

## Section I

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

#### AGENCY FOR HEALTH CARE ADMINISTRATION

##### Medicaid

RULE NO.:       RULE TITLE:

59G-4.087       Evaluation and Management Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.087, Florida Administrative Code (F.A.C.) is to clarify the policy language. The amendment replaces references to “child health check-up” with “well child visit” and updates the Florida Medicaid Evaluation and Management Services Coverage Policy.

SUBJECT AREA TO BE ADDRESSED: Evaluation and Management Services.

An additional area to be addressed during the workshop will be the potential regulatory impact Rule 59G-4.087, F.A.C., will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919, 409.961 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913, 409.973 FS.

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

DATE AND TIME: October 11, 2018, 10:30 a.m. to 11:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Aaron Messer. 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: Aaron Messer, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4313, e-mail: Aaron.Messer@ahca.myflorida.com.

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

Official comments to be entered into the rule record will be received until 5:00 p.m. on October 12, 2018 and may be e-mailed to [MedicaidRuleComments@ahca.myflorida.com](mailto:MedicaidRuleComments@ahca.myflorida.com). For

general inquiries and questions about the rule, please contact the person specified above.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.087 Evaluation and Management Services.

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

(2) All ~~providers persons or entities described in subsection~~ (1) must be in compliance with the provisions of the Florida Medicaid Evaluation and Management Services Coverage Policy, ~~June 2016~~, incorporated by reference. The policy is available on the Agency for Health Care Administration’s Web site ~~website~~ at <http://ahca.myflorida.com/Medicaid/review/index.shtml>, and at [http://www.flrules.org/Gateway/reference.asp?No=Ref\\_06775](http://www.flrules.org/Gateway/reference.asp?No=Ref_06775).

Rulemaking Authority 409.919, 409.961 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.912, 409.913, 409.973 FS. History--New 6-29-16, Amended.

#### DEPARTMENT OF CHILDREN AND FAMILIES

##### Economic Self-Sufficiency Program

RULE NO.:       RULE TITLE:

65A-1.900       Overpayment and Benefit Recovery

PURPOSE AND EFFECT: The Department intends to amend Rule 65A-1.900, F.A.C., to clarify information contained in an incorporated form.

SUBJECT AREA TO BE ADDRESSED: Economic Self-Sufficiency form.

RULEMAKING AUTHORITY: 414.41, 414.45, FS.

LAW IMPLEMENTED: 414.31, 414.36, 414.41 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: Jodi Abramowitz. Jodi can be reached at [Jodi.abramowitz@myflfamilies.com](mailto:Jodi.abramowitz@myflfamilies.com) or (850)717-4470.

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

## Section II Proposed Rules

### DEPARTMENT OF EDUCATION

#### State Board of Education

RULE NO.:        RULE TITLE:  
6A-1.0071        Fiscal Reporting Dates

**PURPOSE AND EFFECT:** To revise Forms ESE 348, Report of Financial Data to the Commissioner of Education, and ESE 145, Superintendent’s Annual Financial Report. The effect is that districts will have updated annual financial reporting forms.  
**SUMMARY:** Revising forms for the school district annual financial report, which are incorporated by reference.

**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: Based on past agency experience with revising required forms for financial reporting for school districts in accordance with laws and rules of the State Board of Education, the adverse impact or regulatory cost, if any, does not exceed, nor would be expected to exceed, any one of the economic analysis criteria set forth in section 120.541(2)(a), F.S. Revisions include modifications, additions and deletions of federal, state and local revenue accounts and expenditure functions to reflect updates to program revenues and functional expenditures, and is not expected to require legislative ratification.

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

**RULEMAKING AUTHORITY:** 1001.02(1), (2)(n), 1011.01(3)(a), 1011.60(1),(5), F.S.

**LAW IMPLEMENTED:** 1011.01(3)(a), 1011.60(1), (5), F.S.

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

**DATE AND TIME:** October 25, 2018, 9:00 a.m.  
**PLACE:** Crystal River Middle School, 344 NE Crystal St., Crystal River, FL 34428.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Eggers, Assistant Deputy Commissioner, Florida Department of Education, 325 West Gaines Street, Room 814, Tallahassee, Florida 32399, (850)245-0351.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.0071 Fiscal Reporting Dates.

The following dates shall apply to the fiscal reporting and budgeting process of each school district.

- (1) No change.
- (3) The annual financial report and all official parts thereof must be submitted to the Commissioner no later than September 11 of each year. The annual financial report is composed of the following forms: Forms ESE 348, Report of Financial Data to the Commissioner of Education (<https://www.flrules.org/Gateway/reference.asp?No=Ref-08555>); and ESE 145, Superintendent’s Annual Financial Report (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08556>), which are incorporated by reference in this rule (~~to become effective November 2018~~ August 2017); and Forms ESE 374, Schedule of Maturities of Indebtedness (<http://www.flrules.org/Gateway/reference.asp?No=Ref-06318>); and ESE 523, Information Concerning Authorized Obligations Under Sections 1011.14 & 1011.15, F.S. (<http://www.flrules.org/Gateway/reference.asp?No=Ref-06319>), which are incorporated by reference in this rule (~~to become effective February 2016~~). These forms may be obtained from the Administrator of the Office of Funding and Financial Reporting, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

- (4) No change.
- Rulemaking Authority 1001.02(1), (2)(n), 1011.01(3)(a), 1011.60(1), (5) FS. Law Implemented 1011.01(3)(a), 1011.60(1), (5) FS. History—New 9-12-72, Amended 2-13-74, 12-5-74, 5-5-75, 10-7-75, 7-22-76, 6-7-77, 1-7-81, 7-10-85, Formerly 6A-1.071, Amended 3-12-86, 10-4-88, 9-22-08, 2-1-12, 11-13-12, 11-19-13, 11-4-14, 2-9-16, 8-20-17,\_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Linda Champion, Deputy Commissioner, Finance and Operations.

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Pam Stewart, Commissioner, Department of Education.

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** September 17, 2018

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** August 23, 2018.

**DEPARTMENT OF EDUCATION****State Board of Education**

RULE NO.: RULE TITLE:

6A-5.071 Master Inservice Plan Requirements

PURPOSE AND EFFECT: To update Florida's professional learning standards and clarify the professional learning catalog requirements and processes. The effect of this proposal is the department and school districts will have updated standards with which to evaluate and improve district professional learning systems.

SUMMARY: The proposed rule sets forth the requirements for school district professional learning catalogs, formerly termed school district master inservice plans, pursuant to section 1012.98, Florida Statutes, by establishing standards for high-quality professional learning; outlining the requirements for professional learning catalog components; setting submission, amendment, and review criteria; providing specifications for awarding inservice points; and prescribing record maintenance and data reporting requirements.

**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 been prepared by the Agency.

As noted in the SERC, the proposed rule provides school districts with updated professional learning standards that are aligned to the Learning Forward organization's standards, which most school districts already utilize. As such, it is not anticipated that the proposal will directly or indirectly have an adverse impact or increase regulatory costs. The agency has determined that the proposed rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 1012.56, 1012.98, FS.

LAW IMPLEMENTED: 1010.20(3)(b), 1011.62(3), 1012.22(1)(i), 1012.575, 1012.98, 1012.986, FS.

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

DATE AND TIME: October 25, 2018, 9:00 a.m.

PLACE: Citrus County; Crystal River Middle School; 344 NE Crystal Street; Crystal River, Florida 34428.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eileen McDaniel, Bureau Chief, Bureau of Educator Recruitment, Development and Retention,

325 West Gaines Street, Room 124, Tallahassee, Florida 32399-0400; 850-245-0562; or eileen.mcdaniel@fldoe.org.

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

Substantial rewording of Rule 6A-5.071, F.A.C. follows. See Florida Administrative Code for present text.

6A-5.071 Professional Learning Catalog ~~Master Inservice Plan~~ Requirements.

(1) The purpose of this rule is to set forth the requirements for school district professional learning catalogs, formerly known as master inservice plans, pursuant to section 1012.98, Florida Statutes (F.S.), by establishing standards for high-quality professional learning; outlining the requirements for professional learning catalog components; setting submission, amendment, and review criteria; providing specifications for awarding inservice points; and prescribing record maintenance and data reporting requirements.

