

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE NO.: RULE TITLE:

64B32-2.001 License by Endorsement

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address licensure by endorsement.

SUBJECT AREA TO BE ADDRESSED: Update rule language regarding licensure by endorsement.

RULEMAKING AUTHORITY: 456.013, 468.353(1), 468.364 FS.

LAW IMPLEMENTED: 456.013, 456.072(1), (2), 456.0635, 468.358, 468.364, 468.365(1), (2) FS.

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

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

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

Section II

Proposed Rules

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE NO.: RULE TITLE:

2A-2.002 Victim Compensation Claims

2A-2.013 Property Claims

2A-2.014 Domestic Violence Relocation Assistance

2A-2.017 Forms

2A-2.018 Emergency Responder Death Benefits

PURPOSE AND EFFECT: The proposed rule amendments are intended to clarify definitions, documentation requirements, amend benefits, and procedures for claims filed pursuant to the Crimes Compensation Act including changes in response to recent statutory changes.

SUMMARY: The rule amendments reflect changes in definitions, benefits and documentation requirements as well as

responses to recent statutory changes and the agency's new web portal.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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: 960.045(1)(b), 960.13(9)(b) FS.

LAW IMPLEMENTED: 960.065, 960.07, 960.12, 960.13, 960.15, 960.16, 960.17, 960.18, 960.195, 960.198, 960.199, 960.03, 960.196, 960.14 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: Michelle Crum, Chief of Victim Compensation, Department of Legal Affairs, PL- 01, The Capitol, Tallahassee, FL 32399-1050

THE FULL TEXT OF THE PROPOSED RULE IS:

2A-2.002 Victim Compensation Claims.

(1) Application. An application for victim compensation should be mailed to the Office of the Attorney General, Bureau of Victim Compensation, PL-01, The Capitol, Tallahassee, FL 32399-1050 or faxed to (850)414-6197 or (850)414-5779; or emailed to VCIntake@myfloridalegal.com, or submitted via the department's web-portal located at <https://vanext.myfloridalegal.com/>. The application entitled BVC100 Bureau of Victim Compensation Claim Form is incorporated in subsection 2A-2.017(1), F.A.C. The application must include the following information:

(a) through (m) No change.

(2) through (4) No change.

(5) Penalty Assessments.

(a) through (d) No change

(e) A penalty assessment of more than 25 percent will result in the denial of benefits.

(6) No change.

(7) Documentation Requirements –

(a) through (b) No change

(c) Acceptable documentation for proof that a compensable crime occurred shall include:

1. through 5. No change.

6. A written communication from any Federal Law Enforcement agency the United States Federal Bureau of Investigations;

7. A certification by a cybercrime investigator of a crime for purposes of Section 960.197, F.S.; or

8. No change.

(d) through (l) No change.

Rulemaking Authority 960.045(1), 960.13(9)(b) FS. Law Implemented 960.065, 960.07, 960.12, 960.13, 960.15, 960.16, 960.17, 960.18, 960.195, 960.198 FS. History–New 1-1-92, Amended 11-1-92, 9-13-94, 1-8-96, 6-25-96, 10-1-96, 9-24-97, 8-17-99, 2-3-00, 10-23-01, 5-13-03, 1-16-08, 7-1-10, 11-19-12, 10-1-14, 9-23-15, 2-29-16, 6-30-16, _____.

2A-2.013 Property Claims.

(1) through (9) No change.

(10) Compensation is limited to items that are lawful tangible personal property of the victim.

(a) No change.

(b) Examples of property that are not compensable include real property, abandoned property, cash or other negotiable instruments, contraband or other illicit items, exchange agreements, items that amount to a monetary loss, are intangible, or are cosmetic damage causing a devaluation of the property.

(11) through (12) No change.

Rulemaking Authority 960.045(1)(b) FS. Law Implemented 960.195 FS. History–New 7-1-10, Amended 10-1-14, 2-29-16, _____.

2A-2.014 Domestic Violence Relocation Assistance.

(1) through (2) No change.

(3) Application for relocation assistance must be received by the Office of the Attorney General, Bureau of Victim Compensation within 30 days immediately following the occurrence of the domestic violence offense, unless an exception set forth in subsection 2A-2.014 (5), F.A.C. applies.

(4) through (17) No change.

Rulemaking Authority 960.045(1)(b) FS. Law Implemented 960.198 FS. History–New 7-1-10, Amended 10-1-14, 2-29-16, _____.

2A-2.017 Forms.

The Following Bureau of Victim Compensation forms can be obtained at www.myfloridalegal.com or by contacting the Office of the Attorney General, Bureau of Victim Compensation, PL-01 The Capitol, Tallahassee, FL 32399, (850)414-3300:

(1) Any person desiring to apply for Victim Compensation, Property Loss, or relocation benefits shall submit a completed form BVC100, Bureau of Victim Compensation Claim Form revised (07/15), adopted and incorporated by reference, <https://www.flrules.org/Gateway/reference.asp?No=Ref-06417>.

(2) through (14) No change.

(15) Any person desiring to apply for Emergency Responder Death Benefits shall submit a completed form BVC100ER, Emergency Responder Death Benefit Claim Form revised (06/17), adopted and incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-08564>, Rulemaking Authority 960.045(1) FS. Law Implemented 960.03, 960.05, 960.065, 960.07, 960.12, 960.13(5)(a), 960.15, 960.16, 960.17, 960.18, 960.195, 960.196, 960.198, 960.199 FS. History–New 2-11-16, Amended _____.

2A-2.018 Emergency Responder Death Benefits

(1) Application. The application entitled BVC100ER Emergency Responder Death Benefit Claim Form must be submitted and is incorporated in subsection 2A-2.017(15), F.A.C. An application for emergency responder death benefits should be mailed to the Office of the Attorney General, Bureau of Victim Compensation, PL-01, The Capitol, Tallahassee, FL 32399-1050, or faxed to (850) 414-6197 or (850) 414-5779; emailed to VCIntake@myfloridalegal.com, or submitted via the department’s web-portal located at <https://vannext.myfloridalegal.com>.

(2) 2A-2.018 Acceptable documentation for proof that a compensable crime occurred shall include:

(a) A law enforcement report that affirms a crime occurred, regardless of whether an offender can be identified;

(b) An affidavit charging an individual with a crime filed by law enforcement;

(c) An information charging an individual with a crime filed by a state attorney;

(d) An indictment by a grand jury;

(e) A child abuse investigation report completed by a Department of Children and Families or child protection team member;

(f) A written communication from any Federal Law Enforcement agency;

(g) A certification by a cybercrime investigator of a crime for purposes of Section 960.197, F.S.; or

(h) A completed form BVC430 Law Enforcement Information Reporting Form which is incorporated in subsection 2A-2.017(9), F.A.C.

(3) In making a determination of contribution pursuant to Section 960.143(3), F.S., the department will rely substantially on information in writing from a proper authority that the victim’s conduct contributed to his or her injury or death. Penalty assessments, if imposed, will be applied at the rate of 25 percent of the amount payable. A penalty assessment of more than 25 percent will result in the denial of benefits, unless the responder’s actions are excused by statute.

