as required by the Owner, and shall be included as part of basic services and will not be considered as an additional service.

INSTRUCTIONS:

Teams desiring to apply for considerations shall submit a Request for Qualification submittal consisting of the information as required in the Submittal Requirements of the Request for Qualifications (RFQ) dated June 2017, including a letter of interest, a completed USF Design and Construction Services Qualification Supplement (DCSQS) dated June 2017 with attachments, and any required or additional information within the proposal limits as described in the RFQ. Applications on any other form may not be considered. The Request for Qualifications (RFQ) dated June 2017 and the USF Design and Construction Services Qualification Supplement (DCSQS) dated June 2017 which includes project information and selection criteria, may be obtained by contacting Terry Mead Facilities Management- Design & Construction, University of South Florida, 4202 East Fowler Avenue, OPM 100, Tampa, FL 33620-7550, tmead@usf.edu, (813)974-0843, fax: (813)974-3542. Applications which do not comply with the above instructions may be disqualified. Submittals are part of the public record. Application materials will not be returned. Teams must be properly registered to practice its profession(s) and licensed as General Contractor in the State of Florida at the time of application. If the applicant is a corporation, or a joint venture, it must be chartered by the Florida Department of State to operate in Florida at the time of application. If the applicant is the contract entity and has a consultant to perform the design or construction services, the contract entity and consultant must

have an agreement at the time of application to formally contract for consulting services. Firms applying as "Associations" without a registered joint venture agreement or a contract entity and consultant without an agreement will not be considered.

Pre-Submittal Meeting: All interested firms are invited and encouraged to attend a Pre-Submittal Meeting to be held at 4:00 p.m. ET, June 29, 2017, at the University of South Florida, Tampa Campus, PTB Training Room, 4202 E. Fowler Avenue, Tampa, FL 33620-7550 to review the scope and requirements of this project. (Directions and parking information can be obtained at the Campus Information Center at the Fowler entrance, or view map at website: www.usf.edu/administrative-services/parking/maps/index.aspx).

Request for Meetings: Requests for meetings by individual firms will not be granted. No communication shall take place between the applicants and the Selection Committee members, employees of USF except as provided at the Pre-Submittal Meeting, the Pre-Interview Meeting and the USF Design and Construction Services Qualification Supplement (DCSQS) and Request for Qualifications (RFQ) dated June 2017 (which includes project information and selection criteria).

Submission: One (1) original and Four (4) spiral-bound copies of the submittals are to be submitted to the attention of Steve Lafferty, Interim Director, University of South Florida, Facilities Management- Design & Construction Office, 4202 East Fowler Avenue / OPM 100, Tampa, FL 33620-7550 by 2:00 p.m. ET, July 13, 2017 Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. Submittals that do not comply with the above instructions may be disqualified. The award of this contract is subject to availability of funds. The University reserves the right to suspend, discontinue or cancel the selection process at any time and reject any or all submissions without obligation to the respondent.

PROJECT SELECTION CRITERIA:

Selection of finalists for interview will be made on the basis of professional qualifications of the proposed Design and Construction Services Team (DCST), including team qualifications, team experience, and ability to provide services in meeting the project requirements and the goals and objectives of the of the project and USF Strategic Plan.

As part of the USF Strategic Plan, USF made a commitment to foster a diverse community distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and inclusiveness. USF is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises (MBE) in

the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or to participate in design and/or construction-related services.

The plans and specifications for the USF projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

As required by Section 287.133, Florida Statutes, 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 \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