(2) Professional Learning Standards. The standards define Florida's core expectations for high-quality professional learning systems and opportunities, and form the foundation for school district professional learning systems and catalogs. There are seven (7) standards grouped into five (5) domains (i.e., Foundation, Needs Assessment and Planning, Learning, Implementing, and Evaluating) representative of stages in an improvement cycle. Each standard includes a title, description, and multiple indicators of what the standard may look like in practice.

(a) Domain 0: Foundation. Standard 1: Leadership. Professional learning requires leaders who develop capacity, create support systems, and advocate for professional learning to continually improve educator practice and student outcomes. Examples of this standard in practice include:

1. Setting high standards for educator and student performance;

2. Developing expertise in self and others regarding effective professional learning and leadership;

3. Communicating the importance of high-quality professional learning and its connection to student outcomes;

4. Promoting a culture of professional learning by ensuring policies, structures, resources, calendars, and daily schedules support educators to continuously improve their knowledge and practice; and,

5. Creating a coherent program of learning and leadership development opportunities for growth of all employees.

(b) Domain 1: Needs Assessment and Planning. Standard 1: Professional Learning Needs. Professional learning includes the use of student, educator, and system data to analyze, prioritize, and plan for continuous improvement of educator practice and student outcomes. Examples of this standard in practice include:

1. Continuously analyzing and interpreting multiple types and sources of data (e.g., student performance, discipline, classroom observations, climate surveys) to determine student and educator learning needs and related educator problems of practice;

2. Prioritizing professional learning based on identified student and educator learning needs; and,

3. Developing individual, school, and district learning plans that align professional learning goals to student learning needs.

(c) Domain 1: Needs Assessment and Planning. Standard 2: Professional Learning Resources. Professional learning requires schools and systems to maximize and monitor the use of resources to continually improve educator practice and student outcomes. Examples of this standard in practice include:

1. Determining appropriate curricular resources to support professional learning needs;

2. Prioritizing and aligning fiscal, human, material, technology, and time resources for investment in professional learning;

3. Integrating multiple sources of funding in order to fully support identified professional learning needs; and,

4. Analyzing data collected on resource utilization and impact on desired outcomes to make decisions regarding future allocations.

(d) Domain 2: Learning. Standard 1: Learning Outcomes. Professional learning includes outcomes that ensure intended changes in educator knowledge, skills, dispositions, and practice align with student learning needs. Examples of this standard in practice include:

1. Using identified student learning needs to make decisions about professional learning content and outcomes;

2. Defining clear expectations and learning outcomes that specify what educators need to know and do in relation to educator performance standards; and,

3. Creating coherence by ensuring outcomes build on previous professional learning or knowledge.

(e) Domain 2: Learning. Standard 2: Learning Designs. Professional learning includes use of research- and evidence-based learning designs to continually improve educator practice and student outcomes. Examples of this standard in practice include:

1. Considering the desired outcomes and educator and student learning needs, interests, and experiences in the selection of learning designs;

2. Utilizing face-to-face, online, and blended learning design models that focus on sustained individual, team, and school learning;

3. Enabling educators to construct new, relevant, and personalized learning through processes such as active engagement, modeling, application, assessment, reflection, feedback, and ongoing support;

4. Supporting collaboration among educators to deepen professional practice and foster a sense of collective responsibility for improving student outcomes; and,

5. Engaging in a shared cycle of inquiry, action, research, data analysis, planning, implementation, reflection, and evaluation that drives continuous improvement (e.g., learning communities, Lesson Study, online networks, coaching, mentoring).

(f) Domain 3: Implementing. Standard 1: Implementation of Learning. Professional learning includes multiple opportunities to implement new learning with ongoing support and actionable feedback to continually improve educator practice and student outcomes. Examples of this standard in practice include:

1. Setting clear goals and maintaining high expectations for implementation of learning with fidelity;

2. Sustaining implementation of new learning by providing multiple opportunities for practice in authentic settings with ongoing and varied support (e.g., coaching, modeling, peer groups, co-teaching, co-planning, study groups);

3. Providing opportunities for frequent feedback and reflection to analyze and adjust practice in relation to established expectations; and,

4. Monitoring and assessing the degree of implementation to identify and resolve challenges related to integration of professional learning.

(g) Domain 4: Evaluating. Standard 1: Evaluation of Professional Learning. Professional learning includes formative and summative evaluation of the effectiveness of professional learning in increasing educator knowledge, changing educator dispositions and practice, and improving student outcomes to inform decisions about future professional learning. Examples of this standard in practice include:

1. Developing and conducting a comprehensive plan to evaluate the effectiveness of individual, school, and district plans for professional learning;

2. Monitoring formative educator practice and student learning data to assess professional learning and make adjustments as needed; and,

3. Conducting a summative evaluation at the end of a program to assess the overall impact and make decisions regarding future professional learning.

(3) Professional Learning Catalog Requirements. Pursuant to section 1012.98(4)(b)5., F.S., all school districts shall maintain, as a corollary of their professional learning system, a catalog that outlines all professional learning opportunities, referred to as components, for all school district employees from all funding sources.

(a) For each component, the catalog shall include the following:

1. A title;

2. An identifying number assigned in accordance with the FDOE Information Database Requirements: Volume II – Automated Staff Information System pursuant to section 1008.385(2), F.S., and Rule 6A-1.0014, F.A.C.;

3. The maximum number of inservice points to be awarded for successful completion of the component, assigned in accordance with the specifications outlined in subsection (7) of this rule;

4. A description of the specific objectives and activities to be completed; and,

5. The component evaluation criteria for determining the effectiveness of the professional learning in:

a. Addressing the specific objectives;

b. Increasing educator knowledge and skills;

c. Changing educator dispositions or practice in the educational setting; and,

d. Improving student outcomes.

(b) For each component for which inservice points will be awarded, the catalog shall also include a description of any follow-up activities that will be required and support that will be provided to ensure successful completion of the component.

(4) Submission, Amendment, and Review Criteria.

(a) By September 1 of each year, the school district shall update the catalog, based on the results of the review conducted pursuant to paragraph (4)(d) of this rule, and the district school board shall approve the catalog pursuant to the criteria and procedures in subsections (3) and (4) of this rule.

(b) By October 1 of each year, the school district shall submit a letter to the Commissioner verifying that the district school board has approved the catalog and the catalog meets the criteria in subsection (3) of this rule.

(c) A component developed or modified after the annual approval of the catalog shall be approved as an amendment by the district school board and meet the criteria in subsection (3) of this rule.

(d) Annually, the school district shall conduct a review of the previous year's catalog program operations that results in a determination of its effectiveness in the educational setting as measured by changes in educator practice and student outcomes, and use this information to make decisions about which components to continue, modify, or eliminate.

(5) The approval of program plans for school district add-on certification programs pursuant to section 1012.575, F.S., shall be for a period of five (5) years. Professional learning components associated with the approved programs shall remain in the professional learning catalog throughout the approval period.

(6) Other Eligible Entities. A developmental research school operated under the control of the State University System, an eligible state educational agency, or an organization of private schools or consortium of charter schools that meets

criteria specified in section 1012.98(6), F.S., may develop a professional learning system and catalog.

(a) The catalog shall be developed meeting the criteria outlined in subsection (3) of this rule and submitted to the department for initial approval by the Commissioner.

(b) After initial approval of a catalog, continued approval shall be in accordance with the criteria and procedures outlined in subsections (3) and (4) of this rule, and the requirements for reporting and data maintenance as required in subsection (8) of this rule.

(c) For other eligible entities with an approved professional learning system and catalog, references to district school boards in this rule shall mean the director of a developmental research school, or the governing authority of an eligible state educational agency, organization of private schools, or consortium of charter schools.

(7) Awarding of Inservice Points. Inservice points awarded for successful completion of a component shall be assigned as follows:

(a) One (1) clock hour of participation shall equal one (1) inservice point, or as specified by the professional learning catalog based on competency(ies) demonstrated.

(b) Points awarded for completion of college credit shall equate to inservice participation as follows:

1. One (1) semester hour shall equal twenty (20) inservice points; and,

2. One (1) quarter hour shall equal thirteen (13) and one-third inservice points.

(8) Record Maintenance and Data Reporting Requirements. District professional learning catalog records shall be maintained and data shall be reported as follows:

(a) Information shall be maintained for each component to include the following:

1. Dates the component was delivered;

2. Names of component leaders;

3. Names of participants and performance records;

4. Evaluation of the component; and,

5. Criteria for successful completion.

(b) Information shall be maintained for each component participant to include the following:

1. Title and number of the component;

2. Dates of participation;

3. Satisfactory or unsatisfactory completion; and,

4. Number of inservice points to be awarded, eligibility of the points to be used for certification, and expiration date of the educator's certificate(s), if applicable. All requirements for renewal of a Professional Certificate on the basis of completion of inservice points pursuant to section 1012.585, F.S., and Rule 6A-4.0051, F.A.C., shall be met.