(4) It is the express intent of the Office of the Attorney General, Bureau of Victim Compensation to release benefits with as little delay as possible. Awards will be released upon the completion and approval of the first eligible application(s). Payment to the first applicant(s) who are approved for payment will foreclose any future payments or applications. Rulemaking Authority 960.045(1) FS. Law Implemented 960.194 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Michelle Crum, Chief of Victim Compensation,
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Attorney General Pam Bondi
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 31, 2017
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 3, 2017

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-1.100 Medicaid Fair Hearings

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-1.100, Florida Administrative Code (F.A.C.), is to clarify definitions and the Agency for Health Care Administration’s (AHCA) hearing request policies.

SUMMARY: The amendment specifies the definition of “good cause” and AHCA’s policy regarding waivers of the deadline for Fair Hearing requests.

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: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.285 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: August 29, 2017, 2:00 p.m. to 2:30 p.m.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: David Nam, Office of the General Counsel, 2727 Mahan Drive, Mail Stop 11, Tallahassee, Florida 32308-5407, telephone: (850)412-3659, e-mail: David.Nam@ahca.myflorida.com.

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

Official comments to be entered into the rule record will be received from the date of this notice until 5:00 p.m. August 30, 2017 . Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, please contact the person specified above.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-1.100 Medicaid Fair Hearings.

(1) Purpose.

This rule establishes procedures applicable to Fair Hearings conducted by the Agency for Health Care Administration (Agency) pursuant to Section 409.285(2), Florida Statutes (F.S.).

(2) Definitions.

The following definitions are applicable to this rule:

(a) Action – In the case of a recipient receiving services through the fee-for-service (FFS) delivery system, any of the following:

1. The reduction, suspension, or termination by the Agency of a previously authorized service, or

2. The denial, in whole or in part, of a requested service or supplies by the Agency.

(b) Adverse Benefit Determination – In the case of a managed care plan enrollee, any of the following:

1. The denial, in whole or in part, of a requested service or supplies by the plan;

2. The reduction, suspension, or termination by the plan of a previously authorized service;

3. The failure of the plan to provide services in a timely manner as specified in the Agency’s contract with the plan, or

4. The denial by the plan of an enrollee’s request to dispute a Florida Medicaid financial liability, including, copayments and coinsurance.

(c) Authorized Representative – A person designated to request or represent the interests of the recipient or enrollee in a fair hearing.

(d) Benefit(s) – Florida Medicaid-covered services and supplies, as set forth in the Florida Medicaid State Plan, coverage policies, handbooks, fee schedules, or applicable waiver for Florida Medicaid waiver benefits. For managed care plan enrollees, benefits include expanded benefits covered by a plan as set forth under the terms and conditions of the plan’s contract with the Agency.

(e) Business Day – Any day in which the Agency conducts business, excluding Saturdays, Sundays, and holidays as defined in Section 110.117, F.S.

(f) Corrective Action – Corrective payments, or if appropriate, admission or readmission of a recipient or enrollee to a facility.

(g) Day – A calendar day.

(h) Disenrollment Denial – The Agency’s denial of an enrollee’s request for a ~~good cause~~ disenrollment from a plan pursuant to Section 409.969, F.S.

(i) Enrollee – Recipient who is a member of a managed care plan.

(j) Fair Hearing (Hearing) – Proceedings conducted by the Agency pursuant to Section 409.285(2), F.S.

(k) File(d) – Received by the Office of Fair Hearings or by the Hearing Officer during the course of a hearing.

(l) Final Order – A written order rendered by the Agency constituting final agency action in a fair hearing.

(m) Fee-For-Service Recipient (FFS recipient) – Florida Medicaid recipient receiving benefits under the FFS delivery system.

(n) Good Cause – A legally sufficient reason.

~~(o)(#)~~ Hearing Officer – The presiding officer appointed by the Agency to conduct a fair hearing.

~~(p)(#)~~ Hearing Request – A clear, written or oral expression to the Agency requesting review of:

1. An action;
2. A plan appeal of an adverse benefit determination;
3. A disenrollment denial, pertaining to the enrollee, or
4. A matter within the fair hearing jurisdiction of the Agency.

~~(q)(#)~~ Legal Holiday – As designated in Section 110.117, F.S.

~~(r)(#)~~ Medical Supplies (Supply or Supplies) – As defined in Rule 59G-4.070, F.A.C.

~~(s)(#)~~ Notice of Action (NOA) – Written notice from the Agency to a FFS recipient regarding an action.

~~(t)(#)~~ Notice of Adverse Benefit Determination (NABD) – Written notice from a plan to an enrollee regarding an adverse benefit determination.

~~(u)(#)~~ Notice of Plan Appeal Resolution (NPAR) – Written notice from a plan to an enrollee resolving the enrollee’s plan appeal.

~~(v)(#)~~ Office of Fair Hearings (Office) – The hearing authority within the Agency designated to conduct fair hearings.

~~(w)(#)~~ Plan – Managed medical assistance and long-term care plans as defined in Rule 59G-1.010, F.A.C.

~~(x)(#)~~ Plan Appeal – A review by the plan of an adverse benefit determination.

~~(y)(#)~~ Recipient – Individual determined to be eligible for Florida Medicaid-covered services by the Department of Children and Families or the Social Security Administration, and who is enrolled in the Florida Medicaid program.

~~(z)(#)~~ Send (Sent) – Delivery by U.S. mail, email, facsimile transmission, or hand delivery.

~~(aa)(#)~~ Service(s) – Any diagnostic or treatment procedure(s) or other medical or allied care claimed to have been furnished to a recipient and listed in an itemized claim for payment; or, in the case of a claim based on costs, any entry in the cost report, books of account, or other documents supporting such claim.

(3) Jurisdiction and Right to a Hearing.

The Agency has jurisdiction and must provide a fair hearing for:

(a) A FFS recipient who makes a hearing request regarding:

1. The reduction, suspension, or termination by the Agency of a previously authorized service;
2. The denial, in whole or in part, of a requested service or supply by the Agency, or
3. The failure of the Agency to provide a timely NOA subsequent to the Agency’s failure to provide all medically necessary services to the recipient with reasonable promptness.

(b) An enrollee who makes a hearing request regarding:

1. A notice of plan appeal resolution indicating that the plan appeal did not result in the reversal of a prior denial of a new

service, or the reduction, suspension, or termination of a previously authorized service, if timely challenged by the enrollee in accordance with the plan appeal procedures following the timely issuance of the plan's NABD to the enrollee;

2. The failure of the plan to adhere to notice and timing requirements applicable to plan appeals, or

3. The failure of the plan to timely notice the enrollee through a NABD, subsequent to the plan's failure to provide medically necessary services requested by the enrollee to the enrollee with reasonable promptness.

(c) An enrollee who makes a hearing request regarding a disenrollment denial.

(d) A recipient who receives notification from the Agency pursuant to Rule 59G-5.110, F.A.C., that a reimbursement request is denied in whole or in part.

(e) A recipient entitled to a fair hearing pursuant to Section 409.285(2), F.S.

(f) The Agency need not grant a fair hearing if the sole issue is a federal or state law requiring an automatic change adversely affecting some or all recipients.

(4) Parties.

(a) The parties to a fair hearing regarding FFS benefits are the FFS recipient and the Agency.