DEPARTMENT OF EDUCATION

School Districts

Asbestos Abatement and Environmental Services

on a Continuing Contract Basis/DCSB No. M-83700/OFDC-RFP-001-18

NOTICE TO ASBESTOS ABATEMENT CONTRACTORS-REQUEST FOR PROPOSAL (RFP) OFDC-RFP-001-18. DUVAL COUNTY PUBLIC SCHOOLS OFFICE OF FACILITIES DESIGN AND CONSTRUCTION FOR ASBESTOS ABATEMENT AND ENVIRONMENTAL SERVICES ON A CONTINUING CONTRACT BASIS. DCSB PROJECT NO. M-83700/OFDC-RFP-001-18/Publish Date – June 16, 2017. The Office of Facilities Design and Construction (OFDC) announces that construction services are required for ASBESTOS ABATEMENT AND ENVIRONMENTAL SERVICES ON A CONTINUING CONTRACT BASIS for Duval County Public Schools. Estimated annual construction costs for this project is \$75,000. The Owner reserves the right to select one or more contractors to perform the work. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one year periods. The selected contractor(s) shall be required to execute the Duval County School Board standard form of agreement. Instructions for completion of Proposals and Bids and the selection process will be in accordance with the Selection Booklet as outlined in "OFDC RFP-001-18 SELECTION OF THE ASBESTOS ABATEMENT AND ENVIRONMENTAL SERVICES CONTINUING SERVICES CONTRACT" found at www.duvalschools.org. Follow website to Departments/Facilities/Professional Services Selection Booklets. THE RFP DOCUMENTS WILL BE REVIEWED IN DETAIL AT A MANDATORY PRE-PROPOSAL INFORMATION CONFERENCE HELD ON JUNE 27, 2017

FROM 2:00-3:00 PM IN CONFERENCE ROOM 538 AT 1701 PRUDENTIAL DRIVE, JACKSONVILLE, FLORIDA 32207. DCPS Project Manager: Bruce Ackerman/Phone: (904)390-2363. Proposals are to be sent to: Facilities Design and Construction/1701 Prudential Drive – Room 535/Jacksonville, FL 32207. RESPONSE DUE DATE: RFP RESPONSES ARE DUE ON OR BEFORE JULY 18, 2017 AND WILL BE ACCEPTED UNTIL 2:00 PM. OEO PARTICIPATION GOALS: Encouragement

DEPARTMENT OF CORRECTIONS

Roof replacement on the Warehouse/Maintenance Building at the Desoto Correctional Institution Annex

Advertisement for Bids

Bids are requested from certified roofing contractors (experienced in the installation of Thermoplastic Polyolefin, single ply roof systems) by the Florida Department of Corrections (FDC), for the construction of:

Project #: 08-708

Project Name & Location: Roof replacement of the Warehouse/Maintenance Building at the Desoto Correctional Institution Annex. 13617 S.E. Hwy 70, Arcadia, FL 34266

Performance Bond and Labor and Material Payment Bond: If the construction Contract award amount is \$100,000 or less, a Performance Bond and a Labor and Material Payment Bond are not required.

Public Entity Crime Information Statement: A person, or affiliate, who has been placed on the convicted vendor list following a conviction for a public entity crime, may not submit a Bid on a Contract to provide any goods or services to a public entity; may not submit a Bid on a Contract with a public entity for the construction or repair of a public building or public work; may not submit Bids on leases of real property to a public entity; may not be awarded or perform work as a Contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes (F.S.) for Category Two, for a period of 36 months from the date of being placed on the convicted vendor list.

Prequalification: Each Bidder, whose field is governed by Chapter 399, 489, and 633 F.S., for licensure or certification, must submit prequalification evidence of their eligibility to submit Bids, as soon as possible. Bidders must receive confirmation of their prequalification five (5) calendar days prior to the bid opening date. If not previously qualified by the Department for the current biennium (September 1 through

August 30) of even numbered years, or you are unsure, please contact Mr. Roosevelt Petithomme, at Roosevelt.Petithomme@fdc.myflorida.com for prequalification instructions. After the bid opening, the low Bidder must qualify in accordance with Rule 60D-5.004, Florida Administrative Code (F.A.C.). A copy of the rule requirements is included in the "Instruction to Bidders," under Article B-2 "Bidder Qualification Requirements and Procedures."

Sealed Bids will be received, publicly opened, and read aloud on:

Date and Time: July 18, 2017, at 2:00 p.m., Eastern Time (ET). Place: The Lunz Group Office 58 Lake Morton Dr. Lakeland, FL 33801

Any person with a qualified disability requiring special accommodations at the pre-bid conference, and/or bid opening, shall contact the person listed below at least (5) business days prior to the event. If you are hearing or speech impaired, please contact this office by using Florida Relay Services by dialing 1(800)955-8771 (TDD).

Bid: Bids must be submitted, in full, in accordance with the requirements of the Drawings, Specifications, Bidding Conditions, and Contractual Conditions, which may be examined and obtained from the: Engineer listed below.

