

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

**PUBLIC SERVICE COMMISSION**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
25-30.350	Underbillings and Overbillings for Water and Wastewater Service
25-30.360	Refunds

**PURPOSE AND EFFECT:** To clarify the procedure for customer refunds due to overbillings by water and wastewater companies.  
Undocketed

**SUBJECT AREA TO BE ADDRESSED:** Customer refunds for overbillings by water and wastewater companies.  
**RULEMAKING AUTHORITY:** 350.127(2), 367.121, FS.  
**LAW IMPLEMENTED:** 367.081, 367.0814, 367.082(2), 367.091, 367.121, FS.

**A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**  
**DATE AND TIME:** Monday, July 15, 2019, 1:00 p.m.  
**PLACE:** Room 105, Gerald L. Gunter Building, 2540 Shumard Oak Blvd., Tallahassee, FL 32399.

One or more Commissioners may be in attendance and participate in the workshop. In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this workshop should contact the Office of Commission Clerk no later than five days prior to the workshop 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). Assisted Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.  
**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Adria E. Harper, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, aharper@psc.state.fl.us. The agenda for the workshop and a copy of the preliminary draft of the proposed rule amendment will be available on the Commission’s website, www.floridapsc.com, under the Rule Development tab on July 2, 2019.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
61D-6.011	Drug Classification System and Penalty Schedule for Horse Trainers and Owners

**PURPOSE AND EFFECT:** The purpose and effect of this rule development is to further clarify and describe the rules governing the drug classification system and penalty schedule for horse trainers and owners, including penalties for Non-Steroidal Anti-Inflammatory Drug (NSAID) violations.  
**SUBJECT AREA TO BE ADDRESSED:** Drug Classification System and Penalty Schedule for Horse Trainers and Owners  
**RULEMAKING AUTHORITY:** 550.0251(3); 550.2415(7), (12), FS.

**LAW IMPLEMENTED:** 550.0251; 550.2415, 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:** Bryan Barber, Division of Pari-Mutuel Wagering, bryan.barber@myfloridalicense.com, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1761.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Landscape Architecture**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
61G10-12.001	Application and Examination Fees
61G10-12.002	Fees

**PURPOSE AND EFFECT:** The Board proposes the development of a rule amendment to update and clarify language regarding fees.  
**SUBJECT AREA TO BE ADDRESSED:** Rule text.  
**RULEMAKING AUTHORITY:** 455.219(6), 455.271, 481.306, 481.307 FS.  
**LAW IMPLEMENTED:** 455.217(7), 455.219(6), 455.271, 481.307 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ruthanne Christie, Executive Director, Board of Landscape Architecture, 2601 Blair Stone Road, Tallahassee, Florida 32399-0783.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Landscape Architecture**

RULE NO.: RULE TITLE:  
61G10-18.005 Duration of Provider Status  
PURPOSE AND EFFECT: The Board proposes the rule development to update the language regarding the renewal time period for continuing education providers.  
SUBJECT AREA TO BE ADDRESSED: Rule Text.  
RULEMAKING AUTHORITY: 481.306, 481.313 FS.  
LAW IMPLEMENTED: 481.313 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ruthanne Christie, Executive Director, Board of Landscape Architecture, 2601 Blair Stone Road, Tallahassee, Florida 32399-0783.

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

**DEPARTMENT OF HEALTH**

**Prescription Drug Monitoring Program**

RULE NO.: RULE TITLE:  
64K-1.001 Patient Advisory Alerts and Reports  
64K-1.003 Accessing Database  
64K-1.004 Management and Operation of Database  
64K-1.005 Privacy of Controlled Substance Prescription Dispensing Information  
64K-1.007 Indicators of Controlled Substance Abuse  
64K-1.008 Electronic Health Recordkeeping System Integration

PURPOSE AND EFFECT: For rule 64K-1.001, F.A.C., to repeal references to obsolete alerts and reports; for Rule 64K-1.003, F.A.C., to update the user agreement language and clarify when an agency administrator can remove certification

requirements; for Rule 64K-1.004, F.A.C., to update the required reporting time period as required by recently enacted legislation and update the dispenser guide and clarify obligations of registered dispensing practitioners; for Rule 64K-1.005, F.A.C., to remove quarterly report requirement; for Rule 64K-1.007, F.A.C., to update the schedule of controlled substances required to be reported pursuant to recently enacted legislation; and for Rule 64K-1.008, F.A.C., to provide the process for approved entities to connect electronic health recordkeeping systems to the Prescription Drug Monitoring Program system as required by recently enacted legislation.

SUBJECT AREA TO BE ADDRESSED: Prescription drug monitoring program operations and requirements.

RULEMAKING AUTHORITY: 893.055 F.S.

LAW IMPLEMENTED: 893.055 F.S.

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: Rebecca Poston, Program Manager, Prescription Drug Monitoring program, 4052 Bald Cypress Way, Bin #C-16, Tallahassee, Florida 32399 or Rebecca.Poston@FIHealth.gov.

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Securities**

RULE NO.: RULE TITLE:  
69W-200.002 General Industry Standards Incorporated by Reference

PURPOSE AND EFFECT: The purpose and effect is to amend the existing rule to incorporate by reference the current versions of general industry standards and to incorporate one new material by reference, Regulation S-P § 248.30 (17 C.F.R. §248.30) (4-1-18 edition). Brokers, dealers, and federally covered advisers are already required to comply with Regulation S-P §248.30 which requires the adoption of written policies and procedures that address administrative, technical, and physical safeguards for the protection of customer records and information. Additionally, the proposed amendment reorders the rule and deletes duplicative provisions to improve organization.

SUBJECT AREA TO BE ADDRESSED: Securities Regulation  
RULEMAKING AUTHORITY: 517.03(1), 517.1215(2), 517.1217 FS.

LAW IMPLEMENTED: 517.081, 517.12(4), 517.1215, 517.1217, 517.161(1) 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: Ryann White, Division of Securities, (850)410-9803, Ryann.White@flofr.com.

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Securities**

RULE NO.: 69W-301.002 RULE TITLE: Processing of Applications and Notice-Filings

PURPOSE AND EFFECT: The purpose and effect is to repeal this rule to improve organization. Provisions and forms incorporated by reference in this rule have been moved to the rule(s) in which they apply.

SUBJECT AREA TO BE ADDRESSED: Securities Regulation.

RULEMAKING AUTHORITY: 517.03(1), 517.12, 517.1201, 517.081(2), 517.082(4) FS.

LAW IMPLEMENTED: 120.60(1), 517.051, 517.075, 517.081, 517.082, 517.12, 517.1202, 517.161(5) 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: Ryann White, Division of Securities, (850)410-9803, Ryann.White@flofr.com.

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Securities**

RULE NO.:	RULE TITLE:
69W-600.001	Application for Registration as a Dealer (FINRA)
69W-600.0011	Effect of Law Enforcement Records on Applications for Registration as Dealer, Issuer/Dealer, or Investment Adviser
69W-600.0012	Application for Registration as a Dealer (Non-FINRA)
69W-600.0013	Application for Registration as an Issuer/Dealer
69W-600.0016	Application for Registration as an Investment Adviser (State Registered)
69W-600.0017	Notice-Filing for Federal Covered Advisers
69W-600.002	Application for Registration as Associated Person (FINRA Dealer)
69W-600.0021	Effect of Law Enforcement Records on Applications for Registration as Associated Persons
69W-600.0022	Application for Registration as an Associated Person (Non-FINRA Dealer)
69W-600.0023	Application for Registration as an Associated Person (Issuer/Dealer)
69W-600.0024	Application for Registration as an Associated Person (Investment Adviser and Federal Covered Advisor)
69W-600.0031	Notice-Filing of Branch Office (FINRA Dealer)
69W-600.0032	Notice-Filing of Branch Office (Non-FINRA Dealer)
69W-600.0033	Notice Filing of Branch Office (Issuer/Dealer)
69W-600.013	Prohibited Business Practices for Dealers and Their Associated Persons
69W-600.0131	Prohibited Business Practices for Investment Advisers and Their Associated Persons
69W-600.0132	Custody Requirements for Investment Advisers
69W-600.014	Books and Records Requirements
69W-600.0151	Net Capital and Financial Reporting Requirements for Dealers and Issuer/Dealers
69W-600.017	Customer Protection Rule - Reserve Requirements and Custody of Customer Funds and Securities
69W-600.020	Continuing Education Requirements
PURPOSE AND EFFECT: The purpose and effect is to amend the existing rules to incorporate by reference the current versions of forms and other materials incorporated by reference, to incorporate, in relevant part, the contents of and remove cross-reference to Rule 69W-301.002, Florida Administrative Code (F.A.C.), to include the Securities Industry Essentials (SIE) exam (a new exam required for registration with the Financial Industry Regulatory Authority (FINRA))where applicable, to incorporate section 248.30 of Regulation S-P (17	

C.F.R. §248.30) into the book and record requirements for dealers, as well as, to make the violation of the same a prohibited business practice, to repeal Rule 69W-600.020, F.A.C., to update cross-references, and to enhance clarity throughout the chapter.