(b) The parties to a fair hearing regarding managed care benefits are the enrollee and the plan. Upon request by the Agency, the Agency may be granted party status by the Hearing Officer.

(c) The parties to a fair hearing regarding a disenrollment denial are the enrollee and the Agency.

(d) The parties to a fair hearing regarding a reimbursement request pursuant to Rule 59G-5.110, F.A.C., are the recipient and the Agency.

(e) The parties to any fair hearing pursuant to Section 409.285(2), F.S., not specified herein, are the recipient and the appropriate state agency or its designee.

(5) Pleadings, Papers, Addresses, and Service.

(a) Any pleading or paper received by the Office before 5:00 p.m. on a business day shall be filed as of that day. A pleading or paper received after 5:00 p.m. on a business day, or on a Saturday, Sunday, or legal holiday shall be filed as of 8:00 a.m. on the next business day.

(b) A recipient or their authorized representative, must provide and maintain a mailing address of record with the Office, or if they elect service via email, must provide and maintain a valid email address of record with the Office. A plan and legal counsel to a party must provide and maintain a valid mailing and email address on file with the Office and consent to service via email. Service at the mailing address, or email address, if applicable, of record is presumed to be valid service.

(c) Each plan, and legal counsel to a party, must maintain a designated email address with the Office. Recipients may designate an email address with the Office. The Office shall provide all fair hearing-related communications to a party with a designated email address at that email address. Service on a party's, an authorized representative's, or legal counsel's designated email address is presumed to be valid service.

(d) Unless the Hearing Officer orders otherwise, every pleading and paper filed in a fair hearing, except applications for witness subpoenas, shall be served on each party at the mailing address of record or designated email address.

(e) Service on counsel of record or on an authorized representative at the mailing address of record or designated email address is presumed to be valid service on the party.

(6) Computation of Time.

(a) In computing any period of time under this rule, by order of a Hearing Officer, or by any applicable statute, the day of the act from which the period of time begins to run shall not be included. The last day of the period shall be included unless it is a Saturday, Sunday, or a legal holiday in which event the period shall run until the end of the next business day. When the period of time allowed is less than seven days, only business days shall be included in the computation.

(b) Five days shall be added to the time limits when service is made by U.S. mail. One business day shall be added when service is made by overnight courier. No additional time shall be added if service is made by email, facsimile transmission, or hand delivery.

(7) Appearances, Authorized Representatives, and Withdrawal.

(a) Recipients may represent themselves in a fair hearing, they may be represented by a non-attorney authorized representative, or, they may be represented by an attorney authorized to practice law in Florida retained by the recipient, or a person with authority to retain counsel for the recipient.

(b) Counsel representing a party in a fair hearing shall promptly file with the Office and serve on each other party a notice of appearance, which includes counsel's mailing address of record and email address. Filing of a notice of appearance shall constitute acceptance of service at the email address provided by counsel.

(c) Any person, including counsel or a recipient's provider, requesting a fair hearing on behalf of a recipient, or seeking to represent a recipient in a fair hearing, must provide and maintain with the Office:

1. A written authorization signed by the recipient or by a person with legal authority to act on behalf of the recipient, designating the person as the recipient's authorized representative; and,

2. A mailing address of record, and may designate an email address with the Office. As set forth herein, counsel appearing on behalf of a recipient consents to service via email.

(d) Upon motion, the Hearing Officer shall grant counsel of record or an authorized representative leave to withdraw from representation of a party for good cause shown. The motion shall contain the mailing address, email address, if applicable, and telephone number of the party represented.

(8) Requests for Fair Hearing.

(a) A recipient may make a hearing request either orally or in writing.

(b) Any person, including counsel or a recipient's provider, making a hearing request on behalf of a recipient, or seeking to represent a recipient in a fair hearing, must file with the Office a written authorization signed by the recipient or by a person with legal authority to act on behalf of the recipient, designating the person as the recipient's authorized representative.

(c) The Agency must receive the fair hearing request within 90 days of the date a required NOA is sent to the recipient.

(d) The Agency ~~may~~ will waive the 90 day time limit for making a hearing request when:

1. The Agency fails to send a timely NOA to the FFS recipient, or

2. The Agency fails to act on a FFS recipient's specific request for benefits.

(e) An enrollee must initiate and complete a plan appeal before making a fair hearing request. The plan appeal is complete when:

1. The enrollee receives from the plan a NPAR indicating the plan appeal was not resolved wholly in the enrollee's favor, or

2. The plan fails to adhere to notice and timing requirements applicable to plan appeals.

(f) An enrollee need not initiate and complete a plan appeal before making a fair hearing request if the request is based on a plan determination or NOA rendered before March 1, 2017.

(g) A fair hearing request by an enrollee must be received by the Agency within 120 days of the date the required NPAR is sent to the enrollee.

(h) In other instances where a recipient is entitled to a fair hearing, the hearing request must be received by the Agency within 90 days of the date of the required time to provide a NOA, or such other time specified by law.

(9) Acknowledgement, Denial, and Dismissal of Fair Hearing Requests.

(a) The Office shall provide each party with prompt, written acknowledgement of a fair hearing request. The parties shall comply with any instructions issued with the acknowledgement.

(b) A Hearing Officer is authorized to deny or dismiss a request for a fair hearing for reasons consistent with this rule, including the following:

1. The Office does not have jurisdiction over the subject matter of the fair hearing;

2. The enrollee has not completed the plan appeal;

3. A fair hearing request is untimely;

4. A person other than the recipient makes a hearing request without also filing a written designation signed by the recipient authorizing the representation;

5. The recipient:

a. Files a written withdrawal of the fair hearing request, or

b. Fails to appear at the scheduled fair hearing without good cause;

6. The fair hearing is moot, or

7. The sole issue is a federal or state law requiring an automatic change adversely affecting some or all recipients or enrollees.

(c) The Hearing Officer shall provide each party with written notice when a fair hearing request is denied or dismissed.

(10) Notice of Fair Hearing.

(a) The Office shall provide each party with a written notice of fair hearing at least 14 days in advance of the fair hearing date.

(b) The recipient or enrollee may waive the 14 days advance notice requirement, upon written request.

(c) Each party shall comply with all prehearing instructions issued by the Office or a Hearing Officer.

(11) Consolidated Hearings.

The Hearing Officer may consolidate separate fair hearing requests involving the same recipient if it appears consolidation would promote the just, speedy, and inexpensive resolution of the proceedings, and would not prejudice the rights of the recipient, or unduly prejudice another party.

(12) Access to Case File Prior to Fair Hearing.

(a) The recipient or enrollee must be provided access to his or her entire case file, including all medical records and any other documents and records considered or relied upon by a plan regarding a plan appeal, or by the Agency, whichever is applicable. Access to documents specified herein must be provided within seven days of the recipient's or enrollee's request to the plan or Agency.

(b) For expedited fair hearings, the entire case file, or any requested portion, must be provided within 24 hours of the recipient's or enrollee's request.

(c) These materials shall be provided to the recipient or enrollee free of charge.

(13) Discovery; Subpoenas.

