

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

### DEPARTMENT OF EDUCATION

#### Florida's Office of Early Learning

RULE NO.: RULE TITLE:  
6M-4.740 Program Assessment Requirements for the  
School Readiness Program

PURPOSE AND EFFECT: The purpose of the rule is to describe the process and requirements for program assessments for the School Readiness Program.

SUBJECT AREA TO BE ADDRESSED: School Readiness program assessment

RULEMAKING AUTHORITY: 1001.213(2), FS.

LAW IMPLEMENTED: 1002.82(2)(n) FS.

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

DATE AND TIME: Workshop A: June 13, 2018, 5:30 p.m. – 6:30 p.m. or until business is concluded, whichever is earlier; Workshop B: June 14, 2018, 11:00 a.m. – 12:00 p.m. or until business is concluded, whichever is earlier

PLACE: Workshop A: The Office of Early Learning, 250 Marriott Dr. Tallahassee, FL 32399, Room: Powerball  
Workshop B: Via GoToWebinar, for which the link may be found at:

[http://www.floridaearlylearning.com/statewide\\_initiatives/laws\\_and\\_rules/proposed\\_rules.aspx](http://www.floridaearlylearning.com/statewide_initiatives/laws_and_rules/proposed_rules.aspx)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Katerina Maroney, 250 Marriott Drive, Tallahassee, FL 32399, Telephone: (850)717-8614. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Katerina Maroney, 250 Marriott Drive, Tallahassee, FL 32399, Telephone: (850)717-8614 or email: Katerina.Maroney@oel.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

NOT CURRENTLY AVAILABLE. IT WILL BE AVAILABLE PRIOR TO THE WORKSHOP AT: [http://www.floridaearlylearning.com/statewide\\_initiatives/laws\\_and\\_rules/proposed\\_rules.aspx](http://www.floridaearlylearning.com/statewide_initiatives/laws_and_rules/proposed_rules.aspx).

### DEPARTMENT OF CORRECTIONS

RULE NOS.: RULE TITLES:  
33-103.005 Informal Grievance  
33-103.006 Formal Grievance - Institution or Facility Level  
33-103.007 Appeals and Direct Grievances to the Office of the Secretary  
33-103.008 Grievances of Medical Nature  
33-103.011 Time Frames for Inmate Grievances  
33-103.014 Reasons for Return of Grievance or Appeal Without Processing

33-103.016 Follow Through on Approved Grievances  
PURPOSE AND EFFECT: To update the above-referenced rules to comply with what courts refer to as the "mailbox rule;" To clarify how grievances and grievance appeals are collected, dated, and processed; To state timeframes in which inmate grievances must be submitted in order to be considered timely; To establish proper follow-up on approved grievances.

SUBJECT AREA TO BE ADDRESSED: Grievances and Grievance Appeals.

RULEMAKING AUTHORITY: 944.09, FS.

LAW IMPLEMENTED: 944.09, 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: Gregory Hill, 501 South Calhoun Street, Tallahassee, Florida 32399.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-103.005 Informal Grievance.

(1) through (2) No change.

(3) Upon receipt of the informal grievance, the recipient shall note the date on the form. The institutional grievance coordinator shall date-stamp Form DC6-236, in the designated area on the form, with the date the grievance was retrieved from the grievance box.

(4) The informal grievance shall be responded to within 15 ~~10~~ days of the initial receipt date as noted on the informal grievance log.

(a) The recipient shall provide the inmate with a written response even if an interview with the inmate has occurred concerning the subject matter of the grievance. This is required due to the fact that if the inmate desires to pursue his grievance at the next level, except in cases previously noted, he is required to attach a copy of his informal grievance and response.

(b) The recipient shall state that the grievance is either approved, denied, or returned without action. The response shall also state the reason or reasons for the approval, denial, or return.

(c) The recipient shall then sign and date the form and cause the informal grievance to be returned to the inmate. The inmate shall receive the original and one copy of the informal grievance. The second copy shall be forwarded to the correctional sentence specialist for placement in the inmate's file.

(5) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 3-30-94, 4-17-94, 4-10-95, 8-10-97, 12-7-97, 2-17-99, Formerly 33-29.005, Amended 8-1-00, 2-9-05, 3-25-08, 1-31-10, 5-27-12, 11-7-12, 11-24-13, 4-20-14, 12-30-14,\_\_\_\_\_.

33-103.006 Formal Grievance – Institution or Facility Level.

(1) No change.

(2) Procedural Requirements.

(a) The inmate shall fill out the identifying data at the top of the form, printing his committed name, Department of Corrections number, institution or facility name and checking the appropriate box.

(b) The inmate shall sign and date the form, indicating his Department of Corrections number. If the inmate fails to sign the grievance, it shall result in a delay in addressing the grievance until it can be verified that it is that inmate's grievance.

(c) The inmate shall state his grievance in Part A. If additional space is needed, the inmate shall use attachments rather than multiple copies of Form DC1-303. Only 2 additional pages of narrative will be allowed. If the inmate writes his complaint anywhere other than within the boundaries of Part A or on the 2 allowable attachment pages, his grievance shall be returned for non-compliance.

(d) The form must be legible and the grievance clearly stated.

(e) Included facts must be accurately stated.

(f) Each grievance must address only one issue or complaint.

(g) The inmate shall attach a copy of the informal grievance and the response to the informal grievance to Form DC1-303, unless the grievance is a direct formal grievance of the following: an emergency grievance; a grievance of reprisal; a medical grievance; a grievance alleging violation of the Americans with Disabilities Act; a grievance involving gain time governed by Rule 33-601.101, F.A.C., Incentive Gain Time; a grievance challenging placement in close management and subsequent reviews; a grievance regarding the return of incoming mail governed by subsection 33-210.101(14), F.A.C.;

or a grievance of disciplinary action (excluding corrective consultations). Any other pertinent documentation shall be attached also. Informal grievances as described in subparagraph 33-103.005(2)(b)1., F.A.C., shall not be accepted as documentation of having met the requirements of the informal grievance step.

(h) The inmate shall submit the grievance ~~or appeal~~ to designated staff by placing the grievance ~~or appeal~~ in a locked grievance box. Locked boxes shall be available to inmates in open population and special housing units. A staff person from classification, the grievance coordinator's office, or the assistant warden's office shall be responsible for the key. If the staff member collecting the grievances is from classification or the assistant warden's office, he or she shall retrieve the grievances ~~and appeals~~ and deliver them in a locked container to the institutional grievance coordinator. The institutional grievance coordinator shall log all formal grievances and provide the inmates with receipts. The institutional grievance coordinator shall date-stamp the bottom-left portion of Form DC1-303, reflecting the date the grievance was retrieved from the grievance box. The institutional grievance coordinator shall complete the receipt portion of Form DC1-303 by entering a date of receipt, and shall sign as the recipient. The appeals will be forwarded to the Bureau of Policy Management and Inmate Appeals after being processed for mailing in accordance with paragraphs 33-103.006(8)(b) and (c), F.A.C. The Bureau of Policy Management and Inmate Appeals shall log all appeals and forward receipts to the inmates. The date on the receipt shall be the same date that the grievance was taken out of the grievance box. Grievances ~~and appeals~~ shall be picked up, date-stamped, and otherwise processed forwarded by the institutions daily Monday through Friday.

(i) through (j) No change.

(3) The following types of grievances may be filed directly with the reviewing authority as defined in subsection 33-103.002(15), F.A.C., by-passing the informal grievance step, and may be ~~placed sent~~ in a sealed envelope ~~through routine institutional mail channels~~:

(a) through (j) No change.

(4) No changes.

(5) Upon receipt of the formal grievance, the ~~recipient~~ [reviewing authority as defined in paragraph 33-103.002(15), F.A.C.] shall cause the following to occur:

(a) through (d) No change.