SUBJECT AREA TO BE ADDRESSED: Securities Regulation  
 RULEMAKING AUTHORITY: 517.03(1), 517.12, 517.1201, 517.1202, 517.121, 517.1215, 517.1217, 517.1611(2), FS.

LAW IMPLEMENTED: 517.081, 517.12, 517.1201, 517.1202, 517.121, 517.1215, 517.1217, 517.161, 517.201 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: Ryann White, Division of Securities, (850)410-9803, Ryann.White@flofr.com.

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Securities**

RULE NO.:       RULE TITLE:  
 69W-700.001    Registration of Securities  
 69W-700.002    Filing of Prospectus

PURPOSE AND EFFECT: The purpose and effect is to amend the existing rules to incorporate by reference the current versions of forms, to make the same available for public access through electronic hyperlinks, to delete references to obsolete forms and web addresses, and to incorporate, in relevant part, the contents of and remove cross-reference to Rule 69W-301.002, Florida Administrative Code.

SUBJECT AREA TO BE ADDRESSED: Securities Regulation  
 RULEMAKING AUTHORITY: 517.03 FS.

LAW IMPLEMENTED: 517.07, 517.081, 517.101 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: Ryann White, Division of Securities, (850)410-9803, Ryann.White@flofr.com.

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Securities**

RULE NO.:       RULE TITLE:  
 69W-800.001    Filing - Notification Registration Including Shelf Filings

69W-800.003    Effective Registration

69W-800.004    Circulation of Preliminary Prospectus

PURPOSE AND EFFECT: The purpose and effect is to amend Rules 69W-800.001 and 69W-800.004, F.A.C., to incorporate by reference the current versions of forms and to make the same available for public access through electronic hyperlink. Rule 69W-800.001 is further amended to incorporate relevant provisions of Rules 69W-800.003, and 69W-301.002, F.A.C. Rule 69W-800.003, F.A.C., is repealed. Additionally, the proposed amended rules delete references to obsolete forms.

SUBJECT AREA TO BE ADDRESSED: Securities Regulation.

RULEMAKING AUTHORITY: 517.03(1) FS.

LAW IMPLEMENTED: 517.082 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: Ryann White, Division of Securities, (850)410-9803, Ryann.White@flofr.com.

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Securities**

RULE NO.:       RULE TITLE:  
 69W-900.001    Disclosure of Business Activities in Cuba

PURPOSE AND EFFECT: The purpose and effect is to amend the existing rule to incorporate by reference CUBA FORM, Disclosure of Business Activities in Cuba Form, Effective 11/22/10.

SUBJECT AREA TO BE ADDRESSED: Securities Regulation  
RULEMAKING AUTHORITY: 517.075 FS.

LAW IMPLEMENTED: 517.075 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: Ryann White, Division of Securities, (850)410-9803, Ryann.White@flofr.com.

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Securities**

RULE NO.: RULE TITLE:

69W-1000.001 Disciplinary Guidelines

PURPOSE AND EFFECT: The purpose and effect is to amend the Disciplinary Guidelines for Chapter 517, Florida Statutes, and Division 69W, Florida Administrative Code incorporated by reference in Rule 69W-1000.001, F.A.C., in order to reflect current versions of FINRA rules and other materials incorporated by reference, remove guidelines for repealed rules, revise the guidelines to reflect appropriate sanctions, reorder the guidelines to improve organization, and remove redundancies.

SUBJECT AREA TO BE ADDRESSED: Securities Regulation  
RULEMAKING AUTHORITY: 517.1611(1) FS.

LAW IMPLEMENTED: 517.11, 517.121, 517.161, 517.1202, 517.1611(1), 517.191(4), 517.221(3), 517.221(4) 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: Ryann White, Division of Securities, (850)410-9803, Ryann.White@flofr.com.

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

**Section II  
Proposed Rules**

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: RULE TITLE:

6A-1.094121 Mental and Emotional Health Education

PURPOSE AND EFFECT: This new rule establishes minimum hours of required instruction related to mental and emotional health education for grades 6-12 students and establishes procedures for school districts to document the instruction.

SUMMARY: To reinforce the current mental and emotional health education requirement, school districts must annually provide a minimum of five hours of instruction to students in grades 6-12 related to youth mental health awareness and assistance.

**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 proposed rule is not expected to have any adverse impact on economic growth, business competitiveness or any other factors listed in s. 120.541(2)(a), F.S., and is not expected to require legislative ratification, as the instruction in mental and emotional health is already required by statute. The required topics included in the rule align with the health education standards already in place. It is anticipated that this required instruction will be part of existing courses. The state is developing an online professional development module that will be offered to school districts at no charge.

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(2)(n), 1003.42(2), F.S.

LAW IMPLEMENTED: 1003.42, F.S.

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

DATE AND TIME: July 17, 2019, start time TBD and posted at <http://www.fldoe.org/policy/state-board-of-edu/meetings/> by July 3, 2019.

PLACE: Polk State College, Lakeland Campus, Technology Building, 3425 Winter Lake Road, Lakeland, Florida 33803.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Penny Taylor, Director, Healthy Schools, Bureau of Standards and Instructional Support, Penny.Taylor@fldoe.org or (850)245-9522.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.094121 Mental and Emotional Health Education

(1) School districts must annually provide a minimum of five (5) hours of instruction to students in grades 6-12 related to youth mental health awareness and assistance, including suicide prevention and the impacts of substance abuse.

(2) Using the health education standards adopted in Rule 6A-1.09401, F.A.C., Student Performance Standards, the instruction for youth mental and emotional health will advance each year through developmentally appropriate instruction and skill building and must address, at a minimum, the following topics:

(a) Recognition of signs and symptoms of mental health disorders;

(b) Prevention of mental health disorders;

(c) Mental health awareness and assistance;

(d) How to reduce the stigma around mental health disorders;

(e) Awareness of resources, including local school and community resources;

(f) The process for accessing treatment;

(g) Strategies to develop healthy coping techniques;

(h) Strategies to support a peer, friend, or family member with a mental health disorder;

(i) Prevention of suicide; and

(j) Prevention of the abuse of and addiction to alcohol, nicotine, and drugs.

(3) By December 1 of each year, each school district must submit an implementation plan to the commissioner at MentalHealthEducation@fldoe.org and post the plan on the school district website. The implementation plan must include:

(a) The specific courses in which instruction will be delivered for each grade level;

(b) The professional qualifications of the person delivering instruction; and

(c) A description of the materials and resources utilized to deliver instruction.

(4) By July 1 of each year, each school district must submit an annual report to the commissioner at MentalHealthEducation@fldoe.org. The report must verify completion of the instruction and include:

(a) The specific courses in which instruction will be delivered for each grade level;

(b) The professional qualifications of the person delivering instruction; and

(c) A description of the materials and resources utilized to deliver instruction.

(5) Failure to comply with the requirements of this rule may result in the imposition of sanctions described in Section 1008.32, F.S.

Rulemaking Authority 1001.02(2)(n), 1003.42, F.S. Law Implemented 1003.42 FS. History-New

NAME OF PERSON ORIGINATING PROPOSED RULE:

Jacob Oliva, Chancellor, Division of Public Schools

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Richard Corcoran, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 18, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 3, 2019

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: RULE TITLE:

6A-3.0121 Responsibility of School District and Parents or Guardians for Students Who Are Transported at Public Expense

PURPOSE AND EFFECT: To require certified cardiopulmonary resuscitation (CPR) and first aid training for school bus operators and attendants. The effect would be increased readiness for life-threatening events that require immediate response.