(c) Each school district shall report data information for all approved professional learning components as required by the

FDOE Information Database Requirements: Volume II – Automated Staff Information System pursuant to section 1008.385(2), F.S., and Rule 6A-1.0014, F.A.C. Other educational agencies, organizations of private schools, and consortiums of charter schools with approved catalogs without automated data reporting capabilities shall report the required component data information using nonautomated equivalent means by October 1 of each year.

Rulemaking Authority 1012.98, 1012.56 FS. Law Implemented 1012.22(1)(i), 1012.986, 1012.98, 1011.62(3), 1010.20(3)(b), 1012.575 FS. History—New 11-25-75, Formerly 6A-5.72, Amended 4-10-79, 6-28-83, 7-15-84, 12-26-85, Formerly 6A-5.71, Amended 8-28-95, 7-2-98, 5-2-10, \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**

Hershel Lyons, Chancellor, K12 Public Schools.

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Pam Stewart, Commissioner, Department of Education.

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** September 24, 2018

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** July 31, 2018.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:** RULE TITLE:

6A-6.0573 Industry Certification Process.

**PURPOSE AND EFFECT:** To update the rule to adopt the most recent CAPE Industry Certification Funding List, recommendations from CareerSource Florida and the Department of Agriculture and Consumer Services, and required forms. In addition, updates are included on the process of registering Career-themed courses, as well as new language addressing the security of industry certification exams. The effect is to ensure that appropriate certifications are included on the most recent CAPE Industry Certification Funding List.

**SUMMARY:** The amendment includes revisions to the rule and documents incorporated by reference as follows: 1) Adoption by reference of the 2018-2019 CAPE Industry Certification Funding List; 2) Adoption by reference of the industry certification recommendations from CareerSource Florida; 3) Adoption of an updated registration form for career-themed courses; and 4) Clarifying language on the process of registering career-themed courses and addressing the security of industry certification exams.

**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: This amendment provides additional certifications available to students, clarifying language on the process of registering career-themed courses, addresses the security of industry certification exams and technical wording changes. It is not expected to have any impact on the factors found in section 120.541(2)(a), F.S., or require legislative ratification.

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

**RULEMAKING AUTHORITY:** 1003.4203(9), 1003.492(3), 1008.44, 1011.62(1)(o), FS.

**LAW IMPLEMENTED:** 1003.4203, 1003.492, 1003.493, 1003.4935, 1008.44, 1011.62(1)(o), FS.

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

**DATE AND TIME:** October 25, 2018, 9:00 a.m.

**PLACE:** Crystal River Middle School, 344 NE Crystal St., Crystal River, FL 34428.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Tara Goodman, Bureau Chief, Division of Career and Adult Education, 325 West Gaines Street, Room 744, Tallahassee, Florida 32399-0400, (850)245-9001 or email: Tara.Goodman@fldoe.org.

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

6A-6.0573 Industry Certification Process.

(1) Purpose. The purpose of this rule is to specify the procedures and timelines for implementation of an industry certification process.

(2) Definitions. The following definitions shall be used in this rule and incorporated documents:

(a) through (g) No change.

(h) “Career-themed course” means a course as defined in section 1003.493(1)(b), F.S., offered in secondary schools which meets the requirements in section 1003.493(4), F.S. This may be any course available to students in grades 6-12 with career education content related to an industry certification.

(i) through (j) No change.

(k) “Monitor” is the individual assigned to independently observe the administration of an industry certification exam.

(l) “Proctor” is the individual assigned to administer industry certification exams.

(3) Adoption of the 2018-2019 ~~2017-2018~~ CareerSource Florida Recommendations. CareerSource Florida’s list of recommended industry certifications (<https://www.flrules.org/Gateway/reference.asp?No=Ref-08704>), is adopted by the State Board of Education and incorporated by reference in this rule. The list may be obtained from the Department of Education, Room 744, Turlington Building, 325 West Gaines Street, Tallahassee, FL 32399.

(4) No change.

(5) Adoption of an annual “CAPE Industry Certification Funding List.” The “CAPE Industry Certification Funding List” is composed of industry certifications, certificates, and courses as specified in sections 1008.44 and 1011.62(1), F.S.

(a) The list includes the following certifications and certificates:

1. “CAPE Industry Certifications,”
2. “CAPE Acceleration Industry Certifications;” and,
3. “CAPE Digital Tool Certificates.”

(b) This list will be known as the “2018-2019 2017-2018 CAPE Industry Certification Funding List,—updated;” (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09424>) published by the Department of Education and is incorporated by reference in this rule. The list may be obtained from the Department of Education, Room 744, Turlington Building, 325 West Gaines Street, Tallahassee, FL 32399.

(6) and (7) No change.

(8) Grade level limitations for industry certifications. No later than August 1—March 1 of each year, the Commissioner shall identify the grade level limitations for the subsequent school year. A list of the grade level limitations will be posted on the Department’s website at the following link: <http://www.fldoe.org/academics/career-adult-edu/cape-secondary>. The grade level limitations shall be specified on the next adoption of the “CAPE Industry Certification Funding List.”

(9) through (12) No change.

(13) Conditions for Florida Education Finance Program (FEFP) calculation and reporting.

(a) through (b) No change.

(c) In order for the district to report successful attainment of certifications, certificates, and course completion on the “CAPE Industry Certification Funding List,” the following test administration procedures for all examinations associated with earning the industry certification must be followed:

1. through 4. No change.

5. The exams leading to the industry certification must not have been administered to a student more than three (3) times during the academic year with a minimum of twenty (20) calendar days between test administrations. If an exam attempt is invalidated by the certifying agency due to a testing

irregularity, the district may administer a re-test before the twenty (20) day waiting period has elapsed.

6. No change.

(14) Registration of career and professional academies ~~and career-themed courses~~. The Department of Education shall maintain a website for school districts to register high school career and professional academies; and middle grades career and professional academies; ~~and career-themed courses~~.

(a) For high school career and professional academies, school districts shall submit up-to-date information on each career and professional academy through an annual reporting window which shall open no later than August 16 ~~on or after July 15~~ and close on September 15, ~~and shall remain open for a minimum of thirty (30) days~~. Form FCAPEA-01, Florida Career and Professional Education Act Career and Professional Academies,

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-05821>) is hereby incorporated by reference in this rule to become effective September 2015, and shall be utilized for reporting the information. Form FCAPEA-01 may be found on the Department’s website at: <https://web02.fldoe.org/CAPE/> ~~<https://app1.fldoe.org/workforce/CAPE/>~~.

(b) For middle grades career and professional academies, school districts shall submit up-to-date information on each career and professional academy through an annual reporting window which shall open on or after September 16 and close on October 15 and shall be open for a minimum of twenty (20) days. Form FCAPEA-02, Florida Career and Professional Education Act Career and Professional Academies, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-05822>) is hereby incorporated by reference in this rule to become effective October 2016, and shall be utilized for reporting the information. Form FCAPEA-02 may be found on the Department’s website at: <https://web02.fldoe.org/CAPE/> ~~<https://app1.fldoe.org/workforce/CAPE/>~~.

(15) Registration of career-themed courses eligible for funding as specified in s. 1011.62(1)(o), F.S. The Department of Education shall maintain a web-based application which shall be used by school districts for the annual submission of current information on each career-themed course by school.

(a) Eligible courses must be registered by the school district for an academic year during the following registration windows: October 16 to November 30, February 1 to March 1, and August 1 to August 10.

(b) A course must have students enrolled in the academic year in order to be registered.

(c) The registration system shall include all career education courses approved for grades 6 through 12 in the course code directory as adopted in Rule 6A-1.09441, F.A.C. Other courses available to students in grades 6 through 12 may be added to the registration system if requested by a school

district and with documentation that student mastery of at least five (5) core standards are assessed by an industry certification exam adopted on the CAPE Industry Certification Funding List.

(d) Districts will be eligible for the additional FTE membership provided in s. 1011.62(1)(o), F.S., for the industry certifications on the CAPE Industry Certification Funding List which are identified by the school district in the course registration.