(a) Each party may obtain discovery through the means and in the manner provided in Rules 1.280 through 1.410, Florida Rules of Civil Procedure. The Hearing Officer may issue orders to effect the purposes of discovery and to prevent delay, including the imposition of sanctions in accordance with the Florida Rules of Civil Procedure, except contempt.

(b) Upon the request of any party, the Hearing Officer may issue subpoenas for the attendance of witnesses for deposition or at the hearing. The requesting party shall indicate whether the witness is also requested to bring documents, and if so, specify the documents to be produced.

(c) A subpoena may be served by any person specified by law to serve process, or by any person who is not a party and who is 18 years of age or older. Service shall be made by delivering a copy to the person named in the subpoena. Proof of service shall be made by affidavit of the person making service, if not served by a person specified by law to serve process.

(d) Any motion to quash or limit a subpoena shall be filed with the Office or Hearing Officer and shall state the grounds relied upon.

(14) Continuances and Abandonment.

(a) The Hearing Officer ~~will~~ may grant a continuance of a fair hearing for good cause shown, or upon stipulation of all parties of record. Except in cases of emergency, requests for continuance shall be made at least five days prior to the date noticed for the hearing.

(b) The Hearing Officer may find that a fair hearing is abandoned if the recipient or enrollee fails to appear at a properly noticed fair hearing without good cause.

(15) Motions.

(a) All motions shall be in writing and filed with the Office. The motion shall state the relief requested and the grounds relied upon in support of the motion. If the movant is represented by counsel, the motion shall be accompanied by a written memorandum of law in support of the motion, unless otherwise permitted by the Hearing Officer.

(b) All motions, other than a motion to dismiss, shall include a statement that the movant has conferred with all other parties of record and shall state whether each party has any objection to the motion. Any statement that the movant was unable to confer with another party or parties before filing the motion must provide information regarding the date(s) and method(s) by which contact was attempted.

(c) When time permits, the other parties to the fair hearing may, within seven days of service, file written memoranda in response to a motion. No reply to a response shall be permitted, unless leave is sought from and granted by the Hearing Officer.

(d) Motions shall be decided on the basis of the pleadings, the grounds set forth in the motion, and any supporting or

opposing legal memoranda, unless the Hearing Officer orders a motion hearing to resolve the issues. The Hearing Officer shall conduct such proceedings and render such orders as necessary to dispose of the issues raised by a motion.

(e) Motions for extension of time, other than a motion for continuance of the fair hearing, shall be filed no later than two days prior to the expiration of the deadline sought to be extended and shall state good cause for the request.

(f) Motions made orally on the record during the course of a fair hearing, except for motions for extension of time or for a continuance, are exempt from these requirements, unless otherwise ordered by the Hearing Officer.

(16) Hearing Officers.

(a) A Hearing Officer shall be appointed by the Agency to preside over each fair hearing and must:

1. Ensure that the fair hearing is conducted in a manner consistent with this rule and promotes the fair, just, and speedy resolution of the proceeding;

2. Be impartial and was not involved in the initial determination giving rise to the fair hearing; and,

3. Refrain from unilateral communications with a party or a party's representative regarding the substance of the issues presented in the fair hearing; if any such communication occurs, the Hearing Officer shall document the communication in the record of the fair hearing.

(b) The Hearing Officer shall have the authority to issue any and all orders and render rulings consistent with this rule.

(17) Conduct of Hearing.

(a) Hearings conducted pursuant to this rule are only open to the parties and their witnesses, unless authorized by the Hearing Officer and with the consent of the recipient or enrollee.

(b) Each fair hearing shall be a de novo, evidentiary proceeding, and shall be conducted in a manner that meets the requirements of this rule.

(c) Each fair hearing shall be conducted by telephone or in such manner as prescribed by the Hearing Officer. The Hearing Officer has the authority to swear witnesses and take their testimony under oath. Testimony taken by telephone or other telecommunications media does not require that a notary be present with the witness to administer the oath; however, the Hearing Officer must be satisfied as to the identity of the party or witness testifying.

(d) Each fair hearing shall be recorded. A copy of the recording shall be provided to the recipient or enrollee, upon request and free of charge.

(e) The recipient must have access to his or her entire case file including all medical records and any other documents and records considered or relied upon by a plan regarding a plan appeal, or by the Agency, whichever is applicable, during the

course of the hearing. These materials shall be provided upon the recipient's request free of charge.

(f) When the plan is a party, it shall file with the Office or Hearing Officer all legal authorities, Florida Medicaid policies and regulations, and contractual provisions relied upon for its determination of any issues presented in the fair hearing. The enrollee must have access to this information during the course of the hearing.

(g) The burden of proof is on the party asserting the affirmative of an issue, except as otherwise required by statute. The burden of proof is on the Agency or plan, whichever is applicable, when the issue presented is the suspension, reduction, or termination of a previously authorized service. The burden of proof is on the recipient or enrollee, when the issue presented is the denial or a limited authorization of a service. The party with the burden of proof shall establish its position to the satisfaction of the Hearing Officer by a preponderance of the evidence.

(h) Opening and closing statements may be presented by each party.

(i) The recipient or enrollee shall be entitled to:

1. Introduce evidence relevant to the issues presented;
2. Examine and rebut any evidence presented by another party through the introduction of rebuttal evidence, and examination and cross-examination of any witness;
3. If documentary evidence is received in the form of a copy or excerpt, to compare the copy with the original, if available and to conduct cross-examination when such documents are made a part of the record;
4. Call witnesses at the hearing;
5. Cross-examine adverse witnesses; and,
6. Impeach any witness.

(j) Irrelevant, immaterial, or unduly repetitious evidence shall be excluded, but all other evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a trial in the courts of Florida. Any part of the evidence may be received in written form, and all testimony of parties and witnesses shall be taken only on oath or affirmation.

(k) Hearsay evidence may be used to supplement or explain evidence but is not sufficient in itself to support a finding, unless the evidence is within an exception to the Hearsay Rule under Sections 90.801-.805, F.S.

(l) When official recognition is requested, the parties shall be notified and given an opportunity to examine and contest the material(s). Official recognition may be requested by motion and shall be granted or denied, in whole or in part, at the discretion of the Hearing Officer and in accordance with the provisions governing judicial notice in Sections 90.201-.203, F.S.

(m) The rules of privilege apply to the same extent as in civil actions under Florida law.

(n) If the fair hearing involves medical issues, such as those concerning a diagnosis, an examining physician's report or a medical review team's decision, and if the Hearing Officer considers it necessary to have a medical assessment other than that performed by the individual involved in making the original decision, such a medical assessment must be obtained at expense of the Agency, in a hearing for a FFS recipient, or the plan, in a hearing for an enrollee, whichever is applicable, and made part of the record.

(o) Post-hearing submissions can be authorized by the Hearing Officer with the consent of the recipient or enrollee.

(18) Final Orders.

(a) A Hearing Officer shall render a Final Order in each fair hearing.

(b) The Final Order shall be rendered within 90 days of the date of the request for a fair hearing, unless the time period is waived by the recipient or extended by order of the Hearing Officer.

(c) The Final Order must be based exclusively on evidence introduced at the hearing and any post-hearing submission authorized by the Hearing Officer. Findings of fact shall be based upon a preponderance of the evidence, unless otherwise provided by statute, and shall be based exclusively on the evidence of record and on matters officially recognized.