SUMMARY: This amendment will require certified CPR and first aid training for school bus operators and attendants.

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.

School districts currently provide 40 hours of required preservice and eight hours of required annual in-service training to school bus operators. CPR and first aid training may be incorporated in the training hours already required and many

school districts currently provide CPR and first aid training. Therefore, there will be minimal additional expenses and 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: 1001.02(1), 1006.22(13), F.S. LAW IMPLEMENTED: 1001.42(10), 1003.31(1)(d), 1006.10, 1006.22, F.S.

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

DATE AND TIME: July 17, 2019, start time TBD and posted at <http://www.fl DOE.org/policy/state-board-of-edu/meetings/> by July 3, 2019.

PLACE: Polk State College, Lakeland Campus, Technology Building, 3425 Winter Lake Road, Lakeland, Florida 33803.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Eggers, Assistant Deputy Commissioner, Finance and Operations, 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-3.0121 Responsibility of School District and Parents or Guardians for Students Who Are Transported at Public Expense.

(1) The school district shall determine safety measures to be used in the transportation of students, such as the designation of routes, bus turning areas, student stop locations, and the method of securement or positioning of students with special needs.

(2) The school district shall exercise additional specific powers and responsibilities as follows:

(a) The district shall provide bus operators and attendants instructions, in writing, as to any special conditions or non-medical care which a student may need while on the bus.

(b) The district shall instruct bus operators, and attendants if used, in their responsibilities for students who are transported at public expense as follows:

1. The operator or attendant of a bus transporting students shall remain with the bus so that students aboard will be under supervision at all times, except to call for assistance in case of an emergency or accident involving the students or bus.

2. In cases where a student with physical disabilities is unable to leave the area of a student stop without assistance, the school bus operator shall not assume responsibility for such assistance except in an emergency which threatens the safety of such student or students.

3. The operator and attendant shall be provided certified cardiopulmonary resuscitation (CPR) and first aid training along with other required pre-service training related to students prior to transporting students, and shall receive CPR and first aid refresher in-service training at least biennially; however, the operator and attendant shall not give medicine and shall limit his or her assistance to that which may normally be expected of a reasonable, prudent person or as specified in the student’s Individual Educational Plan. All operators and attendants who that are employed and transporting students on or before the effective date of this rule must be provided certified CPR and first aid training by November 1, 2020.

(c) No change.

(1) through (3) No change.

Rulemaking Authority 1001.02(1), 1006.22(13) FS. Law Implemented 1001.42(10), 1003.31(1)(d), 1006.10, 1006.22 FS. History—New 3-26-66, Amended 9-17-72, Repromulgated 12-5-74, Formerly 6A-3.121, Amended 11-15-94, 11-26-06, 4-25-17,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Eggers, Assistant Deputy Commissioner, Finance and Operations.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Richard Corcoran, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 17, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 10, 2019

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: RULE TITLE:

6A-3.0141 Employment of School Bus Operators

PURPOSE AND EFFECT: To add certified cardiopulmonary resuscitation (CPR) training and first aid training to preservice training requirements for school bus operators; allow CPR and first aid training hours to count towards the required eight hours of annual in-service training; removes the language that prohibits a certified medical examiner from specifying a waiver or exemption from the physical qualification standards in 49 CFR 391.41; and changes the name of the Automated School Bus Driver’s License Record Check System to Motor Vehicle Operator Tracking and Reporting System (MOTRS).

SUMMARY: This amendment requires certified CPR and first aid training for school bus operators as a portion of the required 40 hours preservice training and will allow CPR and first aid training hours to count towards the required annual eight hours of in-service training; allow a certified medical examiner to specify a waiver for an insulin-dependent school bus operator;

and change the name of the driver history records access system.

**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.

School districts currently provide 40 hours of required preservice and eight hours of required annual in-service training to school bus operators. CPR and first aid training may be incorporated in the training hours already required, and many school districts already provide CPR and first aid training. Therefore, there will be minimal additional expenses and 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:** 316.615(3), 1001.02(1), 1006.22, 1012.45, FS.

**LAW IMPLEMENTED:** 316.615, 1006.22, 1012.32(2)(a), 1012.45, FS.

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

**DATE AND TIME:** July 17, 2019, start time TBD and posted at <http://www.fldoe.org/policy/state-board-of-edu/meetings/> by July 3, 2019.

**PLACE:** Polk State College, Lakeland Campus, Technology Building, 3425 Winter Lake Road, Lakeland, Florida 33803.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Mark Eggers, Assistant Deputy Commissioner, Finance and Operations, Department of Education, (850)245-9105 or [Mark.Eggers@fldoe.org](mailto:Mark.Eggers@fldoe.org).

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

6A-3.0141 Employment of School Bus Operators.

(1) School bus operators are defined as any persons employed or contracted to the school district to transport prekindergarten through grade 12 students in school buses as defined in section 1006.25, F.S.

(2) No change.

(3) Prior to transporting students on a school bus each operator shall meet the following requirements:

(a) Hold a valid commercial driver license with a passenger endorsement and a school bus endorsement.

(b) Successfully complete forty (40) hours of preservice training, which must include certified cardiopulmonary resuscitation (CPR) and first aid training, and must consist

consisting of at least twenty (20) hours of classroom instruction and eight (8) hours of behind-the-wheel training. The classroom instruction and behind-the-wheel training shall be based upon the Department's Basic School Bus Operator Curriculum, Revised 2006, which is hereby incorporated by reference and made a part of this rule. This document may be obtained from the School Transportation Management Section, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399, at a cost not to exceed actual production and distribution costs.

(c) Demonstrate the ability to prepare required written reports.

(d) Be physically capable of operating the vehicle as determined by physical examination, in accordance with 49 CFR 391.41 ~~49 C.F.R. s. 391.41(b)~~, as evidenced by the Medical Examiner's Certificate (Form MCSA-5876) and given by a certified medical examiner, registered with the National Registry of Certified Medical Examiners, pursuant to 49 CFR 391.43 ~~49 C.F.R. s. 391.43~~ and as determined by a dexterity test administered by the school district. Form MCSA-5876 (effective March 2016) is incorporated by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-06476>) and may be obtained from the School Transportation Management Section, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399. The school district shall report dexterity results on Form ESE 480, Dexterity Test for School Bus Driver (<http://www.flrules.org/Gateway/reference.asp?No=Ref-06477>) (effective March 2016), which is incorporated in this rule by reference. ~~The medical examiner may not specify any waiver or exemption from the medical examination requirements; however, a person with a medical variance, exemption, or waiver from the physical qualification standards in 49 C.F.R. s. 391.41(b), issued by the Federal Motor Carrier Safety Administration who has complied with the medical examination requirements pursuant to 49 C.F.R. s. 391.41 and the dexterity requirements pursuant to Form ESE 480, Dexterity Test for School Bus Driver, is recognized as physically capable of operating the vehicle.~~ Compliance with 49 CFR C.F.R. Part 391 is required under section 1012.45, F.S. Form ESE 480 may be obtained from the School Transportation Management Section, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

(e) Demonstrate physical and mental capabilities required to carry out all assigned responsibilities as a school bus operator.

(4) No change.

(5) Driver history records shall be requested in a manner prescribed by the Department of Highway Safety and Motor Vehicles using the agency's Motor Vehicle Operator Tracking and Reporting System (MOTRS) Automated School Bus Driver's License Record Check System through the



~~Department's database.~~ All school districts shall obtain and review records for school bus operators using MOTRS ~~the automated database system.~~ For any operator licensed in another state, the district shall obtain and review the driver's history record from the appropriate state.

(6) No change.

(7) At least annually, the school district shall assure that the operator of a school bus meets the following requirements:

(a) The requirements of paragraph (3)(a) of this rule.

(b) Successfully complete a minimum of eight (8) hours of inservice training related to the operator's responsibilities for transporting students, which may include training hours from the required certified CPR and first aid training, pursuant to rule 6A-3.0121(2)(b)3., F.A.C.

(c) Successfully pass a dexterity test administered by the school district and maintain a valid Medical Examiners Certificate.

(8) through (10) No change.