(e) A dual enrollment course at a public or private postsecondary institution with which the district has an articulation agreement may be registered as a career-themed course if the course leads to an industry certification on the CAPE Industry Certification Funding List and is not eligible for other performance funds as specified in s. 1011.62(1)(o)1.b., F.S.

(f) The registration system shall include a step for final approval by the district superintendent, which shall certify that the course is being registered in accordance with the statutory definition and requirements for career-themed courses in s. 1003.493(1)(b) and s. 1003.493(4), F.S., including that the course is being taught by instructors in the school who hold the industry certifications or higher level industry certifications for which the course is being registered.

(g) Registration of career-themed courses through which students earn CAPE Industry Certifications and CAPE Acceleration Industry Certifications is required for funding in the FEFP.

~~(h)(e) For career-themed courses, school districts shall annually submit up-to-date information on each career-themed course by school during an initial registration period from October 16 to November 30, and shall be allowed to submit updates after the initial registration period during the subsequent period of February 1 to March 1 and August 1 to August 10. Form FCAPEA-03, Florida Career and Professional Education Act Career-Themed Course Registration Form, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08703>) is hereby incorporated by reference in this rule to become effective November 2018 ~~October 2017~~, and shall be utilized for reporting the career-themed course information. Form FCAPEA-03 may be found on the Department's website at: <https://web02.fldoe.org/CAPE/> <https://app1.fldoe.org/workforce/CAPE>.~~

(16) Teacher and proctor conduct provisions for maintaining the validity of the industry certification credential. Industry certifications are independent, third-party verification of technical skills achieved by students. Any practice that jeopardizes the validity of industry certifications disadvantages the students and prospective employers. Teachers who provide direct instruction leading to industry certification exams and proctors assigned to administer industry certification exams shall not engage in any conduct that jeopardizes the validity of

the industry certification exam results. Only authorized proctors may be provided access to testing materials associated with industry certification exams.

(a) Teachers providing instruction leading to industry certification exams shall not:

1. Assist students with answering exam questions during an active test administration.

2. Create any study guide or other document that includes any exam questions that are part of a current test form for the industry certification.

3. Administer an industry certification exam to students to whom they provide direct instruction for the certification, except as specified in paragraph (13)(c) of this rule.

4. Administer an industry certification exam to themselves or other staff members in the district, if they provide direct instruction to students for the certification.

5. Administer any industry certification exam to a family member.

6. Preview active exam content, even in the presence of a monitor or assigned proctor.

7. Access any testing materials, either computer-based or paper-based, unless assigned as the only available proctor as specified in paragraph (13)(c) of this rule.

8. Reveal, print, copy, screen capture or otherwise reproduce test questions that are part of an active version of an industry certification exam.

9. Take any industry certification exam using any name other than their own legal name.

10. Allow or entice another person to take an exam for a test candidate.

11. Interfere in any way that jeopardizes the integrity of the test with persons assigned to administer or proctor industry certification exams.

12. Provide answer keys to any student before, during or after test administration.

13. Participate in, direct, aid, counsel, assist in, or engage in conduct or activity which could result in inaccurate measurement of student achievement on industry certification exams.

(b) Authorized proctors or monitors for the industry certification exams shall not:

1. Assist students with answering exam questions during an active test administration.

2. Create any study guide or other document that includes any exam questions that are part of a current test form for the industry certification.

3. Reveal, print, copy, screen capture or otherwise reproduce exam questions, unless expressly authorized by the certifying agency for the industry certification.

4. Provide access to an exam to any teacher or other district employee, except as part of any official administration of the



exam for the purpose of that teacher or employee obtaining the industry certification.

5. Take any industry certification exam using any name other than their own legal name.

6. Allow or entice another person to take an exam for a test candidate.

7. Provide answer keys to any student before, during, or after test administration.

8. Share credentials provided by the certifying agency for the purpose of administering industry certification exams.

9. Administer any industry certification exam to a family member.

10. Participate in, direct, aid, counsel, assist in, or engage in conduct or activity which could result in inaccurate measurement of student achievement on industry certification exams.

(17) Local test administration procedures and training for industry certification exam administration. School districts shall create and maintain local test administration procedures for the administration of all industry certification exams.

(a) These test administration procedures must include the following:

1. Verification that each responsible teacher or proctor has received training on test security. Teachers and proctors must annually sign a statement of educational integrity which includes the detrimental and negative impact academic dishonesty brings upon a profession, as well as safety and security hazards which may result when candidates have not met the industry standard for acceptable training.

2. Notification of disciplinary actions and consequences for engaging in or allowing testing irregularities and compromises.

3. Notification of disciplinary actions and consequences for failure to abide by all security protocol.

4. Procedures for handling test interruptions, testing irregularities and technical abnormalities that occur during exam administration.

5. Training on Florida Statutes and State Board of Education Rules pertaining to industry certification.

(b) All teachers providing instruction, proctors administering industry certification exams, and monitors for industry certification exams must sign Form FCAPEA-04, Florida Career and Professional Education Act Industry Certification Test Administration and Security Agreement (*dos link*), which is hereby incorporated by reference in this rule to become effective November 2018. Form FCAPEA-04 may be found on the department's website at: <http://fldoe.org/academics/career-adult-edu/cape-secondary/resources.stml>.

(c) School districts shall maintain records and rosters for required training, including signed documents, for a minimum of five (5) years.

(18) Reporting requirements for violations of industry certification test administration provisions. In those situations where provisions of subsection (16) of this rule are violated by a teacher or proctor, the district shall prepare a report made to the department and the certifying agency. This notification must occur within five (5) business days, unless the certifying agency has a more stringent requirement. The report shall include a description of the incident, the names of the persons involved in or witness to the incident, and other information as appropriate.

Rulemaking Authority 1003.4203(9), 1003.492(3), 1008.44, 1011.62(1), F.S. Law Implemented 1003.4203, 1003.492, 1003.493, 1003.4935, 1008.44, 1011.62(1), 1012.796 F.S. History—New 10-20-08, Amended 8-18-09, 6-22-10, 6-21-11, 10-25-11, 8-23-12, 3-25-13, 11-3-13, 6-25-14, 11-4-14, 5-19-15, 9-30-15, 7-26-16, 10-30-16, 4-25-17, 10-17-17, 6-19-18,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Rod Duckworth, Chancellor, Division of Career and Adult Education.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 24, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 31, 2018.

## **DEPARTMENT OF EDUCATION**

### **State Board of Education**

RULE NO.: 6A-7.0710  
RULE TITLE: Instructional Materials Evaluation Procedures

PURPOSE AND EFFECT: To update and prescribe the procedures governing the adoption of instructional materials for use by Florida school districts for the 2019-20 adoption and beyond.

SUMMARY: The proposed rule updates the procedures governing the adoption of instructional materials for use by Florida school districts for the 2019-20 adoption and beyond. More specifically, the proposed amendments modify the incorporated document entitled, "Policies and Procedures Specifications for the Florida Instructional Materials Adoption" by specifying new criteria for K-5 English Language Arts (ELA) materials and by including a further explanation of the instructional materials rating system. Additionally, the incorporated document IM8, "Publisher Questionnaire," seeks information about advanced placement, foreign language translations and access point correlations for instructional materials. The third incorporated document modified is IM7, the "Standards Alignment Form." These proposed changes

include requiring information about the alignment of ELA instructional materials.

**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: The proposed rule is not expected to have any adverse impact on economic growth, business competitiveness, regulatory costs or other factors listed in s. 120.541(2)(a), F.S. While legislative changes in 2017 impact the review of instructional materials, since the materials are on a routine cycle for review it is not anticipated that the proposed rule will require legislative ratification.

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

**RULEMAKING AUTHORITY:** 1001.02(1), 1006.34(1), FS.

**LAW IMPLEMENTED:** 1001.215(4), 1006.29, 1006.30, 1006.31, 1006.32, 1006.33, 1006.34, 1006.36, 1006.38, FS.

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

**DATE AND TIME:** October 25, 2018, 9:00 a.m.

**PLACE:** Crystal River Middle School, 344 NE Crystal St., Crystal River, FL 34428.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Jacob Oliva, Executive Vice Chancellor of K-12 Public Schools at [Jacob.Oliva@fldoe.org](mailto:Jacob.Oliva@fldoe.org).