(d) The Final Order shall be in writing and shall include: a caption, specify the time and place of the fair hearing, list the parties and witnesses who appeared at the fair hearing, a statement of the issues addressed, findings of fact, conclusions of law, and, the resolution of the issues.

(e) The Final Order shall be sent to each party on the date rendered.

(f) The Final Order may prescribe corrective action retroactively to the date the incorrect action was taken.

(g) The Final Order shall include notice to the recipient or enrollee of the right to seek judicial review, the procedure which must be followed, and the time limits which apply.

(h) Rehearing or reconsideration of a Final Order is prohibited under this rule.

This rule becomes effective March 1, 2017.

Rulemaking Authority 409.919 FS. Law Implemented 409.285 FS. History--New 3-1-17, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
David Nam

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Justin Senior

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 30, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 19, 2017

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:

61J2-3.009: Continuing Education for Active and Inactive Broker and Sales Associate Licensees

PURPOSE AND EFFECT: The rule amendment will change the effective date of the 3-hour ethics / business practices continuing education course requirement and update rule language regarding continuing education for active and inactive broker and sales associate licensees.

SUMMARY: Change the effective date of the continuing education course requirement and update rule language regarding continuing education for active and inactive broker and sales associate licensees.

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: 455.2123, 475.05 FS.

LAW IMPLEMENTED: 455.2123, 475.04, 475.17, 475.182, 475.183, 475.451 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: Lori Crawford, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, Florida 32801, lori.crawford@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-3.009 Continuing Education for Active and Inactive Broker and Sales Associate Licensees.

(1) No change.

(2)(a) No change.

(b) Licensees must take the 3-hour Core Law course once during each renewal period. A licensee who takes the 3-hour Core Law course in each year of the renewal period shall be allowed a total of 3 hours of Core Law education and 3 hours of specialty education toward the 14 hour requirement. Real estate licensees who hold a license that expires on September 30, 2018, or thereafter ~~Beginning October 1, 2017, licensees~~ must also take the 3-hour Ethics and Business Practices course once during each licensure renewal period. A licensee who takes the 3-hour Ethics and Business Practices course in each year of the renewal period shall be allowed a total of 3 hours of Ethics and Business Practices and 3 hours of specialty education toward the 14 hour requirement. Licensees who complete the Core Law course and Ethics and Business Practices course will receive 6 hours credit toward the 14 hour requirement. The “specialty” course hours must total at least 8 hours.

(3) through (7) No change.

Rulemaking Authority 455.2123, 475.05 FS. Law Implemented 455.2123, 475.04, 475.17, 475.182, 475.183, 475.451 FS. History—New 1-1-80, Amended 8-24-80, 10-19-83, 9-16-84, Formerly 21V-3.09, Amended 10-13-88, 6-17-91, 12-29-91, 12-8-92, 6-28-93, Formerly 21V-3.009, Amended 2-2-94, 11-13-94, 5-13-96, 12-30-97, 10-25-98, 3-7-99, 1-18-00, 9-17-00, 1-12-04, 7-10-06, 11-3-15, 2-2-17,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 19, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 5, 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

WATER MANAGEMENT DISTRICTS
South Florida Water Management District
RULE NO.: RULE TITLE:

40E-6.011: Policy and Purpose

NOTICE IS HEREBY GIVEN that on July 25, 2017, the South Florida Water Management District (District), received a petition for waiver from the Village of Palmetto Bay (Application No. 17-0725-1) for utilization of Works or Lands of the District known as the C-100 A, B and C Canals, Miami-Dade County (Sections 23, 27, 34, & 22, Township 55 South, Range 40 East) for proposed informational signs within 40 feet of top of canal bank. The petition seeks relief from subsections 40E-6.011(4) & (6), Fla. Admin. Code, which prohibit the placement of permanent & semi-permanent above-ground structures within 40 feet of top of canal bank within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell, (561)682-6268, jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attention: Juli Russell, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

State Boxing Commission

NOTICE IS HEREBY GIVEN that on July 30, 2017, the Florida State Boxing Commission, received a petition for variance or waiver, filed by Michael Gattuso. The Petitioner seeks a variance or waiver of Rule 61K1-4.022, F.A.C.,

Kickboxing Apparel. Comments on this petition should be filed with the Florida State Boxing Commission at the address below within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Paul Waters, Executive Director, Florida State Boxing Commission, 2601 Blair Stone Road, Tallahassee, FL 32399-1016 or telephone (850)488-8500.

Section VI
Notice of Meetings, Workshops and Public
Hearings

DEPARTMENT OF EDUCATION

State Board of Education

The Florida Rehabilitation Council for the Blind and the Division of Blind Services announce a telephone conference call to which all persons are invited.

DATE AND TIME: August 11, 2017, 2:00 p.m. – 5:00 p.m. or until business concludes

PLACE: Telephone conference number 1(888)670-3525, participant code 1242528392#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation for the Blind and The Division of Blind Services will discuss comments regarding RSA regulations.

A copy of the agenda may be obtained by contacting: The Division of Blind Services, 325 West Gaines Street, Turlington Bldg. Room 1114, Tallahassee, Florida 32399, (850)245-0329, email Selena.Sickler@dbs.fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Division of Blind Services, 325 West Gaines Street, Turlington Bldg. Room 1114, Tallahassee, Florida 32399, (850)245-0329, email Selena.Sickler@dbs.fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: The Division of Blind Services, 325 West Gaines Street, Turlington Bldg. Room 1114, Tallahassee, Florida 32399, (850)245-0329, email Selena.Sickler@dbs.fldoe.org.

DEPARTMENT OF EDUCATION

State Board of Education

The Financial Emergency Board for the School District of Jefferson County announces a public meeting to which all persons are invited.

DATE AND TIME: August 9, 2017, 1:00 p.m.

PLACE: Turlington Building, 325 West Gaines Street, Suite 1706, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pursuant to Section 218.503, Florida Statutes, the Financial Emergency Board for the School District of Jefferson County will meet on August 9, 2017. The purpose of this meeting is for the Financial Emergency Board to review and discuss information about the finances of the School District of Jefferson County.

A copy of the agenda may be obtained by contacting Link Jarrett at the Florida Department of Education, 325 West Gaines Street, Suite 1214, Tallahassee, Florida 32399 or (850)245-0406.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least two days before the workshop/meeting by contacting: Link Jarrett at (850)245-0406. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

REGIONAL PLANNING COUNCILS

West Florida Regional Planning Council

The West Florida Local Emergency Planning Committee (LEPC) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 16, 2017, 10 a.m.

PLACE: Ocean City Wright Fire Department, 233 Racetrack Road, Ft. Walton Beach, Fla.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The general business of the Local Emergency Planning Committee (LEPC) including training activities, planning activities, and public outreach.

Subcommittee meetings will precede the general meeting on August 16, 2017, 9:00 a.m. Additional subcommittee meetings will be held via teleconference on August 14, 2017.

A copy of the agenda may be obtained by contacting: Kathy Ahlen at kathy.ahlen@wfrpc.org, (850)332-7976, ext. 210 or www.wfrpc.org/lepc.