Rulemaking Authority 316.615(3), 1001.02(1), 1006.22, 1012.45 FS. Law Implemented 316.615, 1006.22, 1012.32(2)(a), 1012.45 FS. History--New 8-1-86, Amended 7-5-89, 11-15-94, 4-18-96, 6-24-03, 11-26-06, 4-25-07, 3-23-16, 11-29-16,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Eggers, Assistant Deputy Commissioner, Finance and Operations.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Richard Corcoran, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 17, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 10, 2019

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: RULE TITLE:

6A-25.008 Authorization for Services

6A-25.014 Vocational and Other Training Services

6A-25.019 Forms and Documents

PURPOSE AND EFFECT: To implement changes to Division policy and procedure in the relevant Division rules and ensure that the current Division forms are incorporated into the rules.

SUMMARY: The financial participation procedures are being updated in Rule 6A-25.008, F.A.C. and new financial participation forms, referral forms and subrogation form are incorporated in Rule 6A-25.019, F.A.C. The new procedure for coordinating the provision of training services to residents of other states with the home-state vocational rehabilitation program is set forth in rule 6A-25.014, F.A.C.

**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 the nature of the proposed rules and review by the Division of Vocational Rehabilitation, the impact of the proposed rules will not exceed any of the factors in section 120.541(2)(a), Florida Statutes. Pursuant to section 120.541(3), Florida Statutes, a proposed rule only needs to be ratified by the legislature when the impact is expected to exceed the factors in section 120.541(2)(a), Florida Statutes. Therefore, the current proposed rulemaking does 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: 413.22, FS.

LAW IMPLEMENTED: 413.24, 413.28, 413.30, 413.32, FS.

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

DATE AND TIME: July 17, 2019, start time TBD and posted at <http://www.fldoe.org/policy/state-board-of-edu/meetings/> by July 3, 2019.

PLACE: Polk State College, Lakeland Campus, Technology Building, 3425 Winter Lake Road, Lakeland, Florida 33803.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Taylor Wolff, Assistant General Counsel, 325 West Gaines Street, Suite 1544, Tallahassee, FL 32399-0400, phone: (850)245-0442.

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

6A-25.008 Authorization for Services.

(1) through (2) No change.

(3) The division's highest allowable fee for health care services is the amount payable for such services in Florida under the Medicare Part B system or, for hospital per diem payments, the amount payable under the Medicaid system. In setting its highest allowable fee for all other services, the division shall ensure such fee is not set so low as to deny individuals the right to make informed choices among service

providers. The providers of choice shall agree to accept as payment for the service rendered no more than the division's highest allowable fee. If an individual chooses a service provider that charges in excess of the division's highest permitted fee, the individual shall be solely responsible to fully pay such excess, and a signed statement to that effect shall be placed in the case record.

(4) Financial Participation.

(a) The division considers the financial resources of individuals to determine the extent of their participation in the costs of vocational rehabilitation services. All vocational rehabilitation services permissible under 29 U.S.C. § 723 and 34 C.F.R. § 361.48 are subject to the financial participation requirements except for those services specifically exempted by paragraph (b) below.

(b) The following services are exempt from the financial participation requirements of this rule:

1. Assessment for determining eligibility and vocational rehabilitation needs;
2. Vocational rehabilitation counseling and guidance;
3. Referral and other services to assist individuals in securing services from other agencies;
4. Job-related services including job search and placement assistance;
5. Personal assistance services;
6. Any auxiliary aid (e.g., communication boards, speech synthesizers, telephone handset amplifiers, TDDs) or service (e.g., interpreter services for individuals who are deaf or hard-of-hearing, reader services, communication assistance in the individual's native language);
7. Supported employment services;
8. Trial work services;
9. On-the-job training;
10. Pre-employment transition services; and
11. Vehicle modifications.

(c) The following individuals are exempt from the financial participation requirements of this rule:

1. Individuals who have been determined eligible for Social Security benefits under titles II or XVI of the Social Security Act;
2. Any individual who has available resources, as described in paragraph (d) and (e), less than 285% of the U.S. Federal Poverty Guidelines Used to Determine Financial Eligibility for Certain Federal Programs as set forth in the Financial Participation Assessment Form (Form DOE/DVR VCMT094); or
3. Individuals who were not legally required to file a U.S. tax return in the year prior to application, who are not married, and were not claimed as a dependent on another person's U.S. tax return.

(d) Each non-exempt individual shall be placed in one of the following categories:

1. Independent (the individual is not married and was not claimed as a dependent on any other person's U.S. tax return for the prior year or has been granted a "Dependency Override" by a financial aid administrator under 20 U.S.C. § 1087vv);

2. Dependent (the individual is not married and was claimed as a dependent on another person's U.S. tax return for the prior year); or

3. Married (the individual is married).

(e) For each category outlined in paragraph (d) above, the income, as reflected on the prior year's U.S. tax return, of the following people will be considered as an available resource for the individual, respectively:

1. The income of the individual;
2. The income of the individual and the income of the person(s) who claimed the individual as a dependent; and
3. The income of the individual and their spouse.

(f) Should the individual, their spouse, or any person claiming the individual as a dependent have not filed a U.S. tax return the prior year or should their income have changed since their last tax filing, the division will consider their current income as reflected in employer-generated pay stubs, retirement program documents, or documentation from public or private economic support groups. Should no such documentation be available, the division will use the prior year's U.S. tax return, if available. This documentation will be used to complete a new Financial Participation Assessment Form (Form DOE/DVR VCMT094) for the individual.

(g) The amount of an individual's financial participation must be established by the completion of a Financial Participation Assessment Form (Form DOE/DVR VCMT094) as incorporated by reference in Rule 6A-25.019, F.A.C.

1. The division must complete the Financial Participation Assessment Form (Form DOE/DVR VCMT094) for every individual at the creation of, and each amendment to, an IPE.

2. The completed Financial Participation Assessment Form (Form DOE/DVR VCMT094) must be included as an attachment to the individual's IPE or IPE amendment.

3. The division will use the most recently completed Financial Participation Assessment Form (Form DOE/DVR VCMT094) to determine the financial participation of the individual.

4. If an individual, or their family member, refuses to provide the information necessary to determine their financial participation, or if the individual, or their family member, refuses to accept responsibility for their expected contribution, the division shall not authorize services subject to financial participation.

(h) Computation of an Individual's Financial Participation

1. The individual's percentage of participation is established in the Financial Participation Assessment Form (Form DOE/DVR VCMT094).

2. For each non-exempt service provided to the individual, the individual will be required to pay the percentage of the cost of the service based on their percentage of participation. Such payment is to be made directly to the vendor of the service.

3. Over the course of the individual's case, the maximum the individual can be required to pay in financial participation is the required participation from the Financial Participation Assessment Form (Form DOE/DVR VCMT094).

4. Once the individual has contributed the required participation toward non-exempt services, the individual will not be required to contribute to future non-exempt services.

5. Financial Participation Assessment Form (Form DOE/DVR VCMT094) must still be completed and incorporated in the individual's IPEs and IPE amendment as a change in circumstances for the individual could increase the amount of required participation.

(i) Exception to Financial Participation.

1. In exceptional cases, circumstances may occur where rigid adherence to the financial participation rule could seriously jeopardize the individual's opportunity to achieve rehabilitation objectives and an employment outcome. In such cases, the counselor may elect to seek an exception to the financial participation requirements of this rule by submitting a written request to the division and providing the following information:

- a. A description of the service for which the exception is sought;
- b. The cost of the service for which the exception is sought;
- c. A copy of the current Financial Participation Assessment Form (Form DOE/DVR VCMT094); and
- d. A copy of any documentation provided by the individual in support of their request for an exception.

2. An exception to these requirements can only be granted based on one or more of the following reasons:

- a. substantial change in financial circumstances (based on employer-generated pay stubs, retirement program documents, or documentation from public or private economic support groups);
- b. need for immediate medical intervention (based on medical recommendations included in the case file); or
- c. the required financial participation, based on the percentage of participation, exceeds the individual's applicable income as calculated in the Financial Participation Assessment Form (Form DOE/DVR VCMT094).

3. When an exception to the financial participation requirements of this rule is granted by the division, the individual will not be required to provide funds toward the provision of the service for which the exception is granted. This

exception does not exempt the individual from the required financial participation for any other service.