Architect/Engineer: The Lunz Group

Name & Title: Trent Chamberlain, Project Architect Telephone: (863)682-1882

Email: TChamberlain@Lunz.com

Drawings and specifications may be purchased for a non-refundable price of \$100.00 per printed set and \$40.00 per electronic set from the Architect/Engineer. Bidder must pay postage/shipping. Partial sets may not be purchased.

A mandatory pre-bid conference will be held on June 27, 2017 at 10:00 a.m., ET at the Desoto Correctional Institution's Administration Conference Room). A brief walk-through of the work area(s) will be conducted as part of the pre-bid conference. Everyone attending the pre-bid conference must have completed a background screening, have a valid driver's license, or a valid photo ID, and must sign in and out at the Desoto Administrative Office. For a background check, interested parties must send an email to Paul Alt at: Paul.Alt@fdc.myflorida.com, at least two (2) business days prior to the date of the site visit, and furnish them with the following information on all attendees: Attendee's full name, social security number, date of birth, gender, race, driver's license number, and state of issuance. Persons present as

attendees must be the same individuals for whom information was provided and must be approved by the Department prior to the site visit. For security reasons, admittance of any person not previously approved is at the sole discretion of the Warden. Bidders who did not seek prior approval may be denied access. Note: Any technical questions regarding this Bid, or requests for substitutions, must be submitted in writing, by email, to the address listed below, and must be received no later than July 6, 2017 @ 5:00 p.m. ET. Only written questions and answers will be binding. Email: TChamberlain@lunz.com please put "Desoto Maintenance Bid" in the subject line.

Contract Award: Bid Tabulation and Notice of Award Recommendation will be sent to Bidders by email, return receipt requested. If no protest is filed per Article B-22 of the Instructions to Bidders, "Notice and Protest Procedures," the Contract will be awarded by the Secretary, Florida Department of Corrections. The Department reserves the right to reject any or all Bids.

Sarasota County Public Hospital Board
**REQUEST FOR STATEMENTS OF QUALIFICATIONS
 for ARCHITECTURAL AND ENGINEERING SERVICES**

The Sarasota County Public Hospital Board of Sarasota, Sarasota Memorial Hospital, Sarasota County, Florida ("the Hospital") is accepting statements of qualifications from Architectural/Engineering Consulting Firms "under the provisions of the Florida Consultants' Competitive Negotiation Act". The scope of work may include programming, schematic design, design development, construction documents, and construction administration for all architectural, interior design, civil, site work, mechanical, electrical, plumbing, fire protection and structural design work for the build out of a bariatric physician's office suite in an existing facility leased by the Hospital at 5880 Rand Blvd. Sarasota Fla. 34238.

Estimated total cost of project is <\$500,000. An approved schematic of layout is available upon request to Jim Bugyis at jim-bugyis@smh.com.

Firms interested in being considered as candidates are required to submit five bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of current/valid Florida Architecture/Engineering licensure and corporate registration certificates.
2. Proof of General and Professional Liability Insurability/Errors and Omissions Insurance.
3. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm's current, valid MBE, WMBE certificate is required as part of the submission package.
4. Proposed design team with resumes.

5. A current list of five client references consisting of name, title, address, telephone number and project name(s) for each project specified.
6. Past design experience on a hospital managed physician suite.
7. Design and permitting experience within Sarasota County, Florida, and other applicable permitting agencies.
8. Location of the design firm's main office, and proposed project team office location (if different from main).
9. An explanation of how the firm intends to respond expeditiously on urgent project matters.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.
2. The basis for selecting candidates includes, but is not limited to the firm's experience with local regulatory agency having jurisdiction, AHCA experience, consideration of related project experience, qualifications and adequacy of proposed team design criteria experience as stated above, past record, ability to quickly respond, and the firm's proposed project approach, willingness to meet time requirements, location of firm relative to worksite, recent, current, and projected workloads of the firm, and volume of work previously awarded to the firm by Sarasota Memorial Hospital.
3. The Hospital reserves the right to request additional information beyond the data set forth above.
4. Questions regarding submissions shall be directed to Jim Bugyis, (941)917-1741.