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: **Public Involvement** at publicinvolvement@wfrpc.org or (850)332-7976, ext. 220. 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: Kathy Ahlen at kathy.ahlen@wfrpc.org, (850)332-7976, ext. 210 or www.wfrpc.org/lepc.

REGIONAL PLANNING COUNCILS

Northeast Florida Regional Planning Council

The Northeast Florida Regional Council, Local Emergency Planning Committee (LEPC) announces a public meeting to which all persons are invited.

DATE AND TIME: August 16, 2017, 10:00 a.m.

PLACE: 100 Festival Park Avenue, Jacksonville, FL 32202.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Quarterly Meeting.

A copy of the agenda may be obtained by contacting (904)279-0880.

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Councils Executive Budget Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 14, 2017, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd Ste.100, Pinellas Park, Florida 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Budget Committee.

A copy of the agenda may be obtained by contacting Wren Krahl, Wren@tbrpc.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 4 days before the workshop/meeting by contacting Wren Krahl, Wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Wren Krahl, Wren@tbrpc.org.

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: August 14, 2017, 10:00 a.m.

PLACE: 4000 Gateway Centre Blvd, Ste.100, Pinellas Park, Florida 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

A copy of the agenda may be obtained by contacting: Wren Krahl, Wren@tbrpc.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 4 days before the workshop/meeting by contacting: Wren Krahl, Wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl, Wren@tbrpc.org.

LAND AND WATER ADJUDICATORY COMMISSION

Fiddler's Creek Community Development District 1

RULE NO.: RULE TITLE:

42X-1.002: Boundary

The Florida Land and Water Adjudicatory Commission announces a public meeting to which all persons are invited.

DATE AND TIME: August 16, 2017, 9:00 a.m.

PLACE: LL03, Cabinet Meeting Room, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is a regularly scheduled Cabinet meeting. The Commission will consider an Amended Petition to amend the boundaries of the Fiddler's Creek Community Development District 1.

A copy of the agenda may be obtained by contacting Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)717-9513.

For more information, you may contact: Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)717-9513.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board announces public meetings to which all persons are invited.

DATES AND TIMES: Wednesday, September 13, 2017, 12:00 Noon; Thursday, September 14, 2017, 8:30 a.m.; Friday, September 15, 2017, 8:30 a.m.

PLACE: Innisbrook Resort, 36750 US Hwy 19 N, Palm Harbor, FL 34683, (727)942-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business, disciplinary and committee meetings of the Board.

A copy of the agenda may be obtained by contacting: Donald

Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983. 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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, September 12, 2017, 10:00 a.m.

PLACE: Telephone conference number 1(888)670-3525, participant code 293 872 3619

GENERAL SUBJECT MATTER TO BE CONSIDERED: CE/Exams/Public Awareness committee meeting of the Board.

A copy of the agenda may be obtained by contacting: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983. 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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, October 10, 2017, 10:00 a.m.

PLACE: Telephone conference number: 1(888)670-3525, participant code 293 872 3619

GENERAL SUBJECT MATTER TO BE CONSIDERED: CE/Exams/Public Awareness committee meeting of the Board. A copy of the agenda may be obtained by contacting: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983. 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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board announces public meetings to which all persons are invited.

DATES AND TIMES: Wednesday, October 11, 2017, 12:00 Noon; Thursday, October 12, 2017, 8:30 a.m.; Friday, October 13, 2017, 8:30 a.m.

PLACE: Sandestin Resort, 9300 Emerald Coast Pkwy N, Destin, FL 32550, (850)267-8000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business, disciplinary and committee meetings of the Board.

A copy of the agenda may be obtained by contacting: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983. 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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: RULE TITLE:

61K1-3.0001: Definitions

The Florida State Boxing Commission announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 18, 2017, 9:00 a.m.

PLACE: Conference call number 1(888)670-3525, participant code 6740308491 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a general business meeting including: approval of meeting minutes, a petition for variance or waiver, disciplinary matters and license

A copy of the agenda may be obtained by contacting Lina Hurtado, (850)488-8500.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting Lina Hurtado, (850)488-8500. 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 Lina Hurtado, (850)488-8500.

DEPARTMENT OF CHILDREN AND FAMILIES

Refugee Services

The SWFL Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 23, 2017; 1:30 p.m. – 3:30 p.m.

PLACE: CareerSource SWFL, Conference Room, 3050 Horseshoe Dr., Naples, FL 34104

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Southwest Florida Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Janet Blair at (813)545-1716 or Taddese Fessehaye at (407)317-7335.

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: Janet Blair at (813)545-1716 or Taddese Fessehaye at (407)317-7335. 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: Janet Blair at (813)545-1716 or Taddese Fessehaye at (407)317-7335.

Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN that the Florida Department of Corrections has issued an order disposing of the petition for declaratory statement filed by inmate Charles Cannella, DC# 517448, on May 24, 2017. The following is a summary of the agency's disposition of the petition:

As an inmate of the Florida Department of Corrections, Charles Cannella, DC# 517448, may only participate in administrative proceedings that are brought pursuant to sections 120.54(3)(c) and (7), Florida Statutes. Pursuant to section 120.81(3), Florida Statutes, the Petitioner lacks standing to bring a Petition for Declaratory Statement, and the Department lacks jurisdiction to issue a declaratory statement in this case.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Betty Money, 501 S. Calhoun Street, Tallahassee, Florida 32399, betty.money@fdc.myflorida.com, (850)717-3605.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

NOTICE IS HEREBY GIVEN that Florida Real Estate Commission has received the petition for declaratory statement from Karen Stauber. The petition seeks the agency's opinion as to the applicability of Sections 475.15 and 475.161, Florida Statutes as they apply to the petitioner.

The petitioner seeks the Commission's interpretation of Sections 475.15 and 475.161, Florida Statutes, with regard to the sales commission paid to her.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Lori Crawford, Executive Director, Florida Real Estate Commission, 400 West Robinson Street, N801, Orlando, FL 32801, (850)487-1395, lori.crawford@myfloridalicense.com.

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 Traci Blackmon-Bhagat, Regulatory Affairs, Spectrum Chemical MFG Corp., 14422 South San Pedro Street, Gardena, California 90248. The petition seeks the agency's opinion as to the applicability of Chapter 499.003 (40), (31), Florida Statutes as it applies to the petitioner.

The Petition seeks a formal opinion from the Department as to whether the Petitioner needs additional licensing. The petitioner wants clarification on if a cosmetic manufacturer and OTC manufacturer located in Florida, would also require a prescription drug permit for an API labeled RX ONLY, that will be incorporated into and OTC or Cosmetic? 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.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Dinah Greene, Division of Drugs, Devices and Cosmetics, 2601 Blair Stone Road, Tallahassee, FL 32399-1047, Dinah.Greene@myfloridalicense.com, (850)717-1800.

Please refer all comments to: Drew Winters, Director, Division of Drugs, Devices and Cosmetics, 2601 Blair Stone Road, Tallahassee, FL 32399-1047, Drew.Winters@myfloridalicense.com, website: http://interredesignalpha/dbpr/ddc/ddc_division_notices.html.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION
BDC04-17/18, Shell Point Beach Nourishment
NOTICE OF INVITATION TO BID: The Florida Department of Environmental Protection, Bureau of Design and Construction is soliciting formal, competitive, sealed bids from contractors for bid number BDC04-17/18, Shell Point Beach Nourishment. More info @ http://tinyurl.com/BDC04-17-18.