(6) through (7) No change.

(8) ~~Mailing Procedures. The warden or person designated in Rule 33-103.002, F.A.C., shall establish a procedure in the institution or facility under his supervision for processing those grievances that require mailing. Inmates who are filing grievances that require mailing shall be required to utilize the procedure set forth in this rule when processing their grievances~~

~~or appeals to the reviewing authority of community facilities or the Bureau of Policy Management and Inmate Appeals in central office. The institution or facility shall provide postage for grievances submitted through this process. Procedures implemented shall include, at a minimum, the following:~~

~~(a) The establishment of an office through which grievances shall be processed.~~

~~(b) The establishment of a logging and tracking system to record and document receipt and mailing of inmate grievances.~~

~~(c) A requirement that the staff person designated to accept the grievance to be mailed shall:~~

~~1. Complete the receipt portion of Form DC1-303 for appeals being forwarded to central office by entering a log/tracking number and date of receipt and sign as the recipient.~~

~~2. Record receipt of the grievance in the institutional log. The staff person shall not read or classify the grievance.~~

~~3. Place the grievance in the mail through the institution or facility mail service within one workday.~~

~~(d) The inmate shall have his grievance ready for mailing at the time he turns it over to staff for processing as described in paragraph (c) above. Once this process has been completed, the grievance will not be returned to the inmate. If the inmate desires his grievance to be forwarded in a sealed envelope, the inmate shall provide to the staff a properly addressed envelope so that once the grievance is processed by staff, the grievance can be placed into the envelope and sealed for forwarding.~~

~~(e) If the inmate elects to mail the grievance to central office directly and bypass the logging/tracking process, the inmate may submit his or her grievance in a sealed envelope to be placed in the institutional bulk mail that is to be mailed daily to central office.~~

~~(f) Upon receipt of a mailed grievance by the reviewing authority as defined in subsection 33-103.002(15), F.A.C., the following shall occur:~~

~~1. The decision of whether or not the grievance has been timely filed by the inmate shall be made based upon the following comparisons:~~

~~a. In the case of a formal grievance being filed, by comparing the receipt date on Form DC1-303 to the response date of the informal grievance.~~

~~b. In the case of a grievance being filed directly at the institutional level, by comparing the receipt date on Form DC1-303 to the date of the incident or situation giving rise to the complaint.~~

~~2. The receiving office shall review the grievance and determine the classification of the grievance and enter the same on the receipt that is returned to the inmate.~~

~~3. The receiving office shall then process the grievance filed by the inmate in accord with the provisions set forth in~~

~~Rule 33-103.006 or 33-103.007, F.A.C., as appropriate.~~

~~(8)(9) If an inmate is in a special housing unit and wants to file a grievance, he shall submit the grievance to designated staff by placing the grievance in a locked box. The designated staff person shall deliver the box to the institutional grievance coordinator who will unlock the box, remove the grievances, log the grievances, and provide the inmates with receipts.~~

~~(9) During site visits staff from the Bureau of Policy Management and Inmate Appeals will review video from cameras that monitor those housing units in which inmates rely on a grievance box being brought to them in order for such inmates to submit their grievance. Such housing units include, but are not limited to, disciplinary confinement, close management, maximum management, and death row.~~

~~(10) No change.~~

~~Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 8-10-97, 12-7-97, 5-10-98, 2-17-99, Formerly 33-29.006, Amended 8-1-00, 10-11-00, 2-9-05, 10-28-07, 3-25-08, 5-27-12, 11-7-12, 11-24-13, 4-20-14,\_\_\_\_\_.~~

Substantial rewording of Rule 33-103.007 follows. See Florida Administrative Code for present text.

33-103.007 Appeals and Direct Grievances to the Office of the Secretary.

(1) In the event that an inmate feels that the grievance has not been satisfactorily resolved during the formal grievance procedure, an appeal may be submitted according to the time limits set forth in Rule 33-103.011, F.A.C., using Form DC1-303, Request for Administrative Remedy or Appeal, to the Office of the Secretary without interference from staff. Form DC1-303 is incorporated by reference in Rule 33-103.006, F.A.C.

(2) Grievance appeals – If the grievance appeal is not a direct grievance to the Office of the Secretary, the inmate shall:

(a) Attach a copy of his formal grievance and response, except when appealing issues regarding requests for protective management, admissible reading material, sentence structure (release date calculations), inmate banking, emergencies or allegations of reprisal. (These may be filed directly to the Office of the Secretary).

(b) Attach a copy of his informal grievance and response, except when appealing issues regarding medical, Americans with Disabilities Act, gain time governed by Rule 33-601.101, F.A.C. Incentive Gain Time, placement in close management and subsequent reviews, return of incoming mail governed by subsection 33-210.101(14), F.A.C., disciplinary action (does not include corrective consultations) governed by Rule 33-601.314, F.A.C.

(c) Attach any other documentation that the inmate has that is pertinent to the review and that the inmate wants reviewed.

Attachments as required by the rule that do not meet the requirements of this rule may result in the grievance being returned to the inmate.

(d) Submit the complete form with attachments to the Office of the Secretary in accordance with subsection 33-103.006(8), F.A.C. Failure to submit a complete grievance shall result in the grievance being returned to the inmate without action.

(e) If the inmate is filing an amendment to a previously filed grievance or appeal, the inmate shall clearly state this at the beginning of PART A of Form DC1-303, Request for Administrative Remedy or Appeal.

(3) Direct Grievances.

(a) Emergency grievances and grievances of reprisals, protective management, admissible reading material, grievances concerning sentence structure (release date calculations), inmate banking issues or sexual abuse grievances when the abuse is alleged to have been committed by the Warden of the institution where the inmate is currently housed may be filed directly with the Office of the Secretary using the Request for Administrative Remedy or Appeal, Form DC1-303. Grievances alleging a violation of the Health Insurance Portability and Accountability Act (HIPAA) must be filed directly with the Office of the Secretary using the Request for Administrative Remedy or Appeal, Form DC1-303. The following shall apply:

1. The inmate shall state at the beginning of Part A of Form DC1-303 that the grievance concerns either an emergency or is a grievance of a reprisal. When alleging HIPAA violations, the inmate shall state that the grievance concerns HIPAA at the beginning of Part A of Form DC1-303. The inmate or the third party filer of a sexual abuse grievance shall state at the beginning of Part A of Form DC1-303 that the grievance is a sexual abuse related grievance. On Form DC1-303 the third party filer shall check the box next to Third Party Grievance Alleging Sexual Abuse.

2. The inmate must clearly state the reason for not initially bringing the complaint to the attention of institutional staff and by-passing the informal and formal grievance steps of the institution or facility, except in the case of a HIPAA violation grievance which must be filed directly with the Office of the Secretary. In the case of a sexual abuse grievance, the inmate or the third party filer must clearly state that the formal grievance step of the institution or facility was by-passed because the abuse is alleged to have been committed by the Warden of the institution where the inmate is currently housed.

3. The inmate may forward grievances of these types to the Office of the Secretary in a sealed envelope by following the procedure set out in paragraph (5)(d), below. When a direct grievance alleging violation of HIPAA is received at the Office of the Secretary, the Bureau of Policy Management and Inmate

Appeals shall forward the grievance to the Office of the Assistant Secretary for Health Services for investigation and response. The disclosure of medical information in a grievance authorizes staff to review the information and to use and disclose the medical information necessary to investigate in order to respond. Following preparation of a response and signature of the responding employee, the grievance shall be returned to the Bureau of Policy Management and Inmate Appeals to ensure appropriate filing and routing.