Submissions shall be titled
 Statement of Qualifications for
ARCHITECTURAL AND ENGINEERING SERVICES
 Sarasota Memorial Bariatric
 Physician's Suite

1. Submittals must be received by the Hospital no later than 1:00 PM on Friday, July 07, 2017. Mail statements to the attention of Jim Bugyis, Director of Engineering and Campus Facilities, Attn: Operation of Plant, 1700 South Tamiami Trail, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.
2. Only Jim Bugyis shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Engineering and Campus Facilities.
3. Interested persons should contact Jim Bugyis at (941)917-1741 with any project-related questions.
4. The selection committee will meet in a public meeting in Sarasota Memorial's Old Board Room, 1st floor main Hospital behind auditorium, 1700 S. Tamiami Trail, Sarasota, FL 34239, on Thursday, July 20, 2017 at 1:00 p.m. to discuss and announce the top three ranked firms (unless fewer than three

firms deliver submittals) deemed to be the most highly qualified to perform the required services with whom the hospital will subsequently engage in contract negotiations. If there are less than three (3) firms responding, the committee shall also evaluate current statements of qualifications and performance data on file with Hospital, in determining which firm is the most highly qualified to perform the required services and announce the top three ranked firms. All interested parties are invited to attend.

Sarasota County Public Hospital Board
 REQUEST FOR STATEMENTS OF QUALIFICATIONS
 for GENERAL CONTRACTING WORK

The Sarasota County Public Hospital Board of Sarasota, Sarasota Memorial Hospital, Sarasota County, Florida (“the Hospital”) is accepting statements of qualifications from General Contracting Firms. The scope of work may include programming, schematic design, design development, construction documents, and construction administration for all architectural, interior design, civil, site work, mechanical, electrical, plumbing, fire protection and structural design work for the build out of a bariatric physician’s office suite in an existing facility leased by the Hospital at 5880 Rand Blvd. Sarasota Fla. 34238.

Estimated total cost of project is <\$500,000. An approved schematic of layout is available upon request to Jim Bugyis at jim-bugyis@smh.com.

Firms interested in being considered as candidates are required to submit five bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of your current/valid Florida construction licensure and corporate registration certificates.
2. Completed AIA Document A305 Contractor’s Qualification Statement, latest edition.
3. Proof of general, automobile and workers’ compensation liability insurance coverage.
4. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm’s current, valid MBE, WMBE certificate is required as part of your qualification statement submittal.
5. A CURRENT list of five client references consisting of name, title, address, telephone number and project name(s) for each project specified.
6. Resumes of key personnel who would be used on this project.
7. Past construction/design experience on a hospital managed physician suite.
8. Construction building experience within Sarasota County, Florida.
9. Location of the firm’s main office and proposed project team office location (if different from main).

10. An explanation of how the firm intends to respond expeditiously on urgent project matters.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.
2. The basis for selecting candidates includes, but is not limited to the firm’s experience with the local regulatory agency having jurisdiction, AHCA experience, consideration of related project experience, qualifications and adequacy of proposed team, past record, construction management experience as stated above, ability to quickly respond, and the firm’s proposed project approach, willingness to meet time requirements, location of firm relative to worksite, recent, current, and projected workloads of the firm, and volume of work previously awarded to the firm by Sarasota Memorial Hospital.
3. The Hospital reserves the right to request additional information beyond the data set forth above.
4. Questions regarding submissions shall be directed to Jim Bugyis, (941)917-1741.

Submissions shall be titled
 Statement of Qualifications for
 GENERAL CONTRACTING WORK
 Sarasota Memorial Bariatric
 Physician’s Suite

1. Submittals must be received by the Hospital no later than 1:00 p.m. on Friday July 7, 2017. Mail statements to the attention of Jim Bugyis, Director of Engineering and Campus Facilities, Attn: Operation of Plant, 1700 South Tamiami Trail, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.
2. Only Jim Bugyis shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Engineering and Campus Facilities.
3. Interested persons should contact Jim Bugyis at (941)917-1741 with any project-related questions.
4. The selection committee will meet in a public meeting in Sarasota Memorial’s Old Board Room, 1st floor main Hospital behind auditorium, 1700 S. Tamiami Trail, Sarasota, FL 34239, on Thursday, July 20, 2017 at 10:00 a.m. to discuss and announce the top three ranked firms (unless fewer than three firms deliver submittals) deemed to be the most highly qualified to perform the required services with whom the hospital will subsequently engage in contract negotiations. If there are less than three (3) firms responding, the committee shall also evaluate current statements of qualifications and performance data on file with Hospital, in determining which firm is the most highly qualified to perform the required services and announce the top three ranked firms. All interested parties are invited to attend.