DEPARTMENT OF MILITARY AFFAIRS
216048 Repaint Bldg 860 Cecil Field
STATE OF FLORIDA, DEPARTMENT OF MILITARY AFFAIRS
PUBLIC ANNOUNCEMENT
INVITATION TO BID

The State of Florida, Department of Military Affairs (DMA), Construction & Facility Management Office (CFMO) requests

bids from State of Florida registered licensed General Contractors (GC) or licensed Painting Contractors for the following project located at Cecil Field, Jacksonville, FL.

FOR COMPLETE INFORMATION AND SUBMISSION REQUIREMENTS YOU MUST GO TO THE MYFLORIDA.COM VENDOR BID SYSTEM ON OR AFTER 8/3/2017 AT http://vbs.dms.state.fl.us/vbs/main_menu.

PROJECT: 216048, Paint Exterior Building 860, Cecil Field
FUNDING: The State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

BID OPENING DATE: As stated on the Vendor Bid System (late bids will not be accepted)

MANDATORY PRE-BID/SITE VISIT DATE: As stated on the Vendor Bid System

STATEMENT OF WORK: Repaint exterior of Building 860, located at Cecil Field, Jacksonville, FL

The Department reserves the right to reject any and all submissions or accept minor irregularities in the best interest of the DMA.

POINT OF CONTACT: Department of Military Affairs, Construction & Facility Management Office, Contract Management Branch (904)827-8544 or email ng.fl.flarnng.list.ngfl-cfmo-contracting@mail.mil.

Early Learning Coalition of Northwest Florida, Inc.
REQUEST FOR PROPOSALS ("RFP") –
INFORMATION TECHNOLOGY SUPPORT SERVICES
#FY18-RFP-001

The Early Learning Coalition of Northwest Florida, Inc. ("Coalition") requests written proposals to provide comprehensive information technology services to support the Coalition's data network and other IT functions.

The Request for Proposals (RFP) will be available by August 7, 2017 on the www.elcnwf.org website. Submission deadline for receipt of sealed proposals is August 30, 2017 at 5:00 pm CT. Questions concerning this solicitation should be directed to Ken Whittaker at ken.whittaker@elcnwf.org.

This RFP is sponsored by the Early Learning Coalition of Northwest Florida, Inc. and the State of Florida, Office of Early Learning.

The Coalition receives 100% of public support funding from the State of Florida, Office of Early Learning (OEL). The funding received from OEL is derived from both federal and state sources. The percentage of public support funding to facilitate the resulting contract from this RFP will be 70% derived from federal sources and 30% derived from the State of Florida.

**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., Wednesday, July 26, 2017 and 3:00 p.m., Tuesday, August 1, 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
5J-22.001	7/28/2017	8/17/2017
5J-22.002	7/28/2017	8/17/2017
5J-22.003	7/28/2017	8/17/2017
5J-22.004	7/28/2017	8/17/2017
5J-22.005	7/28/2017	8/17/2017
5J-22.006	7/28/2017	8/17/2017
5J-22.007	7/28/2017	8/17/2017
5J-25.005	7/28/2017	8/17/2017
5J-25.009	7/28/2017	8/17/2017
6A-1.001	7/31/2017	8/20/2017
6A-1.085	7/31/2017	8/20/2017
6A-1.087	7/31/2017	8/20/2017
6A-1.091	7/31/2017	8/20/2017
6A-1.006	7/31/2017	8/20/2017
6A-1.007	7/31/2017	8/20/2017
6A-1.0071	7/31/2017	8/20/2017
6A-1.0071	7/31/2017	8/20/2017
6A-1.0452	7/31/2017	8/20/2017
6A-1.09941	7/31/2017	8/20/2017
6A-1.09942	7/31/2017	8/20/2017
6A-3.003	7/31/2017	8/20/2017
6A-3.0291	7/31/2017	8/20/2017

6A-4.0021	7/31/2017	8/20/2017
6A-14.07621	7/31/2017	8/20/2017
6A-18.049	7/31/2017	8/20/2017
6A-18.053	7/31/2017	8/20/2017
6A-25.003	7/31/2017	8/20/2017
6A-25.009	7/31/2017	8/20/2017
6A-25.010	7/31/2017	8/20/2017
6E-1.0032	7/31/2017	8/20/2017
33-503.001	7/26/2017	8/15/2017
33-503.002	7/26/2017	8/15/2017
33-601.502	7/26/2017	8/15/2017
33-203.201	7/26/2017	8/15/2017
53ER17-42	7/28/2017	7/28/2017
53ER17-43	7/28/2017	7/28/2017
53ER17-44	7/28/2017	7/28/2017
53ER17-45	7/28/2017	8/1/2017
61G15-21.001	7/31/2017	8/20/2017
61J1-4.010	7/27/2017	8/16/2017
64B16-26.1032	7/31/2017	8/20/2017
64C-7.001	7/31/2017	8/20/2017
64C-7.002	7/31/2017	8/20/2017
69B-250.001	7/27/2017	8/16/2017
69B-250.002	7/27/2017	8/16/2017
69B-250.003	7/27/2017	8/16/2017
69E-121.010	7/27/2017	8/16/2017
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
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.100	12/19/2016	**/**/****

69L-7.501	12/19/2016	**/**/****
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DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Golf Car & Utility Vehicle Distributors, LLC d/b/a Tropicars for establishment of GARI low speed vehicles

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to section 320.642, Florida Statutes, notice is given that Garia, Inc., intends to allow the establishment of Golf Car & Utility Vehicle Distributors, LLC d/b/a Tropicars, as a dealership for the sale of low-speed vehicles manufactured by Garia A/S (line-make GARI) at 13691 Southwest 145 Court, Miami, (Miami-Dade County), Florida, 33186 on or after August 31, 2017.

The name and address of the dealer operator(s) and principal investor(s) of Golf Car & Utility Vehicle Distributors, LLC d/b/a Tropicars are dealer operator(s): Will Litwin, 13691 Southwest 145 Court, Miami, Florida 33186; principal investor(s): Jim Evans, 13551 Southwest 132 Avenue, Miami, Florida 33186, Lynne Keller, 13551 Southwest 132 Avenue, Miami, Florida 33186.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Program Manager, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Joseph Panozzo, Garia, Inc., 13810 Hollister Street, Suite 150, Houston, Texas 77086.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Miami Automotive Retail, Inc. for the establishment of Chrysler motor vehicles

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that FCA US LLC intends to allow the establishment of Miami Automotive Retail, Inc. ("Miami") as a dealership for the sale and service of new Chrysler passenger cars and light trucks (line-make Chrysler). The initial proposed location for the sale of Chrysler vehicles is 590 SW 8th Street, Miami, (Miami-Dade County), Florida 33130. The initial proposed location for service of Chrysler vehicles is 665 SW 8th Street, Miami, (Miami-Dade County), Florida 33130. FCA intends to establish only one dealership, with sales and service facilities operating in conjunction with each other. FCA US intends to engage in business with Miami at the initial facilities on or after August 30th, 2017, assuming that no protest is filed.