(b) Emergency Grievances. An emergency grievance may be filed directly with the Secretary. Upon receipt, staff of the Bureau of Policy Management and Inmate Appeals shall take the following actions as soon as possible, but no later than two calendar days following receipt:

1. Review complaint and contact staff for additional information if necessary;

2. If an emergency is found to exist, initiate action to alleviate the condition giving rise to the emergency;

3. Provide a formal response to the inmate within 15 calendar days; and

4. If an emergency is not found to exist, it will be clearly marked on the grievance "not an emergency," signed and dated by the responding employee, and returned to the inmate within three working days of receipt as his reasons for by-passing the previous level of review will not be valid.

5. An inmate may file an emergency grievance if they believe they are subject to a substantial risk of imminent sexual abuse. When receiving an emergency grievance from an inmate expressing belief they are subject to a substantial risk of imminent sexual abuse the institution must take immediate corrective action. Staff handling this grievance shall provide an immediate response within 48 hours and shall issue a final decision within 5 calendar days from the receipt of the grievance. The final decision will document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.

(c) Grievances filed directly with the Office of the Secretary that are grievances of reprisal, protective management, admissible reading material, sentence structure (release date calculations), inmate banking issues, or a grievance alleging a violation of HIPAA shall be responded to according to established time frames.

(d) Upon receipt of the direct grievance and following review of the same, if it is determined that the grievance is not an emergency grievance, a grievance of reprisal, protective management, admissible reading material, sentence structure (release date calculations), inmate banking issues, or a grievance alleging a violation of HIPAA, the grievance shall be returned to the inmate with the reasons for return specified advising the inmate to resubmit his or her grievance at the

appropriate level. The other applicable procedures in Rule 33-103.007, F.A.C., governing the processing of appeals to the Office of the Secretary shall apply to these types of grievances.

(4) Procedural Requirements.

(a) The inmate shall fill out the identifying data at the top of the form by printing his committed name, Department of Corrections number, and institution or facility name and shall check the appropriate box.

(b) The inmate shall state his grievance in Part A. If additional space is needed, the inmate shall use attachments rather than multiple copies of Form DC1-303. Only 2 additional pages of narrative will be allowed. If the inmate writes his complaint anywhere other than within the boundaries of Part A Box or on the 2 allowable attachment pages, his grievance or appeal shall be returned for non-compliance.

(c) The inmate shall sign and date the form, indicating his Department of Corrections number. If the inmate fails to sign the grievance or appeal, it shall result in a delay in addressing the grievance until it can be verified that it is that inmate's grievance or appeal.

(d) The form shall be legible and the grievance or appeal shall be clearly stated.

(e) Included facts shall be accurately stated.

(f) Each grievance or appeal shall address only one issue or complaint.

(g) When filing a grievance appeal, the inmate shall attach a copy of the formal grievance and the response to the formal grievance to Form DC1-303. Any other pertinent documentation shall also be attached.

(h) If the inmate is filing an amendment to a previously filed grievance or appeal, the inmate shall clearly state this at the beginning of PART A of Form DC1-303, Request for Administrative Remedy or Appeal. Amendments are to be filed only regarding issues unknown or unavailable to the inmate at the time of filing the original grievance and must be submitted within a reasonable time frame of knowledge of the new information.

(i) If the inmate or third party is filing a grievance involving sexual abuse, it shall be clearly stated in the first line of the grievance that it is a grievance related to sexual abuse. Also on Form DC1-303 the third party filer shall check the box next to Third Party Grievance Alleging Sexual Abuse. If this statement is not included in the grievance and if the third party box is not checked, the grievance shall be responded to. This will not be a reason to return the grievance without action to the filer.

(j) The inmate shall submit the grievance or appeal to designated staff by placing it in a locked grievance box. Locked boxes shall be available to absolutely all inmates. A staff person from classification, the grievance coordinator's office, or the assistant warden's office shall be responsible for the key. If the staff member collecting the grievances or appeals is from

classification or the assistant warden's office, he or she shall retrieve the box and deliver it to the institutional grievance coordinator.

(k) Grievances and appeals shall be picked up and forwarded to central office by the institutions daily, Monday through Friday. This includes grievances and appeals filed by inmates in special housing units. The grievance box shall be brought to each such inmate Monday through Friday.

(5) Mailing Procedures. The warden or person designated in Rule 33-103.002, F.A.C., shall establish a procedure in the institution or facility under his supervision for processing those grievances and appeals that require mailing. Inmates who are filing grievances or appeals that require mailing shall be required to utilize the procedure set forth in this rule when sending their grievances or appeals to the Bureau of Policy Management and Inmate Appeals in central office. The institution or facility shall provide postage for grievances or appeals submitted through this process. Procedures implemented shall include, at a minimum, the following:

(a) The establishment of an office through which grievances and appeals shall be processed.

(b) The establishment of a logging and tracking system to record and document receipt and mailing of inmate grievances and appeals.

(c) A requirement that the staff person designated to accept the grievances and appeals to be mailed shall do the following as to those grievances that are not in a sealed envelope and are placed in the grievance box:

1. For each grievance appeal or direct grievance to the Office of the Secretary, date-stamp the bottom-left portion of the form DC1-303, reflecting the date the grievance or appeal was received or collected from the grievance box.

2. Complete the receipt portion of Form DC1-303 for grievances or appeals being forwarded to central office by entering a logging/tracking number and date of receipt, and shall sign as the recipient.

3. The staff person shall not read or classify the grievance or appeal.

4. Place the grievance or appeal in the mail through the institution or facility mail service within one workday.

(d) Inmates shall have his or her grievance or appeal ready for mailing at the time he or she submits it to staff for processing as described in paragraph (c) above. Once this process has been completed, the grievance or appeal will not be returned to the inmate.

(e) Inmates are also permitted to elect to submit grievances and appeals in sealed envelopes. The inmate must note on the envelope that the content is either an appeal or a direct grievance to the Secretary of the Department. Such a sealed envelope may be placed in the locked grievance box, just as a grievance or appeal that is not in a sealed envelope would be.

Such grievances shall be processed as follows by institutional staff:

1. The staff member who retrieves grievances and appeals submitted in this manner from the grievance box shall place a date stamp on the outside of the envelope. The date shall be the same date that the grievance or appeal was retrieved from the grievance box.

2. The staff member who retrieves the sealed envelopes from the grievance box shall not place a logging/tracking number on the envelope nor on the grievance or appeal. Institutional staff shall not open the sealed envelope, except when they have reason to believe it contains contraband.

3. No institutional staff person shall read or classify the grievance or appeal.

4. The institutional staff member designated to accept and mail the grievances shall place the grievance or appeal in the mail through the institution or facility mail service within one workday.

(f) Those grievances and appeals that are placed in the grievance box, whether or not they are in a sealed envelope, will be forwarded to the Bureau of Policy Management and Inmate Appeals after being processed for mailing as described above.

(g) Inmates are also permitted to place their grievances and appeals in a sealed envelope with adequate postage and place that sealed envelope into the locked grievance box.

1. The inmate must note on the envelope that the content is either an appeal or a direct grievance to the Secretary of the Department.

2. The inmate shall place the appeal or direct grievance into the locked grievance box.

3. The mail collection representative shall not open the mail nor ask nor order the inmate open it.

4. The individual processing the appeals and direct grievances shall date-stamp the back of the envelope.

5. The sealed envelope shall not be returned to the inmate's possession.

6. No inmate shall present any other mail in a sealed envelope.

7. The envelope containing the appeal or direct file grievance shall be processed as routine mail pursuant to 33-210.101, F.A.C.

(6) Processing of Grievance Appeals and Direct Grievances by Central Office Staff.

(a) Upon receipt of a mailed grievance or appeal by the Bureau of Policy Management and Inmate Appeals, the Bureau of Policy Management and Inmate Appeals shall cause the following to occur:

1. The grievance or appeal shall be examined for compliance with Chapter 33-103, F.A.C.

2. Regarding any grievance or appeal that arrives in a sealed envelope, the envelope shall be opened and then attached to the grievance or appeal. The envelope shall not be discarded.