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

6A-7.0710 Instructional Materials Evaluation Procedures.

(1) Publishers and manufacturers of instructional materials may submit sealed bids or proposals for the adoption of instructional materials by the Department of Education in response to the advertisement required by Section 1006.33(1), F.S. The Policies and Procedures Specifications for the Florida Instructional Materials Adoption (<http://www.flrules.org/Gateway/reference.asp?No=Ref-06872>) is hereby incorporated by reference (effective ~~November 2018~~ ~~June 2016~~) and will be available on the Florida Department of Education’s Office of Instructional Materials website at

<http://www.fldoe.org/academics/standards/instructional-materials>.

(2) The following forms shall be submitted by instructional materials publishers or manufacturers when proposing instructional materials for adoption and are hereby incorporated by reference in this rule. These forms may be found on the Publisher Registration and online Bid Process Portal at <https://app2.fldoe.org/BII/InstructMat/Publisher/Secure/MainMenu.aspx> <https://web01.fldoe.org/InstructMat/Publisher/Account/Login.aspx> or by contacting the Department of Education, 325 West Gaines Street, Room 424, Tallahassee, Florida 32399.

(a) through (g) No change.

(h) Form IM7, Standards Alignment Form (<http://www.flrules.org/Gateway/reference.asp?No=Ref-06877>) (Effective ~~November 2018~~ ~~June 2016~~);

(i) Form IM8, Publisher Questionnaire (<http://www.flrules.org/Gateway/reference.asp?No=Ref-06878>) (Effective ~~November 2018~~ ~~June 2016~~);

(j) through (m) No change.

(3) No change.

Rulemaking Authority 1001.02(1), 1006.34(1) FS. Law Implemented 1006.29, 1006.30, 1006.31, 1006.32, 1006.33, 1006.34, 1006.36, 1006.38 FS. History—New 12-29-11, Amended 6-23-16 \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**

Hershel Lyons, Chancellor, Division of Public Schools.

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Pam Stewart, Commissioner, Department of Education.

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** September 24, 2018

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** August 22, 2018.

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Economic Self-Sufficiency Program**

**RULE NO.:** 65A-2.036 **RULE TITLE:** Optional State Supplementation Base Provider Rates and Program Standards

**PURPOSE AND EFFECT:** The Department intends to amend 65A-2.036, F.A.C., Optional State Supplementation Base Provider Rates and Program Standards, to update the monthly income eligibility standards for optional state supplementation.

**SUMMARY:** The monthly income eligibility standards for optional state supplementation will be increased.

**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: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to require legislative ratification.

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

RULEMAKING AUTHORITY: 409.212(7), FS.

LAW IMPLEMENTED: 409.212, 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: Jodi Abramowitz. Jodi can be reached at (850)717-4470 or Jodi.abramowitz@myflfamilies.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-2.036 Optional State Supplementation Base Provider Rates and Program Standards.

(1) through (2) No change.

(3) Optional State Supplementation Program Financial Standards. Optional State Supplementation Program financial standards are subject to Florida legislative appropriations and federal cost-of-living adjustments.

(a) The monthly income eligibility standard for residents of Assisted Living Facilities (ALFs), Adult Family Care Homes (AFCHs) and, except as specified in paragraph (b), below, Mental Health Residential Treatment Facilities (MHRTFs) is \$828.40 ~~\$623.40~~.

(b) The monthly income eligibility standard for residents of MHRTFs that do not meet the criteria for enrollment as qualified Medicaid providers of Assistive Care Services (ACS), and for individuals with coverage under subsections 65A-2.033(3) and (4), F.A.C., is \$935.00 ~~\$730~~.

(c) No change.

(4) Optional State Supplementation Base Provider Rates. Optional State Supplementation base provider rates are subject to Florida legislative appropriations and federal cost-of-living adjustments.

(a) For ALFs, AFCHs and, except as specified in paragraph (b), below, MHRTFs, the monthly base provider rate is \$774.40 ~~\$569.40~~ and is inclusive of room and board only.

(b) For MHRTFs that do not meet the criteria for enrollment as qualified Medicaid providers of ACS, and for the individuals covered under subsections 65A-2.033(3) and (4), F.A.C., the monthly base provider rate is \$935.00 ~~\$730~~ and is inclusive of room, board and personal care.

(5) through (8) No change.

Rulemaking Authority 409.212(7) FS. Law Implemented 409.212 FS. History—New 1-1-77, Amended 9-27-79, 10-7-80, 9-29-81, 9-29-82, 10-31-83, 11-28-83, 9-30-84, 10-1-85, Formerly 10C-2.36, Amended 1-1-87, 2-9-88, 11-6-88, 2-16-89, 3-1-90, 1-27-91, 2-19-95, Formerly 10C-2.036, Amended 1-27-99, 12-16-01, 5-14-02, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Suzann Fauci

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Carroll

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 31, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 11, 2018

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

**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.: 1S-2.034      RULE TITLE: Polling Place Procedures Manual  
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 44 No. 112, June 8, 2018 issue of the Florida Administrative Register has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Chiropractic Medicine**

RULE NO.: 64B2-11.001      RULE TITLE: Application for Licensure Examination  
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 44 No. 147, July 30, 2018 issue of the Florida Administrative Register.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and discussion and subsequent vote by the board at a public meeting held August 24, 2018. No changes will be made to the rule text. The changes to Form DH-MQA 1147, dated 05/2018 shall be revised to ensure formatting is correct and deletion of the

requirement for certified or notarized documentation of “yes” answers.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony B. Spivey, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257.

**DEPARTMENT OF HEALTH**

**Board of Chiropractic Medicine**

RULE NO.: RULE TITLE:  
 64B2-18.002 Application for Certification as a Chiropractic Physician's Assistant  
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 44 No. 147, July 30, 2018 issue of the Florida Administrative Register.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and discussion and subsequent vote by the board at a public meeting held August 24, 2018. No changes will be made to the rule text. Form DH-MQA 1148, dated 05/2018 shall be revised to include the statutorily required items, including submission of a certificate of completion of a training program, and a sworn statement regarding prior felony convictions and previous licensure denial.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony B. Spivey, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Workers' Compensation**

RULE NO.: RULE TITLE:  
 69L-5.217 Civil Penalties and Fines  
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 44 No. 172, September 4, 2018 issue of the Florida Administrative Register.

The Notice of Change published in Vol. 44, No. 172, September 4, 2018, should be corrected to reflect that these changes are being made to address written material submitted to the agency within 21 days after the date of publication of the notice of intended agency action to provide clarification when calculating the civil penalties and fines by deleting outdated application of the rule text.

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

RULE NO.: RULE TITLE:  
 69O-137.002 Annual Audited Financial Reports  
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 44 No. 135, July 12, 2018 issue of the Florida Administrative Register.

The changes are in response to written comments received from the Joint Administrative Procedures Committee.

69O-137.002 Annual Audited Financial Reports.

(1) through (8) No change.

(9) Scope of Audit and Report of Independent Certified Public Accountant. Financial statements furnished pursuant to subsection (5), above, shall be examined by the independent certified public accountant. The audit of the insurer’s financial statements shall be conducted in accordance with generally accepted auditing standards. In accordance with AU-C 610 of the Professional Standards of the AICPA, *Using the Work of Internal Auditors*, effective 12/15/14, and AU-C Section 940 of the Professional Standards of the AICPA, *An Audit of Internal Control Over Financial Reporting That is Integrated With an Audit of Financial Statements*, effective 12/15/16, the independent certified public accountant should obtain an understanding of internal control sufficient to plan the audit. To the extent required by AU-C 610 and AU-C Section 940, for those insurers required to file a Management’s Report of Internal Control over Financial Reporting pursuant to subsection (16), the independent certified public accountant should consider (as that term is defined in of the Professional Standards of the AICPA, AU-C 200 *Overall Objectives of the Independent Auditor and the Conduct of an Audit in Accordance With Generally Accepted Auditing Standards*, effective 12/15/12 ) the most recently available report in planning and performing the audit of the statutory financial statements. Consideration should also be given to the other procedures illustrated in the Financial Condition Examiner’s Handbook promulgated by the National Association of Insurance Commissioners (incorporated by reference in Rule 69O-138.001, F.A.C.) as the independent Certified Public Accountant deems necessary.

(10) Notification of Adverse Financial Condition.

(a) through (b) No change.