Rulemaking Authority 413.22, 1001.02 FS. Law Implemented 413.24, 413.28, 413.30 FS. History—New 5-14-12, Amended 10-18-18,

6A-25.014 Vocational and Other Training Services.

(1) through (6) No change.

(7) Out-of-State Students Attending Florida Schools.

(a) When an individual requests support for training services to pursue an Associate's Degree or Bachelor's Degree at any college or university in Florida, the division will ascertain whether the individual is a resident of another state. If an individual refuses to disclose their state of residence, then the division cannot authorize the requested training services for the individual.

(b) The presentation of any two of the following documents are sufficient to determine that an individual has established their residence in Florida:

- 1. A sworn declaration of domicile for the individual meeting the requirements of section 222.17, F.S.;
- 2. A Florida driver license or identification card for the individual;
- 3. A Florida vehicle registration for the individual's vehicle; or
- 4. A Florida voter registration card for the individual.

(c) An individual can provide evidence of residence in Florida, as described in paragraph (b), when applying for services or after becoming eligible for services. Upon presentation of such evidence, the restrictions on the provision of services in this subsection will no longer apply to the individual.

(d) For any individual seeking training services, as described in paragraph (a), who is a resident of another state, the division must refer the individual to the designated state agency/designated state unit (DSA/DSU) under the federal Rehabilitation Act of 1973, as amended, in the individual's state of residence.

(e) If the individual refuses to seek support for the training services, as described in paragraph (a), from the DSA/DSU of their state of residence, the division will not authorize training services.

(f) The division will rely on the determination regarding the provision of training services, as described in paragraph (a), made by the DSA/DSU of the individual's state of residence. The division will not provide training services, as described in paragraph (a), following a denial of such services by the DSA/DSU of the individual's state of residence.

(g) The requirements of this subsection will not affect the eligibility determination for the individual, as governed by law and the rules of this chapter. The requirements of this subsection will not affect the provision of other vocational

rehabilitation services to the individual, as governed by law and the rules of this chapter.

Rulemaking Authority 413.22, 1001.02 FS. Law Implemented 413.24, 413.28, 413.30, 413.32 FS. History—New 5-14-12, \_\_\_\_\_.

6A-25.019 Forms and Documents.

The following forms and documents are incorporated by reference into this rule, to become effective August 2019 May 2012, and may be obtained from the Division of Vocational Rehabilitation, 4070 Esplanade Way, Second Floor 2002 Old St. Augustine Road, Building A, Tallahassee, FL 32399-0696:

(1) Form DVR-001, Department of Education, Division of Vocational Rehabilitation, Vehicle Modification Consumer Acknowledgment

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-00642>), (rev. 01/2012);

(2) Form DVR-002, Department of Education, Division of Rehabilitation, Home Modification Consumer Acknowledgment

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-00643>), (rev. 01/2012);

(3) Form VRW300 DVR-003A, Department of Education, Division of Vocational Rehabilitation, Referral/Application for to Vocational Rehabilitation Services (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00644>), (rev. 05/2019 01/2012);

(4) Form VRW305 DVR-003A, Department of Education, Division of Vocational Rehabilitation, Referral/Application for to Vocational Rehabilitation Services, Spanish (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00645>), (rev. 05/2019 01/2012); and,

(5) Form DOE/VR-VCMT0007 DVR-004, Subrogation Worksheet (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00647>), (rev. 12/2018); and.

(6) Form DOE/DVR VCMT094, Department of Education, Division of Vocational Rehabilitation, Financial Participation Assessment Form (DOS link), (rev. 3/2019).

Rulemaking Authority 413.22, 1001.02 FS. Law Implemented 413.24, 413.28, 413.30, 413.32 FS. History—New 5-14-12,

NAME OF PERSON ORIGINATING PROPOSED RULE: Allison Flanagan, Director, Division Vocational Rehabilitation.  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Richard Corcoran, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 14, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 29, 2019

**FISH AND WILDLIFE CONSERVATION COMMISSION**

Marine Fisheries

RULE NO.:	RULE TITLE:
68B-23.001	Purpose, Intent and Repeal of Other Laws; Designation as Restricted Species
68B-23.002	Definitions
68B-23.003	Gear Specifications and Prohibited Gear
68B-23.0035	Size Limit
68B-23.004	Commercial Fishing Season for Spanish Mackerel; Commercial Vessel Limits
68B-23.005	Recreational Bag Limit for Spanish Mackerel
68B-23.006	Other Prohibitions
68B-23.011	Other Prohibitions

**PURPOSE AND EFFECT:** The purpose of the rule amendments is to modify commercial Spanish mackerel vessel limit regulations for Atlantic state waters by reinstating in-season vessel limit reductions that are consistent with those in adjacent federal waters. In addition, rule formatting would be standardized consistent with the Marine Fisheries Rule Cleanup process to clarify, streamline, and reorganize the regulations found in 68B-23, Florida Administrative Code (F.A.C.).

Spanish mackerel is managed jointly by the Gulf of Mexico and South Atlantic fishery management councils in federal waters, and by the Florida Fish and Wildlife Conservation Commission (FWC) in state waters. On the Atlantic coast, most commercial harvest occurs in state waters, where the fishery consists of three gear components that fish at different times throughout the season.

The Atlantic commercial fishery is managed through a series of in-season vessel limit reductions known as “step-downs” that help keep harvest open in federal waters while ensuring all three gear components have access to the state waters fishery. In state waters from March through November, the vessel limit is 3500 lbs. per day. Starting December 1, the vessel limit remains at 3500 lbs. on weekdays, but drops to 1500 lbs. on weekends only. The vessel limit may be further reduced to 1500 lbs. daily, then 500 lbs., based on triggers in federal rule. However, the federal rules that trigger the 1500 and 500 lb. step-downs have changed, which means that these step-downs are no longer occurring in state waters.

The effect of these rule amendments is to help reduce confusion about state regulations by aligning in-season vessel limit reductions in state and federal rules, constrain harvest near the federal quota, and allow access for all components of the fishery. It will also provide clarification and standardized language for the Commission’s current Spanish mackerel regulations for improved public understanding without changing the regulation intent and will improve consistency across marine fisheries rules.

SUMMARY: These rule amendments will reinstate the commercial Spanish mackerel in-season vessel limit reductions in Atlantic state waters to 1500 lbs. and 500 lbs. if vessel limits in adjacent federal waters are reduced to 1500 lbs. or 500 lbs., respectively. Additional proposed changes are either organizational or an adoption of previously approved standardized language that improves consistency across marine fisheries rules.

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.

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: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

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

DATE AND TIME: During the Commission’s regular meeting on July 17-18, 2019, 8:30 a.m. to 5:00 p.m., each day.

PLACE: Hutchison Island Marriott Beach Resort & Marina, 555 NE Ocean Blvd., Stuart, FL 34996.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, and (850)487-0554.

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-23.001 ~~Purpose, Intent and Repeal of Other Laws; Designation as Restricted Species.~~

~~(1) The purpose and intent of this chapter are to protect, manage, conserve and replenish Florida's Spanish mackerel resource, species *Scomberomorus maculatus*. Accordingly, this~~

~~chapter is intended to repeal Section 370.08(7), F.S. (1985).~~

~~(2) If any provision of this chapter is held to be an invalid exercise of delegated legislative authority, it is the intent of the Commission that the invalidity not affect other provisions of the chapter which can be given effect without the invalid provision, and to this end, the provisions of this chapter are declared to be severable.~~

~~(3) Spanish mackerel are hereby designated as a restricted species pursuant to Section 379.101(32)(23), F.S. (1985). Rulemaking Authority Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History—New 11-28-85, Amended 10-30-86, 12-10-87, 10-1-88, 10-19-89, 9-30-96, Formerly 46-23.001, Amended \_\_\_\_\_.~~

68B-23.002 Definitions.