3. Staff shall date the receipt portion of the grievance or appeal. For those grievance that were placed in the grievance box by the inmate, the date on the receipt shall be the same date that the grievance or appeal was taken out of the grievance box, whether or not the grievance is in a sealed envelope. As to any grievance or appeal that was placed directly into privileged mail by an inmate, the date on the receipt shall be the same date placed on the back of the envelope at the moment when the inmate released the grievance or appeal to the mail collection representative. . This date shall be placed in the lower left hand corner of the form.

4. The receiving office shall review the grievance or appeal and determine the classification of the grievance or appeal and enter the same on the receipt that is returned to the inmate. The subject matter of the grievance shall be indicated on the receipt according to the classification of the grievance, as specified in Rule 33-103.013, F.A.C. A receipt shall be provided to the inmate.

5. In addition to dating the receipt portion of the grievance or appeal, as mentioned above, staff shall date-stamp the grievance or appeal with the current day's date in the upper right corner of the form.

6. Staff shall determine whether the grievance or appeal has been timely filed. The decision of whether or not the grievance or appeal has been timely filed by the inmate shall be made based upon the following comparisons:

(a) In the case of an appeal being filed with the central office, by comparing the receipt date that institutional staff placed on the DC1-303 form or the outside of the envelope in accordance with rule 33-103.007(3)(d), F.A.C., to the return date of the formal grievance (the date the grievance leaves the recipient's office).

(b) In the case of a grievance being filed directly at the central office level, by comparing the receipt date on the DC1-303 form to the date of the incident or situation giving rise to the complaint.

7. The receiving office shall then process the grievance or appeal filed by the inmate in accord with the provisions of this rule, as appropriate.

8. A grievance appeal or direct grievance may be returned to the inmate for any one or more of the reasons stated in Rule 33-103.014, F.A.C., without further processing.

9. Following appropriate investigation and evaluation by staff of the Bureau of Policy Management and Inmate Appeals, a response shall be provided to the inmate. The degree of investigation is determined by the complexity of the issue and the content of the grievance.

10. The response shall state whether the appeal or direct grievance is approved, denied, or being returned and shall also state the reasons for the approval, denial, or return. The criteria considered in approving, denying, or returning an appeal or direct grievance will vary with the facts of the grievance.

(7) The Office of the Secretary has designated the Bureau of Policy Management and Inmate Appeals to receive, review, investigate, evaluate and respond to appeals and direct grievances filed with the Office of the Secretary. Appeals and direct grievances to the Office of the Secretary shall be turned over that same date to the Bureau of Policy Management and Inmate Appeals which shall ensure that the grievance is date-stamped in on the date of receipt.

(8) If the grievance or appeal is returned to the institution or facility for further investigation or response, the inmate may, following receipt of that response, re-file with the Office of the Secretary pursuant to Rule 33-103.007, F.A.C., if he is not satisfied with the response.

(9) Copies.

(a) The original copy of the grievance or appeal shall be returned to the inmate. The response shall be stamped "MAILED/FILED WITH AGENCY CLERK" along with the date mailed; the response shall be mailed on the same date that it is stamped. The response is deemed filed with the agency clerk on the date that it is stamped and mailed. The time period for appeal begins to run on the date that the response is stamped and mailed.

(b) One copy shall be forwarded to the Regional Scanning Center for inclusion in the inmate's electronic central office file.

(c) Attachments are considered a part of the grievance and shall not be returned to the inmate, except in those cases where the inmate submits sufficient copies of attachments at the time the grievance appeal is filed.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 8-10-97, 12-7-97, 10-7-98, 2-17-99, Formerly 33-29.007, Amended 8-1-00, 6-29-03, 2-9-05, 8-21-06, 3-25-08, 6-13-12, 11-7-12, 11-24-13, 4-20-14, \_\_\_\_\_.

33-103.008 Grievances of Medical Nature.

(1) If a formal grievance of a medical nature is filed at the institutional level, it shall be forwarded to the institution's Chief Health Officer or clinical designee for investigation and response. Following preparation of a response and signature of the responding employee, the grievance shall be returned to the warden or assistant warden or deputy warden to ensure appropriate filing and routing. The review and initialing of the grievance response shall be made by the Chief Health Officer or clinical designee. A clinical designee is a physician with an active Florida license and who is credentialed by the Department of Corrections, or, if the physician is a Department

of Corrections contractor's employee, is credentialed by the contractor, licensed and credentialed by the Department or an approved health care contractor who is designated by the Chief Health Officer to investigate, review and respond to grievances of a medical nature. Other procedures applicable to the processing of a formal grievance of a medical nature are as stated in Rule 33-103.006, F.A.C.

(2) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, Formerly 33-29.008, Amended 6-29-03, 2-9-05, 3-25-08, 5-27-12, 6-23-13, \_\_\_\_\_.

33-103.011 Time Frames for Inmate Grievances.

When determining the time frames for grievances in all cases, the specified time frame shall commence on the day following the date of the incident or response to the grievance at the previous level. For example, if an incident occurred on December 1, fifteen days from that date would be December 16.

(1) Filing of Grievances.

(a) Informal Grievances – Must be received within 20 days of when the incident or action being grieved occurred unless the inmate has requested in writing and received approval for a 45 day extension to file an informal grievance about being physically restrained during pregnancy, labor or post-partum recovery pursuant to Rule 33-602.211, F.A.C. The request for an extension must be submitted on Form DC6-236, Inmate Request, and received within 20 days of the application of restraints. However, there may be instances when an inmate places his or her grievance or extension request into the grievance box on the 20<sup>th</sup> day after the date of the alleged incident, but after the grievances were retrieved from the box for that day. Therefore, even when an inmate grievance or extension request is retrieved from a grievance box on the 21<sup>st</sup> day after the incident and dated accordingly, it shall be treated as timely—that is, as being submitted within the 20-day timeframe—in order to ensure the inmate is afforded the entirety of their 20-day filing timeframe. Similarly, the grievance of an inmate who was granted the above-described 45-day extension is retrieved from the grievance box on the 66<sup>th</sup> day and dated accordingly by Department staff, it shall be treated as timely—that is, as filed within the 65-day filing timeframe.

(b) Formal Grievances – Must be received no later than 15 calendar days from:

1. The date on which the informal grievance was responded to; or

2. The date on which the incident or action being grieved occurred if an informal grievance was not filed pursuant to the circumstances specified in subsection 33-103.006(3), F.A.C., unless the grievance is an issue related to sexual abuse. However, there may be instances when an inmate places his or

her grievance into the grievance box on the 15<sup>th</sup> day after the date of such response or such alleged incident/action but after the grievance box were retrieved for that day. Therefore, even when a formal grievance is retrieved from a grievance box on the 16th day after the response or incident/action of the type here in question and dated accordingly, it shall be treated as timely—that is, as being submitted within the 15-day timeframe—in order to ensure the inmate is afforded the entirety of their 15-day filing timeframe.

3 Pursuant to sub-subparagraph 33-103.006(3)(j)1.a., F.A.C., and notwithstanding the above provisions, sexual abuse grievances filed either by the inmate or a third party may be filed at any time after the incident is alleged to have occurred. After the initial filing, all other applicable timeframes shall apply.