If the establishment of Miami is approved, construction will begin on a permanent facility for both sales and service to be located at 701 SW 8th Street, Miami, Florida 33130. Upon completion of construction, Miami will relocate from the initial proposed facilities to the permanent facility where all sales and service operations will be located. The permanent facility is within two miles of the initial sales and service facilities. Therefore FCA US contends the planned relocation of Miami from the initial facilities to the permanent facility should be exempt from the notice requirement and protest procedures pursuant to section 320.642(5)(a)1, Florida Statutes.

The name(s) and address(es) of the dealer operator(s) of Miami are: Mario Murgado, 665 SW 8th Street, Miami, Florida 33130 and Ricardo Barraza, 665 SW 8th Street, Miami, Florida 33130.

The name (s) and address(es) of the principal investor(s) in Miami are: Mario Murgado, 665 SW 8th Street, Miami, Florida 33130, Alexander Andreus, 665 SW 8th Street, Miami, Florida 33130, and Ricardo Barraza, 665 SW 8th Street, Miami, Florida 33130.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30

days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Program Manager, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Chris Chandler, FCA US LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Miami Automotive Retail, Inc. for the establishment of Dodge motor vehicles

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that FCA US LLC intends to allow the establishment of Miami Automotive Retail, Inc. ("Miami") as a dealership for the sale and service of new Dodge passenger cars and light trucks (line-make Dodge). The initial proposed location for the sale of Dodge vehicles is 590 SW 8th Street, Miami, (Miami-Dade County), Florida 33130. The initial proposed location for service of Dodge vehicles is 665 SW 8th Street, Miami, (Miami-Dade County), Florida 33130. FCA intends to establish only one dealership, with sales and service facilities operating in conjunction with each other. FCA US intends to engage in business with Miami at the initial facilities on or after August 30th, 2017, assuming that no protest is filed.

If the establishment of Miami is approved, construction will begin on a permanent facility for both sales and service to be located at 701 SW 8th Street, Miami, Florida 33130. Upon completion of construction, Miami will relocate from the initial proposed facilities to the permanent facility where all sales and service operations will be located. The permanent facility is within two miles of the initial sales and service facilities. Therefore FCA US contends the planned relocation of Miami from the initial facilities to the permanent facility should be exempt from the notice requirement and protest procedures pursuant to section 320.642(5)(a)1, Florida Statutes.

The name(s) and address(es) of the dealer operator(s) of Miami are: Mario Murgado, 665 SW 8th Street, Miami, Florida 33130 and Ricardo Barraza, 665 SW 8th Street, Miami, Florida 33130.

The name (s) and address(es) of the principal investor(s) in Miami are: Mario Murgado, 665 SW 8th Street, Miami, Florida 33130, Alexander Andreus, 665 SW 8th Street, Miami, Florida 33130, and Ricardo Barraza, 665 SW 8th Street, Miami, Florida 33130.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

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A copy of such petition or complaint must also be sent by US Mail to: Chris Chandler, FCA US LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Miami Automotive Retail, Inc. for the establishment of Jeep motor vehicles

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that FCA US LLC intends to allow the establishment of Miami Automotive Retail, Inc. ("Miami") as a dealership for the sale and service of new Jeep passenger cars and light trucks (line-make Jeep). The initial proposed location for the sale of Jeep vehicles is 590 SW 8th Street, Miami, (Miami-Dade County), Florida 33130. The initial proposed location for service of Jeep vehicles is 665 SW 8th Street, Miami, (Miami-Dade County), Florida 33130. FCA intends to establish only one dealership, with sales and service facilities operating in conjunction with each other. FCA US intends to engage in business with Miami at the initial facilities on or after August 30th, 2017, assuming that no protest is filed.

If the establishment of Miami is approved, construction will begin on a permanent facility for both sales and service to be located at 701 SW 8th Street, Miami, Florida 33130. Upon completion of construction, Miami will relocate from the initial proposed facilities to the permanent facility where all sales and service operations will be located. The permanent facility is within two miles of the initial sales and service facilities. Therefore FCA US contends the planned relocation of Miami from the initial facilities to the permanent facility should be exempt from the notice requirement and protest procedures pursuant to section 320.642(5)(a)1, Florida Statutes.

The name(s) and address(es) of the dealer operator(s) of Miami are: Mario Murgado, 665 SW 8th Street, Miami, Florida 33130 and Ricardo Barraza, 665 SW 8th Street, Miami, Florida 33130. The name (s) and address(es) of the principal investor(s) in Miami are: Mario Murgado, 665 SW 8th Street, Miami, Florida 33130, Alexander Andreus, 665 SW 8th Street, Miami, Florida 33130, and Ricardo Barraza, 665 SW 8th Street, Miami, Florida 33130.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Program Manager, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Chris Chandler, FCA US LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Miami Automotive Retail, Inc. for the establishment of Ram motor vehicles

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that FCA US LLC intends to allow the establishment of Miami Automotive Retail, Inc. ("Miami") as a dealership for the sale and service of new Ram trucks (line-make Ram). The initial proposed location for the sale of Ram vehicles is 590 SW 8th Street, Miami, (Miami-Dade County), Florida 33130. The initial proposed location for service of Ram vehicles is 665 SW 8th Street, Miami, (Miami-Dade County), Florida 33130. FCA intends to establish only one dealership, with sales and service facilities operating in conjunction with each other. FCA US intends to engage in business with Miami at the initial facilities on or after August 30th, 2017, assuming that no protest is filed. If the establishment of Miami is approved, construction will begin on a permanent facility for both sales and service to be located at 701 SW 8th Street, Miami, Florida 33130. Upon completion of construction, Miami will relocate from the initial proposed facilities to the permanent facility where all sales and service operations will be located. The permanent facility is within two miles of the initial sales and service facilities. Therefore FCA US contends the planned relocation of Miami from the initial facilities to the permanent facility should be exempt from the notice requirement and protest procedures pursuant to section 320.642(5)(a)1, Florida Statutes.

The name(s) and address(es) of the dealer operator(s) of Miami are: Mario Murgado, 665 SW 8th Street, Miami, Florida 33130 and Ricardo Barraza, 665 SW 8th Street, Miami, Florida 33130. The name (s) and address(es) of the principal investor(s) in Miami are: Mario Murgado, 665 SW 8th Street, Miami, Florida 33130, Alexander Andreus, 665 SW 8th Street, Miami, Florida 33130, and Ricardo Barraza, 665 SW 8th Street, Miami, Florida 33130.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Program Manager, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Chris Chandler, FCA US LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the

Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HEALTH

Emergency Action

On July 31, 2017, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Renee A. Godby, L.M.T., License # MA 24726. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On July 31, 2017, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the certification of Quinlan L. Brown, C.N.A., Certificate # CNA 341368. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On July 31, 2017, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Deirdre Lorraine Dancy, L.P.N., License # PN 5213372. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On July 31, 2017, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the certification of Angela A. Lee, C.N.A., Certificate # CNA 302527. This

Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On July 31, 2017, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Myeshia Leshaa Leonard, L.P.N., License # PN 5226900. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On July 31, 2017, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Lynn Bennett-Gardner, L.P.N., License # PN 5148203. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Section XIII

Index to Rules Filed During Preceding Week

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