(c) If the accountant, subsequent to the date of the Audited Financial Report filed pursuant to this rule, becomes aware of facts which might have affected his report, the Office notes the obligation of the accountant to take such action as prescribed in AU-C 560 of the Professional Standards of the AICPA,

Subsequent Events and Subsequently Discovered Facts , effective 12/15/12 .

(11) Communication of Internal Control Related Matters Noted in an Audit.

(a) In addition to the annual Audited Financial Report, each insurer shall furnish the Office with a written communication as to any unremediated material weaknesses in its Internal control over financial reporting noted during the audit. Such communication shall be prepared by the accountant within sixty (60) days after the filing of the annual Audited Financial Report, and shall contain a description of any unremediated material weakness (as the term material weakness is defined by AU-C 265 of the Professional Standards of the AICPA, *Communicating Internal Control Related Matters Identified in an Audit* , effective 12/15/12 ) as of December 31 immediately preceding (so as to coincide with the Audited Financial Report discussed in subsection (4)) in the insurer’s Internal control over financial reporting noted by the accountant during the course of their audit of the financial statements. If no unremediated material weaknesses were noted, the communication should so state.

(b) No change.

(12) through (13) No change.

(14) Requirements for Audit Committee.

This section shall not apply to foreign or alien insurers licensed in this state or an insurer that is a SOX Compliant Entity or a direct or indirect wholly-owned subsidiary of a SOX Compliant Entity.

(a) through (e) No change.

(f)1. The Audit committee shall require the accountant that performs for an insurer any audit required by this regulation to timely report to the Audit committee in accordance with the requirements of AU-C 260 of the Professional Standards of the AICPA, *The Auditor’s Communication With Those Charged with Governance*, effective 12/15/12, including:

a. through c. No change.

2. If an insurer is a member of an insurance holding company system, the reports required by subparagraph (f)1., may be provided to the Audit committee on an aggregate basis for insurers in the holding company system, provided that any substantial differences among insurers in the system are identified to the Audit committee.

(g) through (h) No change.

(15) through (19) No change.

(20) Standards Incorporated by Reference.

(a) The following standards are hereby incorporated by reference:

1. AU-C 610 of the Professional Standards of the AICPA, *Using the Work of Internal Auditors* , effective 12/15/14 ;

2. AU-C 200 ~~420~~ of the Professional Standards of the AICPA, *Overall Objectives of the Independent Auditor and the*

*Conduct of an Audit in Accordance With Generally Accepted Auditing Standards* , effective 12/15/12 ;

3. AU-C 560 of the Professional Standards of the AICPA, *Subsequent Events and Subsequently Discovered Facts* , effective 12/15/12 ;

4. AU-C 265 of the Professional Standards of the AICPA, *Communicating Internal Control Related Matters Identified in an Audit* , effective 12/15/12 ;

5. AU-C 260 of the Professional Standards of the AICPA, *The Auditor’s Communication With Those Charged With Governance* , effective 12/15/12 ; and

6. AU-C Section 940 of the Professional Standards of the AICPA, *An Audit of Internal Control Over Financial Reporting That is Integrated With an Audit of Financial Statements* , effective 12/15/16 .

(b) The standards incorporated in this section are available :

1. From ~~at~~ the American Institute of Certified Public Accountants’ CPAs (AICPA) website at: <http://www.aicpa.org/Publications> ; and, -

2. For inspection during regular business hours at the Office of Insurance Regulation, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0300.

Rulemaking Authority 624.308(1), 624.4085, 624.424(8)(e) FS. Law Implemented 624.307(1), 624.324, 624.424(8) FS. History—New 3-31-92, Amended 3-14-94, 8-17-98, 4-4-01, 8-14-02, Formerly 4-137.002, Amended 11-3-05, 9-21-10, \_\_\_\_\_.

Section IV  
Emergency Rules

NONE

Section V  
Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-15.017 Personnel

NOTICE IS HEREBY GIVEN that on September 21, 2018, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, from Youth and Family Alternatives, Inc., and Rick Manuel, assigned Case No. 18-038W. subsection 65C-15.017(3), F.A.C., states that agency staff responsible for performing casework services shall have a bachelor’s degree in social work or related area of study or a master’s degree in social work or a related area of study from an accredited college

or university. Related areas of study include those listed in subsection (2).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

**DEPARTMENT OF FINANCIAL SERVICES**

Division of Funeral, Cemetery, and Consumer Services

**RULE NO.: RULE TITLE:**

69K-18.002 Funeral Director Intern Training Program.

NOTICE IS HEREBY GIVEN that on September 24, 2018, the Division of Funeral, Cemetery, and Consumer Services, received a petition for waiver of certain requirements of Rule 69K-18.002, FAC. The petition was filed on behalf of Joel Gilchrist, who had been issued a Funeral Director Intern license which expired on July 6, 2017. Mr. Gilchrist seeks a waiver of subsection 69K-18.002(10), Florida Administrative Code, which provides that only one internship per person is allowed. This matter will be heard during the October 4, 2018, board meeting of the Board of Funeral, Cemetery, and Consumers Services. This meeting will take place at 11380 NW 27th Avenue, Miami, Florida 33167.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jasmin Richardson at (850)413-3039.

**Section VI**

**Notice of Meetings, Workshops and Public Hearings**

**DEPARTMENT OF EDUCATION**

Division of Florida Colleges

The Florida State College at Jacksonville District Board of Trustees announce the following Ad Hoc Committee meeting which is open to the public.

**DATE AND TIME:** Wednesday, October 3, 2018, 12:00 Noon – 1:30 p.m.

**PLACE:** FSCJ Administrative Offices – Room 403A, 501 West State Street, Jacksonville, FL 32202

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Enrollment.

A copy of the agenda for the meeting may be obtained by contacting: District Board of Trustees Project Coordinator Kimberli Sodek at (904)632-3205 or Kim.Sodek@fscj.edu.

Copies of the agenda for the meeting will be available for inspection beginning Wednesday, September 26, 2018, and copies will be provided upon written request and the payment of approved duplicating charges.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to advise the agency at least

24 hours before the meeting by contacting: The Office of the College President, District Board of Trustees Project Coordinator Kimberli Sodek at (904)632-3205 or Kim.Sodek@fscj.edu. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Florida State College at Jacksonville, hereby reaffirms the principle of equal opportunity for all persons regardless of race, disability, color, ethnicity, national origin, religion, gender, age, sex, sexual orientation/ expression, marital status, veteran status, pregnancy or genetic information. Equal opportunity principle applies with regard to employment, delivery of educational programs and services, and all other appropriate areas in which the College is involved.

For more information, you may contact: District Board of Trustees Project Coordinator Kimberli Sodek at (904)632-3205 or Kim.Sodek@fscj.edu.

**DEPARTMENT OF REVENUE**

Sales and Use Tax

**RULE NO.: RULE TITLE:**

12A-1.007 Aircraft, Boats, Mobile Homes, and Motor Vehicles

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

**DATE AND TIME:** December 4, 2018, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

**PLACE:** Cabinet Meeting Room, Lower Level - 03, The Capitol, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Final approval of the proposed rule listed below.

The following proposed rule was noticed in the June 20, 2018 (Vol. 44, No. 120, pp.2884-2885), issue of the Florida Administrative Register: Rule 12A-1.007 Aircraft, Boats, Mobile Homes, and Motor Vehicles.

A Notice of Correction to Rule 12A-1.007, F.A.C., was published in the July 11, 2018 (Vol. 44, No. 134, p. 3230), Florida Administrative Register.

A copy of the agenda may be obtained by contacting: Tammy Miller at (850)717-6309 or referring to the Cabinet agenda that will be posted to the Department’s website at <http://floridarevenue.com/rules/> closer to the date of the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tammy Miller at (850)717-6309. 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).

**PUBLIC SERVICE COMMISSION**

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

**DOCKET NO. AND TITLES:**

Docket No. 20180039-EI – In re: Consideration of the Stipulation and Settlement Agreement between Gulf Power Company and the Office of Public Counsel, Florida Industrial Power Users Group, and Southern Alliance for Clean Energy regarding the Tax Cuts and Jobs Act of 2017.