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed
with the Secretary of State

Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 8:00 a.m., Friday June 9, 2017 and 3:00 p.m., Thursday June 15, 2017. An improved electronic publication system is forthcoming on the Florida Administrative Rules website, FLRules.org, which will accommodate complete publication of rules filed for adoption in the previous 7 days, including rules awaiting legislative action.

Rule No.	File Date	Effective Date
2A-8.005	6/9/2017	6/29/2017
40C-8.031	6/9/2017	6/29/2017
53ER17-32	6/12/2017	6/12/2017
58L-1.007	6/14/2017	7/4/2017
58L-1.008	6/14/2017	7/4/2017
59G-4.020	6/12/2017	7/2/2017
59C-1.039	6/12/2017	7/2/2017
61G4-16.001	6/14/2017	7/4/2017
61G16-9.001	6/13/2017	7/3/2017
64B8-8.0011	6/13/2017	7/3/2017
64B9-4.0025	6/15/2017	7/5/2017
64B9-15.0096	6/12/2017	7/2/2017
64B12-18.008	6/9/2017	6/29/2017
64B17-6.001	6/14/2017	7/4/2017
64B17-6.002	6/14/2017	7/4/2017
65C-30.001	6/9/2017	6/29/2017
65C-35.001	6/9/2017	6/29/2017
73C-10.011	6/13/2017	7/3/2017
73C-42.006	6/13/2017	7/3/2017
73C-42.010	6/13/2017	7/3/2017
73C-42.023	6/13/2017	7/3/2017

LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
58M-2.009	2/9/2017	**/**/****
60FF1-5.009	7/21/2016	**/**/****
64B8-9.009	6/15/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.100	12/19/2016	**/**/****
69L-7.501	12/19/2016	**/**/****

DEPARTMENT OF ENVIRONMENTAL PROTECTION
State Revolving Fund Program

NOTICE OF AVAILABILITY
FLORIDA REAFFIRMATION NOTICE
LAKE WALES, FLORIDA

The Florida Department of Environmental Protection (DEP) has determined that the City of Lake Wales’ project involving the replacement of existing gravity sewers is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$1,855,000. The project may qualify for a Clean Water State Revolving Fund (CWSRF) loan comprised of federal or state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Reaffirmation Notice can be obtained by writing to: Bryan Goff, CWSRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 3505, Tallahassee, Florida 32399-3000, calling (850)245-2966 or emailing bryan.goff@dep.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
State Revolving Fund Program

NOTICE OF AVAILABILITY
FLORIDA CATEGORICAL EXCLUSION NOTICE
City of Longwood

The Florida Department of Environmental Protection (DEP) has determined that the project involving expansion of the City of Longwood’s wastewater collection system is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$7,500,000. The project may qualify for a Clean Water State Revolving Fund loan comprised of federal and state funds. DEP will consider public comments about the environmental impacts of the proposed project that

are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Bryan Goff, SRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 3505, Tallahassee, Florida 32399-3000, calling (850)245-2966 or emailing Bryan.Goff@dep.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
State Revolving Fund Program

NOTICE OF AVAILABILITY
FLORIDA CATEGORICAL EXCLUSION NOTICE

Village of El Portal

The Florida Department of Environmental Protection (DEP) has determined that the Village of El Portal's project involving the construction of new wastewater collection and transmission facilities is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$21,187,980. The project may qualify for a Clean Water State Revolving Fund (CWSRF) loan comprised of federal or state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to Thomas Montgomery, CWSRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 3505, Tallahassee, Florida 32399-3000, calling (850)245-2967 or emailing thomas.montgomery@dep.state.fl.us.

DEPARTMENT OF HEALTH

Office of Compassionate Use Notice of Proposed Regulation
The Department of Health, Office of Compassionate Use hereby provides notice of its proposed regulation pursuant to the Department's authority under Article X, Section 29, of the Florida Constitution. The person to be contacted regarding the proposed regulation or to submit comments is: Courtney Coppola at Courtney.Coppola@flhealth.gov.