(c) Grievance Appeals to the Office of the Secretary – Must be received within 15 calendar days from the date the response to the formal grievance is returned to the inmate. However, there may be instances when an inmate places his or her appeal into the grievance box on the 15<sup>th</sup> day after the date of the response to his or her formal grievance but after the grievance box was emptied for that day. Therefore, even when a grievance appeal is retrieved from a grievance box on the 16th day after the response and dated accordingly, it shall be treated as timely—that is, as being submitted within the 15-day timeframe—in order to ensure the inmate is afforded the entirety of their 15-day filing timeframe. To be clear, and notwithstanding what the preceding sentence says as to grievance appeals that are placed into the grievance box, a grievance appeal placed directly into privileged mail by an inmate shall not be treated as timely if the day on which the inmate gave the grievance to the mail collection representative, as indicated by the date-stamp on the back of the envelope in which the grievance appeal is sealed, is 16 or more calendar days from the date the response to the formal grievance is returned to the inmate.

(d) Direct Grievances to the Office of the Secretary – Must be received within 15 calendar days from the date on which the incident or action which is the subject of the grievance occurred. However, there may be instances when an inmate places his or her grievance into the grievance box on the 15<sup>th</sup> day after the date on which the incident or action which is the subject of the grievance occurred but after the grievance box was emptied for that day. Therefore, even when a direct grievance is retrieved from a grievance box on the 16th day after the response and dated accordingly, it shall be treated as timely—that is, as being submitted within the 15-day timeframe—in order to ensure the inmate is afforded the entirety of their 15-day filing timeframe. To be clear, and notwithstanding what the preceding sentence says as to direct grievances that are placed into the grievance box, a direct

grievance placed directly into privileged mail by an inmate shall not be treated as timely if the day on which the inmate gave the grievance to the mail collection representative, as indicated by the date-stamp on the back of the envelope in which the grievance appeal is sealed, is 16 or more calendar days from the date on which the incident or action which is the subject of the grievance occurred.

(2) An extension of the above-stated time periods shall be granted when it is clearly demonstrated by the inmate to the satisfaction of the reviewing authority as defined in paragraphs 33-103.002(15)(44)(b) and (c), F.A.C., or the Secretary that it was not feasible to file the grievance within the relevant time periods and that the inmate made a good faith effort to file in a timely manner. The granting of such an extension shall apply to the filing of an original grievance or when re-filing a grievance after correcting one or more deficiencies cited in Rule 33-103.014, F.A.C.

(3) Responding to Grievances.

(a) Informal Grievances – Following the initial receipt of an informal grievance, a written response shall be completed within 15~~10~~ calendar days. See Rule 33-103.005, F.A.C.

(b) Formal Grievances – The reviewing authority as defined in paragraph 33-103.002(15)(44)(b), F.A.C., shall have up to 20 calendar days from the date of receipt of the grievance to take action and respond. See Rule 33-103.006, F.A.C.

(c) through (e) No change.

(4) through (5) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, Formerly 33-29.011, Amended 2-9-05, 3-25-08, 5-27-12, 11-7-12, 11-24-13, 4-20-14, \_\_\_\_\_.

33-103.014 Reasons for Return of Grievance or Appeal Without Processing.

(1) The informal grievance, formal grievance, direct grievance, or grievance appeal, hereafter referred to as “grievance,” may be returned to the inmate without further processing if, following a review of the grievance, one or more of the following conditions are found to exist. The reasons listed below are the only reasons for returning a grievance without a response on the merits.

(a) through (m) No change.

(n) The inmate is grieving a matter beyond the control of the Department as described in subsection 33-103.001(5)(4), F.A.C.

(o) through (x) No change.

(y) The inmate submitted the grievance by placing it somewhere other than inside the grievance box.

(2) An inmate who has a grievance returned to him for reasons stated in subsection (1) above [excluding paragraphs (1)(d), (e), (h), (i), (m), (n), (p), (q), (r), (u), (v) or (w)] may



refile utilizing the proper procedure or correct the stated deficiency and refile, but only if:

(a) the refiled grievance is refiled within the applicable time frame, or

(b) the inmate was granted permission to refile outside of the applicable time frame, and refiles within the extended time frame granted to the inmate. ~~within the time frame upon receipt of this notification the filing is within time frames allowable.~~ When a grievance is returned to an inmate for being improperly filed, the inmate shall be told why the grievance was returned and told that in order to receive administrative review of his complaint he must correct the defects and re-submit the grievance within the time frames set forth in Rule 33-103.011, F.A.C., unless instructed otherwise in the grievance response. Instructions to resubmit are not necessary if a grievance is returned for reasons stated in paragraphs (1)(d), (e), (h), (i), (m), (n), (p), (q), (r), (u), (v) or (w).

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, 5-10-98, Formerly 33-29.014, Amended 6-29-03, 2-9-05, 6-13-12, 11-7-12, 11-24-13, \_\_\_\_\_.

33-103.016 Follow Through on Approved Grievances.

(1) No change.

(2) Appeals and direct grievances to the Office of the Secretary. All grievances that are approved by the Bureau of Policy Management and Inmate Appeals shall be handled as follows:

(a) through (f) No change.

(g) In the event that the corrective action is taken prior to the response to the grievance or appeal and before the need to complete Form DC1-306, it is not necessary to complete the form.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 4-10-95, Amended 12-7-97, Formerly 33-29.0155, Amended 8-1-00, 1-1-01, 8-21-06, 3-25-08, 6-13-12, 11-7-12, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Speech-Language Pathology and Audiology**

RULE NOS.:      RULE TITLES:  
64B20-6.001      Continuing Education as a Condition for  
                          Renewal or Reactivation  
64B20-6.002      Standards for Approval of Continuing  
                          Education Activities and Providers

PURPOSE AND EFFECT: The Board proposes to open Rules 64B20-6.001, F.A.C. and 64B20-6.002, F.A.C. to review and update language as needed.

SUBJECT AREA TO BE ADDRESSED: Review and update rule language as needed.

RULEMAKING AUTHORITY: 456.013, 456.013(7), 468.1135(4), 468.1135(4)(a), 468.1195(1), (3), 468.1205(1) FS.

LAW IMPLEMENTED: 456.013(7), 456.072(1), (2), 468.1195, 468.1195(1), (3), 468.1205(1), 468.1295(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: Kama Monroe, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, Kama.Monroe@flhealth.gov.

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

**DEPARTMENT OF HEALTH**

**Division of Children’s Medical Services**

RULE NOS.:      RULE TITLES:  
64C-6.001      Definitions - General  
64C-6.002      Standards - General  
64C-6.003      Standards - Specific

PURPOSE AND EFFECT: The proposed revision to the Children’s Medical Services Rules 64C6.001-6.003, F.A.C., updates the specific rule making authority, program definitions, and the incorporation of updated program standards of the Regional Perinatal Intensive Care Centers Program.

SUBJECT AREA TO BE ADDRESSED: Definitions and Standards for the Regional Perinatal Intensive Care Centers.

RULEMAKING AUTHORITY: 383.19(1)

LAW IMPLEMENTED: 383.19(1)

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: Lania White at (850)245-4200, extension 2227 or lania.white@flhealth.gov

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

**Section II  
Proposed Rules**

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE NO.:       RULE TITLE:  
59A-17.102      Licensure

**PURPOSE AND EFFECT:** The Agency proposes to repeal this rule as the requirements are located in Rule 59A-17.101, F.A.C.  
**SUMMARY:** Rule 59A-17.102 is duplicative of Rule 59A-17.101, F.A.C. This rules is no longer necessary.

**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 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. The Agency has determined that no SERC is required and that no legislative ratification pursuant to subsection 120.541(3), F.S. is required based upon the Agency’s review of information at the time of analysis and the preparation of a checklist for each rule to determine the need for the creation of a SERC.

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:** 400.805, 408.819, FS.