**HEARING DATE AND TIME:** Tuesday, October 30, 2018, immediately following the Commission's Agenda Conference.

**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 consider the Stipulation and Settlement Agreement Regarding Remaining Issues, between Gulf Power Company, Office of Public Counsel, Florida Industrial Power Users Group, Florida Retail Federation, and Southern Alliance for Clean Energy regarding the impacts of the passage of the Tax Cuts and Jobs Act of 2017 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; (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 October 30, 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 twenty days before the final hearing, pursuant to the requirements contained in Rule 28-106.206, Florida Administrative Code (F.A.C.). All witnesses shall be subject to cross-examination at the conclusion of their testimony. The hearing will be governed by the provisions of Chapter 120, Florida Statutes, Section 403.519, Florida Statutes, and Chapters 25-22 and 28-106, 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 or (850)413-6770 (Florida Relay Service, 1(800)955-8770 Voice or 1(800)955-8771 TDD). or (850)413-6770 (Florida Relay Service, 1(800)955-8770 Voice or 1(800)955-8771 TDD). Assistive

Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.

**EMERGENCY CANCELLATION OF HEARING**

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.

**REGIONAL PLANNING COUNCILS****Tampa Bay Regional Planning Council**

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

**DATE AND TIME:** October 8, 2018, 9:00 a.m.

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

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

A copy of the agenda may be obtained by contacting: Wren Krahl, [Wren@tbrpc.org](mailto:Wren@tbrpc.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Wren Krahl, [Wren@tbrpc.org](mailto:Wren@tbrpc.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl, [Wren@tbrpc.org](mailto:Wren@tbrpc.org).

**REGIONAL PLANNING COUNCILS****Tampa Bay Regional Planning Council**

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

**DATE AND TIME:** October 8, 2018, 10:00 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To witness the signing of the Tampa Bay Regional Resiliency Coalition Memorandum of Understanding.

A copy of the agenda may be obtained by contacting: Wren Krahl, [Wren@tbrpc.org](mailto:Wren@tbrpc.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to

participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Wren Krahl, Wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**WATER MANAGEMENT DISTRICTS**

**Suwannee River Water Management District**

The Suwannee River Water Management District announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, October 9, 2018, 9:00 a.m.

**PLACE:** District Headquarters, 9225 CR 49, Live Oak, FL 32060

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Governing Board Meeting, Workshop/Public Hearing and Committee Meetings. Consideration of Suwannee River Water Management District business.

A copy of the agenda may be obtained by contacting: Robin Lamm at (386)362-1001 or 1(800)226-1066 (Florida only) or on the District’s website at www.mysuwanneeriver.com. When published.

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: Robin Lamm at (386)362-1001 or 1(800)226-1066 (Florida only). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**DEPARTMENT OF MANAGEMENT SERVICES**

**State Retirement Commission**

The Department of Management Services announces a hearing to which all persons are invited.

**DATE AND TIME:** October 29, 2018, 8:30 a.m.

**PLACE:** Embassy Suites Ft. Lauderdale, 1100 SE 17th Street, Ft. Lauderdale, Florida 33316

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by contacting: Department of Management Services, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950 or by calling (850)487-2410.

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 15 days before the workshop/meeting by contacting: Department of Management Services, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950 or call (850)487-2410. 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: Department of Management Services, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950 or call (850)487-2410.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Hotels and Restaurants**

**RULE NO.:** **RULE TITLE:**

61C-5.001 Safety Standards

The Department of Business and Professional Regulation announces a public meeting to which all persons are invited.

**DATE AND TIME:** October 16, 2018, 9:00 a.m. – 5:00 p.m.

**PLACE:** Reedy Creek Improvement District Board Room, 1900 Hotel Plaza Blvd., Lake Buena Vista, FL

**Conference Call:** 1(888)670-3525, participant code: 2152927883#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Elevator Safety Technical Advisory Council will meet to discuss issues pertaining to elevator safety within the State of Florida.

A copy of the agenda may be obtained by contacting: latosha.jones@myfloridalicense.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: latosha.jones@myfloridalicense.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: latosha.jones@myfloridalicense.com.



DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

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

DATE AND TIME: October 19, 2018, 8:30 a.m.

PLACE: Omni Orlando Resort at Champion Gate, 1500 Masters Boulevard, Champions Gate, Florida 33896

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business, to include licensure and discipline.

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

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

For more information, you may contact: [Anthony.Spivey@flhealth.gov](mailto:Anthony.Spivey@flhealth.gov).

DEPARTMENT OF HEALTH

Board of Dentistry

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

DATE AND TIME: October 4, 2018, 5:45 p.m., ET

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a board meeting.

A copy of the agenda may be obtained by contacting: [www.floridasdentistry.gov](http://www.floridasdentistry.gov).

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact the Board Office at (850)245-4474.

DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support  
The Bureau of Emergency Medical Oversight, Trauma Section announces a telephone conference call to which all persons are invited.

DATES AND TIMES: Thursday, October 4, 2018, 3:00 p.m., ET; Friday, October 12, 2018, 3:00 p.m., ET; Monday, October 15, 2018, 3:00 p.m., ET; Friday, October 19, 2018, 3:00 p.m.,

ET; Tuesday, October 23, 2018, 3:00 p.m., ET and Wednesday, October 31, 2018

PLACE: Florida Department of Health, 4042 Bald Cypress Way, Tallahassee, FL 32399

Conference Line: 1(888)670-3525, participant code: 3592419889 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Florida Trauma System Advisory Council. The purpose of these meetings is to facilitate informal discussion between council members pursuant to Chapter 286, Florida Statutes, and Article I, Section 24, of the Florida Constitution. The Florida Trauma System Advisory Council will not vote or take any official action during the meetings.

A copy of the agenda may be obtained by contacting: Michael Leffler at (850)558-9535 or [michael.leffler@flhealth.gov](mailto:michael.leffler@flhealth.gov).

For more information, you may contact: Michael Leffler at (850)558-9535 or [michael.leffler@flhealth.gov](mailto:michael.leffler@flhealth.gov).

DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support  
The Bureau of Emergency Medical Oversight, Trauma Section announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 18, 2018, 1:00 p.m., ET.

PLACE: World Golf Village Renaissance St. Augustine Resort, 500 S Legacy Trail, St Augustine, FL 32092

Conference Line: 1(888)670-3525, participant code: 3592419889 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Florida Trauma System Advisory Council (FTSAC) including the continued development of the statutorily required study relating to pediatric trauma care.

A copy of the agenda may be obtained by contacting: Michael Leffler at (850)558-9535 or [michael.leffler@flhealth.gov](mailto:michael.leffler@flhealth.gov).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Michael Leffler at (850)558-9535 or [michael.leffler@flhealth.gov](mailto:michael.leffler@flhealth.gov). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Michael Leffler at (850)558-9535 or [michael.leffler@flhealth.gov](mailto:michael.leffler@flhealth.gov).

DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support  
The Department of Health announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, October 16, 2018, 8:00 a.m. – 6:00 p.m.; Wednesday, October 17, 2018, 8:00 a.m. – 6:00 p.m.; Thursday, October 18, 2018, 9:00 a.m. – 12:00 Noon

PLACE: Renaissance World Golf Village Resort, 500 South Legacy Trail, St. Augustine, FL 32821

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the EMS Advisory Council and constituent groups.

A copy of the agenda may be obtained by contacting: Bonnie Anderson, (850)558-9544, Bonnie.Anderson@flhealth.gov.

For more information, you may contact: Bonnie Anderson, (850)558-9544, Bonnie.Anderson@flhealth.gov.

COUNCIL OF COMMUNITY COLLEGE PRESIDENTS

The Florida College System Council of Presidents announces a public meeting to which all persons are invited.

DATE AND TIME: October 5, 2018, 8:30 a.m.

PLACE: Palm Beach State College, Palm Beach Gardens campus

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues pertaining to the Florida College System.

A copy of the agenda may be obtained by contacting: Sharlee Whiddon, (850)222-3222.

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: Sharlee Whiddon, (850)222-3222. 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: Michael Brawer, (850)222-3222.

HML PUBLIC OUTREACH

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

DATE AND TIME: Wednesday, October 10, 2018, 6:00 p.m. – 8:00 p.m.

PLACE: North Miami Beach City Hall/Marjorie & William McDonald Center, 17051 NE 19 Avenue, North Miami Beach, FL 33162

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a Public Meeting for several roadway projects within the Golden Glades Interchange (GGI) in Miami-Dade County to discuss the project. The project identification numbers for District 6 are: 428358-1-52-01, 428358-4-52-01, 428358-5-52-01 & 428358-8-52-01 and Florida’s Turnpike Project Identification Numbers are: 437053-1-52-01, 437053-2-52-01, 437053-3-52-01, 437053-4-52-01 & 437053-5-52-01.