THE TEXT OF THE PROPOSED REGULATION IS:

1-1.01 Medical Marijuana for Debilitating Medical Conditions

(1) For the purposes of this chapter, in accordance with Article X, Section 29, Fla. Const., the following definitions shall apply:

(a) "Fla. SB 8-A (2017)" shall mean the enrolled version dated June 9, 2017 available at: <https://www.flsenate.gov/Session/Bill/2017A/8A/BillText/er/PDF>.

(b) "Medical Marijuana Treatment Center (MMTC)" shall have the meaning provided in Article X, Section 29, Fla. Const.

(c) "Caregiver" shall have the same meaning as provided in s. 381.986(1)(a), F.S. as amended by Fla. SB 8-A (2017) and must meet the requirements of s. 381.986(6), F.S. as amended by Fla. SB 8-A (2017) provided however, that a Caregiver shall not be required to complete the certification course provided in s. 381.986(6)(a)(5) F.S. as amended by Fla. SB 8-A until such course has been developed by the Department of Health.

(d) "Close Relative" shall have the same meaning as provided in s. 381.986(1)(c), F.S. as amended by Fla. SB 8-A (2017).

(e) "Medical use" shall have the same definition as medical use in s. 381.986(1)(j), F.S. as amended by Fla. SB 8-A (2017).

(f) "Qualified patient" shall mean a qualified patient as defined by s. 381.986(1)(l), F.S., as amended by Fla. SB 8-A (2017).

(g) "Qualifying debilitating medical condition" shall have the same meaning as a Qualifying Medical Condition as provided in s. 381.986(2), F.S. as amended by Fla. SB 8-A (2017).

(h) The 70 day supply limitation set forth in s. 381.986(8)(e)13.b., F.S. as amended by Fla. SB 8-A (2017), shall be an adequate supply for a qualifying patient's medical use.

(i) "Qualified physician" has the same meaning as s. 381.986(1)(m), F.S. as amended by Fla. SB 8-A (2017). A qualified physician must meet the requirements of s. 381.986(3), F.S. as amended by Fla. SB 8-A (2017).

(j) "Physician certification" has the same meaning as s. 381.986(1)(k), F.S. as amended by Fla. SB 8-A (2017) and may be issued by a qualified physician pursuant to the requirements of s. 381.986(4), F.S. as amended by Fla. SB 8-A (2017).

(2) All MMTCs, physicians, patients, and caregivers must be registered in the online Compassionate Use Registry as required by Rule 64-4.009, F.A.C. All orders for medical marijuana must be entered into the registry for processing accordingly.

(3) All patients and caregivers must have a valid Compassionate Use Registry identification card to obtain medical marijuana or a medical marijuana delivery device as required by Rule 64-4.011, F.A.C.

(4) Each prospective caregiver shall present to Florida Department of Law Enforcement or one of its approved vendors for fingerprinting. At that time, a prospective caregiver shall provide the entity ORI number **FL924890Z**. The report will be sent directly to the Department of Health.

(5) Any entity that holds an active, unrestricted license to cultivate, process, transport, and dispense low-THC cannabis, medical cannabis, and cannabis delivery devices, under s. 381.986, F.S. (2016) shall be registered as an MMTC upon

certification to the Department of Health that the prospective MMTC meets the requirements set forth in s. 381.986(8), F.S. as amended by Fla. SB 8-A (2017). If Fla. SB 8-A (2017) becomes law, the Department of Health shall immediately begin the process to implement regulations and or rules as necessary to register additional MMTCs pursuant to the requirements and limitations set forth in s. 381.986(8), F.S. as amended by Fla. SB 8-A (2017).

(6) All MMTCs shall be held to the representations made within its initial application for licensure and shall be subject to the operational and licensing requirements of s. 381.986(8), F.S. as amended by Fla. SB 8-A (2017). All MMTC's are subject to the inspections and penalties set forth in s. 381.986(10), F.S. as amended by Fla. SB 8-A (2017)

(7) All MMTCs shall follow record keeping standards through a seed-to-sale tracking system as set forth in s. 381.986, F.S., as amended by Fla. SB 8-A (2017).

(8) All MMTCs shall abide by the security, product testing, labeling and safety standards set forth in s. 381.986, F.S. as amended by Fla. SB 8-A (2017).

Regulation Authority Art. X, § 29(d), Fla. Const. History – New

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.