~~(1) “Charter vessel” means a boat or vessel, including what is commonly known as a “headboat”, whose captain or operator is licensed by the U.S. Coast Guard to carry passengers and whose passengers fish for a fee. The “crew” of a charter vessel means those individuals who receive monetary or other compensation from the vessel owner, captain, or operator or from the passengers who are engaged in fishing from the vessel as anglers.~~

~~(2) “Commercial harvest,” “harvest for commercial purposes,” or words of similar import, when used in connection with the harvest of Spanish mackerel, means the taking or harvesting of any Spanish mackerel for purposes of sale or with intent to sell. Spanish mackerel harvested from state waters in excess of the recreational bag limit shall constitute harvest for commercial purposes.~~

~~(3) “Commission” means the Florida Fish and Wildlife Conservation Commission.~~

~~(1)(4) “East Coast Region” means Florida Waters state waters along the east coast of Florida north of the Miami-Dade/Monroe cCounty line at Card Sound in the Atlantic Ocean.~~

~~(5) “Harvest” means the catching or taking of a fish by any means whatsoever, followed by a reduction of such fish to possession. Fish that are caught but immediately returned to the water free, alive and unharmed are not harvested.~~

~~(6) “Land”, when used in connection with the harvest of a fish, means the physical act of bringing the harvested fish ashore.~~

~~(7) “Person” means any natural person, firm, entity or corporation.~~

~~(8) “Recreational harvester” means a person harvesting Spanish mackerel for other than commercial purposes.~~

~~(2)(9) “Spanish mackerel” means any fish of the species *Scomberomorus maculatus*, or any part thereof.~~

~~(10) “Spearing” means the catching or taking of a fish by~~

~~bow hunting, gigging, spearfishing, or by any device used to capture a fish by piercing the body. Spearing does not include the catching or taking of a fish by a hook with hook and line gear or by snagging (snatch hooking).~~

~~(11) "Vessel" means and includes every description of water craft used or capable of being used as a means of transportation on water, including nondisplacement craft and any aircraft designed to maneuver on water.~~

~~(3)(12) "West Coast Region" means all Florida Waters except those included in the East Coast Region state waters of the Atlantic Ocean south and west of the Dade Monroe County line in the Atlantic Ocean and all state waters of the Gulf of Mexico.~~

~~Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 11-28-85, Amended 10-30-86, 10-1-88, 10-1-90, 11-29-93, 9-30-96, 1-1-98, Formerly 46-23.002, Amended \_\_\_\_\_.~~

(Substantial rewording of Rule 68B-23.003 follows. See Florida Administrative Code for present text.)

68B-23.003 Size Limit; Landed in Whole Condition Requirement Gear Specifications and Prohibited Gear.

(1) Size Limit – A person may not harvest or land from Florida Waters, or possess in or on Florida Waters, a Spanish mackerel that is less than 12 inches in fork length.

(2) Landed in Whole Condition Requirement – A person harvesting Spanish mackerel shall land each Spanish mackerel in whole condition. A person may not possess in or on Florida Waters, on any public or private fishing pier, on a bridge or catwalk attached to a bridge from which fishing is allowed, or on any jetty, a Spanish mackerel that has been beheaded, sliced, divided, filleted, ground, skinned, scaled, or deboned. This provision will not be construed to prohibit the evisceration (gutting) of a Spanish mackerel or removal of gills from a Spanish mackerel.

~~Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 11-28-85, Amended 10-30-86, 12-10-87, 10-1-88, 2-16-93, 11-29-93, 9-30-96, 1-1-98, Formerly 46-23.003, Amended \_\_\_\_\_.~~

68B-23.035 Size Limit.

~~Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 6-1-99, Formerly 46-23.0035, Repealed \_\_\_\_\_.~~

(Substantial rewording of Rule 68B-23.004 follows. See Florida Administrative Code for present text.)

68B-23.004 Bag and Vessel Limits Commercial Fishing

Season for Spanish Mackerel; Commercial Vessel Limits.

(1) Recreational Bag Limit –

(a) A recreational harvester may not harvest from Florida Waters more than 15 Spanish mackerel per day. A recreational harvester may not possess in or on Florida Waters, on any dock, pier, bridge, beach, or other fishing site adjacent to such waters, more than 15 Spanish mackerel.

(b) The captain or crew of a vessel for hire may each temporarily possess more than the applicable possession limit for Spanish mackerel, once the vessel is docked, for the limited purposes of transporting, cleaning, or storing fish for customers, so long as the fish are segregated in bags or other containers by the customer and the customer has given written authorization to the captain to temporarily possess the fish for such limited purposes. The authorization shall remain attached to the bag or container containing the fish until they are returned to the customer.

(c) Spanish mackerel recreationally harvested may not be transferred between vessels within Florida Waters.

(2) Commercial Regional Vessel Limits –

(a) East Coast Region –

1. Beginning on March 1 and continuing through November 30 of each year, unless the provisions of subparagraphs 3. or 4. apply, a harvest, landing, and possession limit of 3,500 pounds of Spanish mackerel per vessel per day shall apply in the East Coast Region. During this period, commercial harvesters aboard a vessel in the East Coast Region may not harvest or land in any one day, or possess aboard a vessel more than 3,500 pounds of Spanish mackerel.

2. Unless the provisions of subparagraphs 3. or 4. apply, the following harvest, landing, and possession limits shall apply beginning on December 1 each year and continuing through the end of the current season as specified in subsection 68B-23.005(2):

a. On Monday through Friday during this period, a harvest, landing, and possession limit of 3,500 pounds of Spanish mackerel per vessel per day shall apply. During this period, commercial harvesters aboard a vessel in the East Coast Region may not harvest or land in any one day, or possess aboard a vessel more than 3,500 pounds of Spanish mackerel.

b. On Saturday through Sunday during this period, a harvest, landing, and possession limit of 1,500 pounds of Spanish mackerel per vessel per day shall apply. During this period, commercial harvesters aboard a vessel in the East Coast Region may not harvest or land in any one day, or possess aboard a vessel more than 1,500 pounds of Spanish mackerel.

3. A harvest, landing, and possession limit of 1,500 pounds of Spanish mackerel per vessel per day shall apply in the East Coast Region from the date the commercial vessel limit in adjacent federal waters is reduced to 1,500 pounds of Spanish mackerel until the end of the current season as specified in

subsection 68B-23.005(2), unless the provisions of subparagraph 4. apply. During this period, commercial harvesters aboard a vessel in the East Coast Region may not harvest or land in any one day, or possess aboard a vessel more than 1,500 pounds of Spanish mackerel.

4. A harvest, landing, and possession limit of 500 pounds of Spanish mackerel per vessel per day shall apply in the East Coast Region from the date the commercial vessel limit in adjacent federal waters is reduced to 500 pounds of Spanish mackerel or from the date the commercial harvest of Spanish mackerel in adjacent federal waters is closed, whichever occurs first, and until the end of the current season as specified in subsection 68B-23.005(2). During this period, commercial harvesters aboard a vessel in the East Coast Region may not harvest or land in any one day, or possess aboard a vessel more than 500 pounds of Spanish mackerel.

5. In the East Coast Region, a “day” starts at 6:00 a.m., local time, and extends for 24 hours. For example, Monday starts at 6:00 a.m. on Monday and extends until 6:00 a.m. on Tuesday. A commercial harvester aboard a vessel terminating a trip prior to 6:00 a.m., but who possesses Spanish mackerel aboard the vessel after that time shall not be considered to possess Spanish mackerel in excess of the daily limits provided the vessel is not underway after 6:00 a.m. and such Spanish mackerel are unloaded prior to 6:00 p.m. following termination of the trip.

6. A commercial harvester may not transfer Spanish mackerel between vessels within the East Coast Region.

(b) West Coast Region – There are no commercial vessel limits applicable in the West Coast Region. However, if at any time adjacent federal waters are closed to commercial harvest of Spanish mackerel, a limit of 500 pounds of Spanish mackerel per vessel per day shall apply in the West Coast Region for the remainder of the season as specified in subsection 68B-23.005(2). During this period, commercial harvesters aboard a vessel in the West Coast Region may not harvest or land in any one day, or possess aboard a vessel more than 500 pounds of Spanish mackerel.

(c) Notice of commercial regional vessel limit changes pursuant to paragraphs (a) or (b) will be given by the Executive Director of the Fish and Wildlife Conservation Commission in the manner provided in Section 120.81(5), F.S.

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 10-30-86, Amended 12-10-87, 10-1-88, 11-1-89, 10-1-90, 11-26-92, 11-29-93, 9-30-96, 12-2-96, 1-1-98, Formerly 46-23.004, Amended 1-1-01, 8-3-10,\_\_\_\_\_.*

(Substantial rewording of Rule 68B-23.005 follows. See Florida Administrative Code for present text.)