The public meeting will be held in an open house format with graphic displays and a video presentation at 6:30 p.m. FDOT representatives will be present to answer any questions or concerns that attendees may have.

A copy of the agenda may be obtained by contacting: Community Outreach Specialist, Sandra Bello by telephone at Office: (305)640-7373, Cell: (305)510-0827 or via e-mail at Sandra.Bello@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Hong Benitez, P.E. at (305)470-5219 or in writing to FDOT, 1000 NW 111 Avenue, Miami, FL 33172 or by email at: Hong.Benitez@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Community Outreach Specialist, Sandra Bello by telephone at Office: (305)640-7373, Cell:(305)510-0827 or via e-mail at Sandra.Bello@dot.state.fl.us.

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**

**SOUTH WALTON COUNTY MOSQUITO CONTROL DISTRICT**

South Walton County Mosquito Control District  
REVISION

CONTINUING ARCHITECT AND ENGINEER SERVICES

**SOUTH WALTON COUNTY MOSQUITO CONTROL DISTRICT HEADQUARTERS**

**NOTICE OF REQUEST FOR QUALIFICATIONS**

The South Walton Mosquito Control District (the District) requests Statements of Qualifications (SOQ) from architects and engineers pursuant to Florida Statute 287.055 to provide continuing architectural and engineering design services related to the development of new District Headquarters. SOQs will be received by the District Director at 774 N County Highway 393, Santa Rosa Beach, FL 32459 until 3:00 p.m. on November 15, 2018. Complete RFQ documents are available at <http://swcmcd.org> must be directed in writing to Ben Brewer, District Director, via email @ [administration@swcmcd.org](mailto:administration@swcmcd.org).

**DESCRIPTION OF WORK:** Planning, design and construction administration services for construction of the facility which will constitute the District Headquarters located at 774 N County Highway 393, Santa Rosa Beach, FL 32459. Proposed tasks may include facilitating the implementation, with updates, of the District Headquarters Master Plan and site design; design of a new District Headquarters Administration facility; design of auxiliary building(s) to support the District's operations; and associated permitting.

**MANDATORY** Pre-submittal meeting at 9:00 a.m. on Thursday, October 18, 2018 at District Headquarters at 774 N County Highway 393, Santa Rosa Beach, FL 32459. Point of Contact will be Ben Brewer, District Director, at (850)267-2112. The lead architect in charge of and who will be responsible for design must attend pre-submittal meeting.

All interested firms are invited to respond. The District reserves

the right to accept or reject any and all SOQs in whole or in part. The terms of the Complete RFQ documents control over this ad. The South Walton County Mosquito Control District is an Equal Opportunity Employer.

**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., Wednesday, September 19, 2018 and 3:00 p.m., Tuesday, September 25, 2018.

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
1T-1.042	9/20/2018	10/10/2018
5J-18.0012	9/24/2018	10/14/2018
5J-18.004	9/24/2018	10/14/2018
5J-18.005	9/24/2018	10/14/2018
5J-18.024	9/24/2018	10/14/2018
5N-1.120	9/20/2018	10/10/2018
5N-1.142	9/20/2018	10/10/2018
33-208.101	9/19/2018	10/9/2018
33-602.101	9/19/2018	10/9/2018
42MMM-1.002	9/19/2018	10/9/2018
61G7-10.002	9/25/2018	10/15/2018
61K1-3.008	9/24/2018	10/14/2018
64B16-28.750	9/20/2018	10/10/2018
68D-17.001	9/21/2018	10/11/2018

**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	**/**/****

## DEPARTMENT OF REVENUE

Notice of Publication of 2018-2019 Regulatory Plan

NOTICE IS HEREBY GIVEN that on September 25, 2018, the Department of Revenue published its 2018-2019 Regulatory Plan in accordance with Section 120.74, F.S. The Regulatory Plan is available on the Department's website at [http://floridarevenue.com/Pages/regulatory\\_plans.aspx](http://floridarevenue.com/Pages/regulatory_plans.aspx).

## DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Jaguar Power Sports, LLC d/b/a Jaguar Power Sports. Jacksonville, 4680 Blanding Boulevard for establishment of YNGF motorcycles

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Pasando Resources, Inc., intends to allow the establishment of Jaguar Power Sports, LLC d/b/a Jaguar Power Sports, as a dealership for the sale of motorcycles manufactured by Sanmen County Yongfu Machine Co. Ltd. (line-make YNGF) at 4680 Blanding Boulevard, Jacksonville, (Duval County), Florida 32210, on or after October 26, 2018.

The name and address of the dealer operator(s) and principal investor(s) of Jaguar Power Sports, LLC d/b/a Jaguar Power Sports are dealer operator(s): Shaun Jackrel, 4680 Blanding Boulevard, Jacksonville, Florida 32210; principal investor(s): Shaun Jackrel, 4680 Blanding Boulevard, Jacksonville, Florida 32210.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Firas Abunabah, Pasando Resources, Inc., 9300 Harwin Drive, suite C, Houston, Texas 77036.

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

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

## DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Jaguar Power Sports, LLC d/b/a Jaguar Power Sports. Atlantic Beach, 1221 Mayport Road for establishment of YNGF motorcycles.

Notice of Publication for a New Point

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The name and address of the dealer operator(s) and principal investor(s) of Jaguar Power Sports, LLC d/b/a Jaguar Power Sports are dealer operator(s): Shaun Jackrel, 1221 Mayport Road, Atlantic Beach, Florida 32233; principal investor(s): Shaun Jackrel, 1221 Mayport Road, Atlantic Beach, Florida 32233.

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

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## SPACE FLORIDA

## Space Florida Regulatory Plan Notice

The 2018-2019 Space Florida Regulatory Plan has been posted effective September 12, 2018 at the following link: <http://spaceflorida.gov/about/regulatory-plan>.

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## DEPARTMENT OF HEALTH

## Board of Nursing

## Notice of Emergency Action

On September 25, 2018, State Surgeon General issued an Order Lifting Emergency Suspension of License with regard to the license of Rachel Aristizabal, R.N., License No.: RN 9289712. Department orders that the Emergency Suspension of License be lifted.

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## DEPARTMENT OF HEALTH

## Board of Nursing

## Notice of Emergency Action

On September 25, 2018, State Surgeon General issued an Order Lifting Emergency Suspension of License with regard to the license of Mari Palmieri Sandler, L.P.N., License No.: PN 5155043. Department orders that the Emergency Suspension of License be lifted.

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## DEPARTMENT OF HEALTH

## Board of Nursing

## Notice of Emergency Action

On September 25, 2018, the State Surgeon General issued an Order of Emergency Suspension with regard to the license of John Wayne Hampton, R.N., License # RN 9168116. 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 (2018). 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.

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## DEPARTMENT OF HEALTH

## Board of Nursing

## Notice of Emergency Action

On September 25, 2018, the State Surgeon General issued an Order of Emergency Suspension with regard to the license of Dina Bennett, R.N., License # RN 9289063. 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 (2018). 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.

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## DEPARTMENT OF HEALTH

## Board of Nursing

## Notice of Emergency Action

On September 25, 2018, the State Surgeon General issued an Order of Emergency Suspension with regard to the certificate of Chantel Sade Ferguson, C.N.A., Certificate # CNA 346782. 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 (2018). 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.

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## DEPARTMENT OF HEALTH

## Board of Pharmacy

## Notice of Emergency Action

On September 25, 2018, the State Surgeon General issued an Order of Emergency Suspension with regard to the license of Starcia Lucretia Moore, R.P.T., License No. # RPT 60466. 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 (2018). 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.

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## DEPARTMENT OF HEALTH

## Board of Pharmacy

## Notice of Emergency Action

On September 25, 2018, the State Surgeon General issued an Order of Emergency Suspension with regard to the license of Stephen Michael Chalker, R.Ph., License No. # PS49409. 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 (2018). 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.

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## DEPARTMENT OF HEALTH

## Board of Speech-Language Pathology and Audiology

## Notice of Emergency Action

On September 25, 2018, the State Surgeon General issued an Order of Emergency Suspension with regard to the license of Michelle N. Klindtworth, S.L.P., License # SA 10324. 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 (2018). 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.

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**Section XIII**  
**Index to Rules Filed During Preceding**  
**Week**

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

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