**LAW IMPLEMENTED:** 400.805, 408.805, 408.819, FS.

**IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**

**DATE AND TIME:** June 20, 2018, 9:30 a.m. - 11:00 a.m.

**PLACE:** Agency for Health Care Administration, 2727 Mahan Drive, Building Three, Conference Room B, Tallahassee, Florida 32308

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, MS#33, Tallahassee, Florida 32308 or LTCSTAFF@ahca.myflorida.com

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

59A-17.102 Licensure.

Rulemaking Authority 400.805, 408.819 FS. Law Implemented 400.805, 408.805, 408.819 FS. History–New 9-28-92, Amended 10-19-94, 5-24-98, 8-28-14, Repealed \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**  
Jacqueline Williams

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

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** 5/8/2018

**DEPARTMENT OF FINANCIAL SERVICES**

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

RULE NO.:       RULE TITLE:  
69K-7.011       Criteria for Filing a Letter of Credit in Lieu of Maintaining a Trust Fund

**PURPOSE AND EFFECT:** The proposed rule repeal is intended to remove language no longer in use.

**SUMMARY:** The current rules are obsolete and are being repealed.

**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 Division meeting, the Division, based upon the expertise and experience of its members, and the substance of the rule amendment, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary because the rule does not impose additional rights, obligations, or duties on any persons or any businesses, 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:** 497.103, 497.462 FS.

**LAW IMPLEMENTED:** 497.462, 497.463 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: Ellen Simon, Assistant Director, Division of Funeral, Cemetery, and Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361, (850)413-4985, Ellen.Simon@MyfloridaCFO.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69K-7.011 Criteria for Filing a Letter of Credit in Lieu of Maintaining a Trust Fund.

Rulemaking Authority 497.103, 497.462 FS. Law Implemented 497.462, 497.463 FS. History—New 3-20-91, Formerly 3D-30.036, Amended 10-25-95, 7-22-97, 6-21-01, Formerly 3F-7.011, Amended 2-9-16, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ellen Simon, Assistant Director, Division of Funeral, Cemetery, and Consumer Services, Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Funeral, Cemetery, and Consumer Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 3, 2018

### 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 TRANSPORTATION

RULE NO.: RULE TITLE:

14-57.014 Crossing Management of Department - Owned Active and Inactive Rail Corridors

The Department of Transportation hereby gives notice:

that on May 21, 2018, the Department entered an Order Granting Variance from Rule 14-57.014, Florida Administrative Code (F.A.C.). On February 28, 2018, the South Florida Regional Transportation Authority (SFRTA) filed a petition for a variance from subsection 14-57.014(3), F.A.C., seeking a rail crossing at milepost 965 of the South Florida Rail Corridor (Mission Spur) to provide employee access to a proposed layover facility. The Department granted the variance because SFRTA demonstrated that a strict application of subsection 14-57.014(3), F.A.C., would create a substantial hardship on SFRTA.

A copy of the Order or additional information may be obtained by contacting: Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, MS-58, Tallahassee, Florida 32399-0458, FDOT.AgencyClerk@dot.state.fl.us.

### WATER MANAGEMENT DISTRICTS

South Florida Water Management District

NOTICE IS HEREBY GIVEN that on May 17, 2018, South Florida Water Management District (District) received an amended petition for waiver from Jesus L. Reyes, (Application No. 17-1102-1) for utilization of Works or Lands of the District known as the C-8 Extension Canal for cross fences and 13 existing trees which are above ground facilities located within 40 feet of top of the canal bank within the District’s north right of way of the C-8 Extension Canal; Section 14, Township 52 South, Range 40 East, Miami-Dade County. The applicant is also applying to permit an existing seawall. The petition seeks relief from subsections 40E-6.011(4) and (6), Fla. Admin. Code, which governs the placement of permanent and/or semi-permanent above-ground structures within 40 feet of the top of the canal bank within Works and Lands of the District.

A copy of the amended petition may be obtained from Juli Russell at (561)682-6268 or e-mail at 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, Attn: Juli Russell, Office of Counsel.

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on May 21, 2018, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurant, received a petition for a Routine Variance for Paragraph 4-301.12(A). 2009 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, from First Class Concessions Inc. located in Clearwater.

The above referenced F.A.C. addresses the requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. They are requesting to share the dishwashing areas with another food service establishment under the same ownership and on the same premise.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements  
 NOTICE IS HEREBY GIVEN that on May 21, 2018, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from SVRK Enterprises LLC located in Destin. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the three compartment sink and the handwash sink.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.0072 Credit Underwriting and Loan Procedures  
 NOTICE IS HEREBY GIVEN that on May 18, 2018, the Florida Housing Finance Corporation, received a petition for waiver of paragraph 67-48.0072(21)(b), F.A.C., from Emerald Villas Phase Two, LLC, requesting an extension of the firm loan commitment deadline from July 5, 2018 to November 5, 2018.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing's website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

The Florida Commission on the Status of Women announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 31, 2018, 4:00 p.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: The 2nd Quarterly Meeting of 2018 of the Florida Commission on the Status of Women.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, PHONE: (850)414-3300, FAX: (850)921-4131.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, PHONE: (850)414-3300, FAX: (850)921-4131. 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: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, PHONE: (850)414-3300, FAX: (850)921-4131.

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#### PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces a rescheduled hearing in the following docket to which all persons are invited.

#### DOCKET NO. AND TITLE:

Docket No. 20160251-EI – Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricane Matthew by Florida Power & Light Company.

HEARING DATE AND TIME: Tuesday, June 5, 2018, immediately following the Agenda Conference. The hearing may be adjourned early if all testimony is concluded.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

#### GENERAL SUBJECT MATTER TO BE CONSIDERED AT THE HEARING:

The purpose of this hearing shall be to receive testimony and exhibits relative to incremental storm restoration costs related to Hurricane Matthew, the Stipulation and Settlement Agreement dated May 14, 2018, and to take action on any motions or other matters that may be pending at the time of the hearing. The commission may rule on any such motions from the bench or may take the matters under advisement. This proceeding shall: (1) allow the parties to present evidence and testimony in support of their positions; and (2) allow for such other purposes as the Commission may deem appropriate.

PUBLIC TESTIMONY: Any member of the public who wishes to offer testimony should be present at the beginning of the hearing on June 5, 2018. By providing public testimony, a person does not become a party to the proceeding. To become an official party of record, you must file a Petition for Intervention at least 20 days before the final hearing, pursuant to the requirements contained in Rule 25-106.205, Florida Administrative Code (F.A.C.).

All witnesses shall be subject to cross-examination at the conclusion of their testimony. The proceedings will be governed by the provisions of Chapters 120 and 366, Florida Statutes; and Chapters 28-106 and 25-22, F.A.C.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the hearing at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service.

#### EMERGENCY CANCELLATION OF PROCEEDINGS

If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

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#### DEPARTMENT OF CORRECTIONS

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

DATE AND TIME: Thursday, May 31, 2018, 1:00 p.m. – 3:00 p.m.

PLACE: Secretary's Conference Room, FDC, US Toll Free: 1(888)670-3525, Participant Code: 1025666574

#### GENERAL SUBJECT MATTER TO BE CONSIDERED:

Advisory Board for Career and Technical Education. A copy of the agenda may be obtained by contacting: Diane Fuller, 501 S. Calhoun Street, Tallahassee, Florida 32399, [Diane.Fuller@fdc.myflorida.com](mailto:Diane.Fuller@fdc.myflorida.com), (850)717-3151.

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#### WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The Harris Chain of Lakes Restoration Council announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 1, 2018, 9:00 a.m.

PLACE: Lake County Administration Building, Second Floor, County Commission Meeting Room, 315 West Main Street, Tavares, FL 32778

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion, review and evaluation of various issues and topics having specific reference to the Harris Chain of Lakes in Lake County.