68B-23.005 Open and Closed Seasons for the Harvest of

Spanish Mackerel Recreational Bag Limit for Spanish Mackerel.

(1) Recreational Open Season – The season for recreational harvest of Spanish mackerel is open throughout the year.

(2) Commercial Open and Closed Seasons –

(a) East Coast Region – Commercial harvest of Spanish mackerel in the East Coast Region is open beginning March 1 each year and continuing through the last day of February of the following year, subject to the specified East Coast Region commercial vessel limits established in Rule 68B-23.004.

(b) West Coast Region – Commercial harvest of Spanish mackerel in the West Coast Region is open beginning April 1 each year and continuing through March 31 of the following year, subject to any West Coast Region commercial vessel limits established in Rule 68B-23.004.

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 10-30-86, Amended 12-10-87, 10-1-88, 10-1-90, 11-26-92, 2-14-94, 1-1-98, Formerly 46-23.005, Amended 7-1-00,\_\_\_\_\_.*

(Substantial rewording of Rule 68B-23.006 follows. See Florida Administrative Code for present text.)

68B-23.006 Allowable Gear; Prohibited Gear ~~Other Prohibitions.~~

(1) A person may harvest or attempt to harvest Spanish mackerel from Florida Waters only by or with the use of a beach or haul seine, a cast net, hook and line gear, or by spearing.

(2) A person may not harvest or attempt to harvest Spanish mackerel from Florida Waters with gear not expressly permitted in subsection (1).

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 10-30-86, Amended 10-1-88, Formerly 46-23.006, Amended 6-1-99, 10-12-15,\_\_\_\_\_.*

68B-23.011 Other Prohibitions.

(1) The Commission shall issue a permit pursuant to Rule 68B-2.010 to authorize Spanish mackerel caught in an organized tournament to be donated to a licensed wholesale dealer.

(2) The operator of a vessel in Florida Waters is responsible for ensuring that the persons aboard the vessel comply with the applicable provisions of this chapter. If a person aboard a vessel in or on Florida Waters violates a provision of chapter 68B-23, F.A.C., the operator of the vessel is also in violation of that provision.

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New \_\_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Jessica McCawley, Director, Division of Marine Fisheries

Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 23, 2019

### Section III

## Notice of Changes, Corrections and Withdrawals

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

#### Division of Alcoholic Beverages and Tobacco

RULE NO.: 61A-3.055  
 RULE TITLE: Items Customarily Sold in a Restaurant  
 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. 204, October 18, 2018 issue of the Florida Administrative Register.

61A-3.055 Items Customarily Sold in a Restaurant.

(1) As used in sSection 565.045, Florida Statutes F.S., items customarily sold in a restaurant shall expressly only include the following:

- (a) Food cooked or prepared on the licensed premises; or
- (b) Hot or cold beverages; or
- (c) Souvenirs Branded items bearing the name, logo, trade name, trademark, or location of the licensed vendor operating the licensed premises; or

(d) Gift cards or certificates pertaining to the licensed premises.

(2) For the purpose of consumption on premises regulations set forth in sSection 565.045, Florida Statutes F.S., items customarily sold in a restaurant shall include services or sales authorized in the “Florida Public Lottery Act”, sSection 24.122(4), Florida Statutes F.S.

(3) For determinations regarding any item not expressly enumerated in paragraph (1) above, vVendors licensed under section 565.02(1)(b)-(f), Florida Statutes, may avail themselves of the declaratory statement process set forth in section 120.565, Florida Statutes, regarding compliance with section 565.045, Florida Statutes.

*Rulemaking Authority 561.11 FS. Law Implemented 565.045, 24.122(4) FS. History—New 12-20-94, Amended \_\_\_\_\_.*

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

#### Florida Real Estate Commission

RULE NO.: 61J2-1.011  
 RULE TITLE: License Fees and Examination Fees  
 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. 45 No. 83, April 29, 2019 issue of the Florida Administrative Register.

The changes are in response to discussion and subsequent vote by the board at a public meeting held June 19, 2019. The changes are as follows:

61J2-1.011 License Fees and Examination Fees.

(1) No change.

(2) The application fee for licensure shall be as follows:

~~Initial application~~

No change.

No change.

(3) The fee for initial licensure shall be as follows:

<u>Broker</u>	<u>\$72.00</u>
<u>Sales Associate</u>	<u>\$64.00</u>

(4)~~(3)~~ Effective July 1, 2019, a reduction of the biennial license renewal fee for an active licensee until June 30, 2021, shall be as follows:

Broker	\$36.00
Sales Associate	\$32.00
Branch office for Broker	\$32.00

Beginning July 1, 2021, the biennial license renewal fees return to the previous amount of \$72.00 or \$64.00, respectively.

(4) through (9) renumbered (5) through (10) No change.

Rulemaking Authority 475.05 FS. Law Implemented 455.217, 455.2281, 475.04, 475.125, 475.15, 475.182, 475.24, 475.451 FS. History—New 10-10-79, Amended 1-1-80, 4-14-81, 9-13-82, 10-19-83, 8-12-84, 10-13-85, Formerly 21V-1.11, Amended 2-1-87, 1-1-88, 5-5-88, 10-13-88, 9-10-89, 1-4-90, 2-13-90, 3-27-90, 8-21-90, 10-9-90, 1-13-91, 8-19-91, 7-1-93, Formerly 21V-1.011, Amended 7-18-94, 12-17-95, 12-30-97, 1-19-99, 4-18-99, 2-24-00, 11-17-03, 3-8-05, 12-6-07, 8-18-08, 5-8-13, 6-29-14, 9-16-15, 9-13-16, 9-27-17, \_\_\_\_\_.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Crawford, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, FL 32801, Lori.Crawford@myfloridalicense.com.

### DEPARTMENT OF HEALTH

#### Board of Medicine

RULE NO.: 64B8-9.018  
 RULE TITLE: Mandatory Standardized Informed Consent for Medical Marijuana; Required



Documentation for Comparable Medical Conditions  
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. 45 No. 91, May 9, 2019 issue of the Florida Administrative Register.

Following publication of the Notice, written comments were received by the staff of the Joint Administrative Procedures Committee with regard to form DH-MQA-5026, which is incorporated by reference in the rule. Based upon those concerns, the Board, at its meeting held on June 7, 2019, voted to make changes to the form. The changes are as follows:

On page 6 Part B, Respiratory Health shall now read "Exposures to tobacco smoke and household air pollution consistently ranks among the top risk factors not only for respiratory disease burden but also for the global burden of disease. Given the known relationships between tobacco smoking and multiple respiratory conditions, one could hypothesize that long-term cannabis smoking leads to similar deleterious effects of respiratory health, and some investigators argue that cannabis smoking may be even more harmful than that of tobacco smoking."

On page 6 Part B, Cognitive and Psychosocial Development, the last sentence of the introductory paragraph shall now read "As a result, cannabis and other substance use during this period may incur relatively greater interference in neural, social, and academic functioning compared to late developmental periods (e.g. adulthood)."

On page 6 Part B, Cognitive and Psychosocial Development, the bullet language stating that "There is limited evidence of a statistical association between sustain abstinence from cannabis use and impairments in the cognitive domains of learning, memory, and attention" shall be deleted.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Claudia Kemp, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253.

Section IV  
Emergency Rules

NONE

Section V  
Petitions and Dispositions Regarding Rule Variance or Waiver

PUBLIC SERVICE COMMISSION

RULE NO.: RULE TITLE:  
25-6.0436 Depreciation

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from Florida Public Utilities Company in Docket No. 20190130-EI filed June 17, 2019, seeking waiver from paragraph 25-6.0436(4)(a), Florida Administrative Code. The rule requires that the company file a depreciation study every five years. A copy of the petition can be obtained from the Office of Commission Clerk. Comments on the petition should be filed with the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, within 14 days of publication of this notice. For additional information, please contact Kathryn G.W. Cowdery, Office of the General Counsel, at the above address or telephone (850)413-6216.

DEPARTMENT OF ELDER AFFAIRS  
Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on June 14, 2019, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Kingshouse Retirement Center. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to [alfrulecomment@elderaffairs.org](mailto:alfrulecomment@elderaffairs.org).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at [doeapublicrecords@elderaffairs.org](mailto:doeapublicrecords@elderaffairs.org), (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On June 10, 2019 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from Danste Hospitality located in Clearwater. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink.