A copy of the agenda may be obtained by contacting: The St. Johns River Water Management District, Attn: Susan Davis, 4049 Reid Street, Palatka, FL32177, [sdavis@sjrwmd.com](mailto:sdavis@sjrwmd.com), (407)659-4838 or by visiting the Council's website at [harrischainoflakescouncil.com](http://harrischainoflakescouncil.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 48 hours before the workshop/meeting by contacting: The District Clerk at (386)329-4500. 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: Susan Davis, (407)659-4939.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Regulatory Council of Community Association Managers  
 The Regulatory Council of Community Association Managers announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 10, 2018, 10:00 a.m.  
 PLACE: Conference call number: 1(888)670-3525, Participant code: 7335214083#

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
 General Business.

A copy of the agenda may be obtained by contacting: the Council's website at MyFloridaLicense.com - Our businesses and Professions - Community Association Managers and Firms - Council Meeting Information.

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 Department of Business and Professional Regulation, Regulatory Council of Community Association Managers and Firms. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: The Department of Business and Professional Regulation, Regulatory Council of Community Association Managers, 2601 Blair Stone Road, Tallahassee, FL 32399 or call (850)717-1980.

**DEPARTMENT OF HEALTH**

Board of Pharmacy  
 The Florida Board of Pharmacy Rules Committee announces a public meeting to which all persons are invited.

DATE AND TIME: June 12, 2018, 9:00 a.m. – 12:00 Noon  
 PLACE: Mission Inn Resort & Club, 10400 County Road 48, Howey-in-the-Hills, Florida 34737, 1(800)874-9053

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
 General business meeting involving discussion and actions regarding current and proposed rules.

A copy of the agenda may be obtained by contacting: Erica White, Executive Director, (850)245-4292.

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: Erica White, Executive Director, (850)245-4292. 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: Erica White, Executive Director, (850)245-4292.

**DEPARTMENT OF HEALTH**

The upcoming Forensic Interview Protocol Task Force meeting to discuss the report draft,

DATE AND TIME: Tuesday, May 29, 2018, 2:00 p.m. – 4:00 p.m.

PLACE: via conference call and webinar (Adobe Connect). In order to attend the meeting, please do the following:

Webinar: The webinar will be used to review the report collectively. Please use the link below to join the meeting:

<http://connectpro11164961.adobeconnect.com/fittaskforce/>  
 Conference Call: The conference line will be used to discuss the report and any recommendations. The webinar and conference call will be used concurrently. Please see the conference call information below:

Telephone Conference Line: 1(888)670-3525, Code: 702-170-0355

If you have not previously attended an 'Adobe Connect' meeting, please test your connection prior to the meeting with the link below:

[http://connectpro11164961.adobeconnect.com/common/help/en/support/meeting\\_test.htm](http://connectpro11164961.adobeconnect.com/common/help/en/support/meeting_test.htm)

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
 Committee Substitute for House Bill 1269 amended Section 39.303, Florida Statutes, to require the Florida Department of Health's Division of Children's Medical Services to convene a task force to develop a standardized protocol for forensic interviewing of children suspected of having been abused.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

The FISH AND WILDLIFE CONSERVATION COMMISSION announces a public meeting to which all persons are invited.

DATES AND TIMES: June 19, 2018 and June 20, 2018, 8:30 a.m. each day

PLACE: Hyatt Regency Sarasota 1000 Blvd of the Arts Sarasota, FL 34236

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 Davis, 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.

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#### DEPARTMENT OF ECONOMIC OPPORTUNITY

##### Division of Workforce Services

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

DATE AND TIME: May 30, 2018, 9:30 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Deliberation for cases pending before the Reemployment Assistance Appeals Commission that are ready for final review and the Chairman's report. No public testimony will be taken.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740

Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

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#### CITIZENS PROPERTY INSURANCE CORPORATION

The Information Systems Advisory Committee of Citizens Property Insurance Corporation announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, June 5, 2018, 10:00 a.m.

PLACE: Conference Call 1(866)361-7525

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Business before the Information Systems Advisory Committee.

A copy of the agenda may be obtained by contacting: The Corporate Website at <https://www.citizensfla.com> or Barbara Walker, (850)513-3744, 2101 Maryland Circle, Tallahassee, FL 32303.

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: Barbara Walker, (850)513-3744, 2101 Maryland Circle, Tallahassee, FL 32303. 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).

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#### FLORIDA COMMISSION ON ACCESS TO CIVIL JUSTICE

The Service Options Committee of the Florida Commission on Access to Civil Justice announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, May 29, 2018, 12:00 Noon – 12:45 p.m.

PLACE: Conference Call, Phone Number: 1(888)376-5050, Pin Number: 2311661132

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Service Options Committee will be discussing the Advanced Florida Registered Paralegal Rule Draft regarding Chapter 20 of The Rules Regulating The Florida Bar.

A copy of the agenda may be obtained by contacting: Francisco-Javier Digon-Greer at 1(800)342-8060, ext. 5793 or email: [flaccessjustice@flabar.org](mailto:flaccessjustice@flabar.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 2 days before the workshop/meeting by contacting: Francisco-Javier Digon-Greer at 1(800)342-8060, ext. 5793 or email: [flaccessjustice@flabar.org](mailto:flaccessjustice@flabar.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: Francisco-Javier Digon-Greer at 1(800)342-8060, ext. 5793 or email: [flaccessjustice@flabar.org](mailto:flaccessjustice@flabar.org).

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FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC

The FWCJUA Operations Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 30, 2018, 2:00 p.m. (ET)

PLACE: Contact Kathy Coyne at (941)378-7408 to participate  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics may include the 2017 Annual Report; policy administration & managed care services engagement; office space; payroll services & employee benefits; disaster recovery matters; and a report on operations.

A copy of the agenda may be obtained by contacting: Kathy Coyne or at www.fwcjua.com.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC

The FWCJUA Rates & Forms Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 31, 2018, 2:00 p.m. (ET)

PLACE: Contact Kathy Coyne at (941)378-7408 to participate  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics may include legal, legislative & regulatory matters; actuarial services engagement; Policyholder Dividend Policy; return of premium dividend; program to eliminate the 2017 Subplan D deficit; 2018 loss ratio selection; Operations Manual; FL voluntary rates & rating values law-only filing proposed effective 6/1/2018; and review of rates, rating plans & policy forms and associated matters to include application forms.

A copy of the agenda may be obtained by contacting: Kathy Coyne or at www.fwcjua.com.

DRMP, INC.

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

DATE AND TIME: Tuesday, May 29, 2018, 5:30 p.m. – 6:30 p.m., CT

PLACE: Brownsville Community Center, 3200 W. De Soto Street, Pensacola, Florida 32505

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) will hold a public hearing concerning the widening of State Road (S.R.) 30 (U.S. 98/Navy Boulevard) from S.R. 295 (New Warrington Road) to the Bayou Chico Bridge in Escambia County, Florida. The hearing will begin as an open house at 5:30 p.m., followed by a formal presentation at 6 p.m. This hearing is being held to provide interested persons an opportunity to review the results of the study and to receive input on the proposed alternatives. FDOT representatives will be available to discuss proposed improvements, answer questions, and receive comments.

Draft project documents are available for public review from May 8, 2018 until June 12, 2018, at the following two locations:

West Florida Regional Planning Council, 4081 E. Olive Road, Suite A, Pensacola, Florida 32514, Monday through Friday from 8 a.m. to 4:30 p.m. and FDOT District Three Office, 1074 Highway 90, Chipley, Florida 32428, Monday through Friday from 7 a.m. to 4 p.m. Financial Project Identification Number: 218630-2-22-01.

A copy of the agenda may be obtained by contacting: Kimberly Stephens, P.E., FDOT Project Manager, at (850)415-9001 or kistephens@hntb.com.

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

For more information, you may contact: Kimberly Stephens or Ian Satter, District Three Public Information Director, toll-free at 1(888)638-0250, ext. 1205 or via email: ian.satter@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.

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

NONE

Section VIII

Notice of Petitions and Dispositions Regarding the Validity of Rules

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

NONE

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

NONE



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

NONE

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

NONE

**Section XI**  
**Notices Regarding Bids, Proposals and**  
**Purchasing**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

REQUEST FOR STATEMENT OF QUALIFICATIONS (SOQ)

As an architect/engineer, you are invited to submit a Statement of Qualifications (SOQ) to the FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF ADMINISTRATION, hereinafter referred to as Owner.

The Department is seeking the professional services of an architect/engineer specializing in HVAC mechanical and control systems to survey and design drawings/specifications of the proposed HVAC and controls replacement at the BSL-3 laboratory located at the Bronson Animal Diagnostic and Disease Laboratory, 2700 North John Young Parkway, Kissimmee, Florida. The anticipated budget for Phase I is \$700,000.

**PROJECT NAME & LOCATION:** HVAC and Controls Replacement at the BSL-3 Laboratory located at the Bronson Animal Diagnostic and Disease Laboratory, 2700 North John Young Parkway, Kissimmee, Florida.

**SOLICITATION DOCUMENT:** The entire solicitation document, which includes specifications, may be viewed and downloaded from the Vendor Bid System at [http://www.myflorida.com/apps/vbs/vbs\\_www.search\\_r2.criteria\\_form](http://www.myflorida.com/apps/vbs/vbs_www.search_r2.criteria_form), Bid Number SOQ/DA-18/19-01 or by calling the purchasing office at (850)617-7181.

**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, for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

**DISCRIMINATION; DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES:** An entity or affiliate who had been placed on the discriminatory vendor list 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.

Statements of Qualifications will be received and publicly opened:

**DATE AND TIME:** June 22, 2018, 2:00 p.m.

**PLACE:** Florida Department of Agriculture and Consumer Services, 407 S. Calhoun Street, SB-8 Mayo Building, Tallahassee, Florida 32399, (850)617-7181

**CONTRACT AWARD:** The official Notice of Award Recommendation will be by electronic posting at [http://www.myflorida.com/apps/vbs/vbs\\_www.search\\_r2.criteria\\_form](http://www.myflorida.com/apps/vbs/vbs_www.search_r2.criteria_form). Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed, the contract will be awarded to the qualified bidder in accordance with Rule 60D-5 by the Owner.

**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 3:00 p.m., Tuesday, May 15, 2018 and 3:00 p.m., Monday, May 21, 2018.

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
1T-1.036	5/16/2018	6/5/2018
1T-1.040	5/16/2018	6/5/2018

12AER18-01	5/17/2018	5/17/2018
12AER18-02	5/17/2018	5/17/2018
12BER18-03	5/17/2018	5/17/2018
53ER18-21	5/17/2018	5/17/2018
53ER18-22	5/17/2018	5/17/2018
53ER18-23	5/17/2018	5/17/2018
53ER18-24	5/17/2018	5/17/2018
59G-13.070	5/21/2018	6/10/2018
59G-13.081	5/21/2018	6/10/2018
61N-2.019	5/15/2018	6/4/2018
61N-2.020	5/15/2018	6/4/2018
61N-2.024	5/15/2018	6/4/2018
64B5-2.0146	5/15/2018	6/4/2018
64B6-4.004	5/15/2018	6/4/2018
64B16-27.450	5/16/2018	6/5/2018
64B16-28.100	5/16/2018	6/5/2018
64B16-28.501	5/16/2018	6/5/2018
64B33-2.001	5/16/2018	6/5/2018
65A-1.400	5/15/2018	6/4/2018
65A-1.900	5/15/2018	6/4/2018
69B-151.201	5/15/2018	6/4/2018
69B-151.202	5/15/2018	6/4/2018
69B-151.203	5/15/2018	6/4/2018

**LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES**

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.020	12/15/2017	**/**/****
69L-7.501	12/15/2017	**/**/****

DEPARTMENT OF HEALTH

Emergency Action

On May 21, 2018, State Surgeon General issued an Order Lifting Emergency Restriction of License with regard to the license of Laurin Wilson Thomas, N.D., License No. ND 5807. The Department orders that the Emergency Restriction of License be lifted.

DEPARTMENT OF HEALTH

Emergency Action

On May 21, 2018, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Daniel J. Perez, L.M.T., License # MA 77875. 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 subsections 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

Emergency Action

On May 21, 2018, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Juan Pablo Mendiz, L.M.T., License # MA 81111. 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 subsections 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 May 21, 2018, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the certification of Alissa L. Gordon, C.N.A., Certificate # CNA 282407. 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 subsections 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 May 21, 2018, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Charity Robinson, L.P.N., License # PN 5179940. 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 subsections 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 May 21, 2018, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Sandra Lee Sanders, L.P.N., License # PN 5208899. 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 subsections 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 May 21, 2018, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the certification of Mona L. Chatelain, C.N.A., Certificate # CNA 269157. 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 subsections 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 May 21, 2018, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Forest William Neff, Jr., L.P.N., License # PN 5181402. 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 subsections 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**

INDEX TO RULES FILED BETWEEN  
MAY 14, 2018 AND MAY 18, 2018

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF STATE**

**Division of Cultural Affairs**

1T-1.036	5/16/2018	6/5/2018	44/28	44/73
1T-1.040	5/16/2018	6/5/2018	44/28	44/73

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

12AER18-015/17/2018	5/17/2018	44/98		
12AER18-025/17/2018	5/17/2018	44/98		

**Miscellaneous Tax**

12BER18-035/17/2018	5/17/2018	44/98		
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**DEPARTMENT OF THE LOTTERY**

53ER18-21	5/17/2018	5/17/2018	44/98	
53ER18-22	5/17/2018	5/17/2018	44/98	
53ER18-23	5/17/2018	5/17/2018	44/98	
53ER18-24	5/17/2018	5/17/2018	44/98	

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Drugs, Devices and Cosmetics**

61N-2.019	5/15/2018	6/4/2018	44/62	
61N-2.020	5/15/2018	6/4/2018	44/62	
61N-2.024	5/15/2018	6/4/2018	44/62	

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

64B5-2.01465/15/2018	6/4/2018	44/72		
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**Board of Hearing Aid Specialists**

64B6-4.004	5/15/2018	6/4/2018	44/64	
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**Board of Pharmacy**

64B16-27.450	5/16/2018	6/5/2018	44/47	44/77
64B16-28.100	5/16/2018	6/5/2018	44/47	44/77

64B16-28.501 5/16/2018 6/5/2018 44/47 44/77

**Board of Athletic Training**

**64B33-2.001 5/16/2018 6/5/2018 44/72**

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Economic Self-Sufficiency Program**

65A-1.400 5/15/2018 6/4/2018 44/60

65A-1.900 5/15/2018 6/4/2018 44/60

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Insurance Agent and Agency Services**

69B-151.201 5/15/2018 6/4/2018 44/28 44/77

69B-151.202 5/15/2018 6/4/2018 44/28 44/77

69B-151.203 5/15/2018 6/4/2018 44/28

**LIST OF RULES AWAITING LEGISLATIVE REVIEW/  
APPROVAL PURSUANT TO SECTIONS 120.541(3),  
373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES**

**DEPARTMENT OF MANAGEMENT SERVICES**

**E911 Board**

60FF1-5.009 7/21/2016 \*\*/\*\*/\*\*\*\* 42/105

**DEPARTMENT OF HEALTH**

**Board of Medicine**

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Workers' Compensation**

69L-7.020 12/15/2017 \*\*/\*\*/\*\*\*\* 43/211

69L-7.501 12/15/2017 \*\*/\*\*/\*\*\*\* 43/211

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

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