The Petition for this variance was published in Vol. 45/113 on June 11, 2019. The Order for this Petition was signed and approved on June 19, 2019. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sinks are emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sinks are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information may be obtained by contacting: [Daisy.Lee@myfloridalicense.com](mailto:Daisy.Lee@myfloridalicense.com).

Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

## Section VI Notice of Meetings, Workshops and Public Hearings

### DEPARTMENT OF EDUCATION

The Miami Dade College Purchasing Department announces a public meeting to which all persons are invited.

DATE AND TIME: June 24, 2019, 2:30 p.m.

PLACE: MDC Kendall Campus, 11011 SW 104 Street, Miami FL 33173; Building 9, Room 9210.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Evaluation Committee Meeting to be held related to Request for Proposals (RFP) 2019-RM-27 - Janitorial Supplies College-wide. In the event this meeting is cancelled or postponed, notification will be provided and posted on the MDC Website, ([www.mdc.edu/purchasing](http://www.mdc.edu/purchasing)).

A copy of the agenda may be obtained by contacting: Miami Dade College, Office of the Purchasing Director, 11011 SW 104 Street, Room 9254, Miami, FL 33176 or by calling (305)237-2402.

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: Rossella Montejo, Buyer – Purchasing Department  
Phone: (305)237-0009, Fax: (305)237-0737, Email: [Rmontejo@mdc.edu](mailto:Rmontejo@mdc.edu).

### DEPARTMENT OF EDUCATION

### Florida's Office of Early Learning

The Early Learning Advisory Council - Best Practices and Communication announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, June 26, 2019, 10:00 a.m. – 12:00 Noon ET (or until business concludes)

PLACE:

<https://attendee.gotowebinar.com/register/829145416648490509>

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee goals and priorities.

A copy of the agenda may be obtained by contacting: [Ashlee.Williams@oel.myflorida.com](mailto:Ashlee.Williams@oel.myflorida.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 5 days before the workshop/meeting by contacting: [Ashlee.Williams@oel.myflorida.com](mailto:Ashlee.Williams@oel.myflorida.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: [Ashlee.Williams@oel.myflorida.com](mailto:Ashlee.Williams@oel.myflorida.com).

### DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: July 9, 2019, 1:00 p.m. – 5:00 p.m.; July 10, 2019, 9:30 a.m. – 11:30 a.m.

PLACE: Hyatt Coconut Point, 5001 Coconut Road, Bonita Springs, Florida 34134

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Transportation Plan Steering Committee Meeting - Updating the Florida Transportation Plan.

A copy of the agenda may be obtained by contacting: Jim Halley or Paula San Gregorio, (850)414-4800. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require translation services (free of charge) should contact: Paula San Gregorio, (850)414-4811.

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: Paula San Gregorio, (850)414-4811. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

### DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: June 27, 2019, 10:00 a.m.  
PLACE: Call in Number: 1(888)585-9008, Conference Pin Number: 421-319-736  
GENERAL SUBJECT MATTER TO BE CONSIDERED: General FTC issues/ business.

A copy of the agenda may be obtained by contacting: the Florida Transportation Commission, 605 Suwannee Street, Tallahassee, Florida 32399, (850)414-4105.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Florida Transportation Commission, 605 Suwannee Street, Tallahassee, Florida 32399, (850)414-4105. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: the Florida Transportation Commission, 605 Suwannee Street, Tallahassee, Florida 32399, (850)414-4105.

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**EXECUTIVE OFFICE OF THE GOVERNOR**

The Florida Gubernatorial Fellows Program announces a public meeting to which all persons are invited.

DATE AND TIME: June 25, 2019, 2:00 p.m. ET  
PLACE: The Capitol and via conference line  
GENERAL SUBJECT MATTER TO BE CONSIDERED: General program updates, discussion on new board member appointment, voting on the FY 2019-2020 budget and voting on Hoffman Award applicant.

A copy of the agenda may be obtained by contacting: Kimberly Bane, (850)717-9224, kim.bane@eog.myflorida.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 24 hours before the workshop/meeting by contacting: Kimberly Bane, (850)717-9224, kim.bane@eog.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Kimberly Bane, (850)717-9224, kim.bane@eog.myflorida.com.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Employee Leasing Companies

The Board of Employee Leasing Companies announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 17, 2019, 9:00 a.m.  
PLACE: Embassy Suites Lake Buena Vista South, 4955 Kyngs Heath Road, Kissimmee, FL 34746

GENERAL SUBJECT MATTER TO BE CONSIDERED: Disciplinary Hearings and General Board and Business Meeting.

A copy of the agenda may be obtained by contacting: Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984.

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: Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984. 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: Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: July 1, 2019, 9:00 a.m.

PLACE: Lee County School Board, 2855 Colonial Blvd. Fort Myers, FL 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: Second meeting of the Blue Green Algae Task Force, that will focus on expediting progress toward reducing the adverse impacts of blue green algae blooms.

A copy of the agenda may be obtained by contacting: Katherine Gregg, Florida Department of Environmental Protection, 3900 Commonwealth Blvd., Tallahassee, Florida 32399; Katherine.Gregg@FloridaDEP.gov; (850)245-2030.

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: Katherine Gregg, Florida Department of Environmental Protection, 3900 Commonwealth Blvd., Tallahassee, Florida 32399; Katherine.Gregg@FloridaDEP.gov; (850)245-2030. 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: Katherine Gregg, Katherine.Gregg@FloridaDEP.gov; (850)245-2030.

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Florida Department of Health, Newborn Screening Follow-Up Program announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 28, 2019, 3:00 p.m.

PLACE: Conference Call 1(888)299-2873, Conference room code 983-821-887

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Genetic and Newborn Screening Advisory Council will be conducting a conference call to discuss council business pursuant to 383.14, Florida Statutes.

A copy of the agenda may be obtained by contacting: Lindsey.Felt@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 48 hours before the workshop/meeting by contacting: 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: Lindsey.Felt@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Child Abuse Death Review Circuit 12B Committee(Sarasota/DeSoto) announces a public meeting to which all persons are invited.

DATE AND TIME: August 9, 2019, 1:00 p.m. – 3:00 p.m.

PLACE: Florida Department of Health, 2200 Ringling Blvd, Room 226, Sarasota, FL 34237

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will address administrative issues, review cases, and discuss the CADR Action Plan. A portion of the meeting is required by paragraph 383.412(3)(a), F.S. to be closed to the public to allow the Committee to discuss information that is confidential and exempt from public meetings and public records. This portion of the meeting will be announced at the meeting.

A copy of the agenda may be obtained by contacting: Laura McIntyre: laura.mcintyre@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 7 days before the workshop/meeting by contacting: Laura McIntyre: laura.mcintyre@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: Laura McIntyre: laura.mcintyre@flhealth.gov.

**DEPARTMENT OF HEALTH**

Division of Emergency Preparedness and Community Support  
The Florida Department of Health/Florida Trauma System Advisory Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, June 26, 2019, 1:00 p.m. ET

PLACE: 4052 Bald Cypress Way, Tallahassee, FL 32399

A conference line has been established: 1(888)585-9008 then 325-223-031#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
General business of the Florida Trauma System Advisory Council. Trauma Center Standards Committee (Level I/Peds Workgroup).

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

**DEPARTMENT OF CHILDREN AND FAMILIES**

Family Safety and Preservation Program

The Department of Children and Families announces a hearing to which all persons are invited.

DATES AND TIMES: June 27, 2019, 9:00 a.m. – 5:00 p.m.;  
June 28, 2019, 9:00 a.m. – 5:00 p.m.

PLACE: 1317 Winewood Boulevard, Building 2, Room 339, Tallahassee, FL 32399-0700

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Funding Model Project. The department, in consultation with the community-based care lead agencies, will study the equity allocation model prescribed in Section 409.991, Florida Statutes, and provide a report that identifies at least three alternative funding methodologies for the distribution of core service funds to the lead agencies.

A copy of the agenda may be obtained by contacting: Donna Ford. Donna can be reached at (850)717-4159 or donna.ford@myflfamilies.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Donna Ford. Donna can be reached at (850)717-4159 or donna.ford@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Scalar Consulting Group Inc.

The Florida Department of Transportation (FDOT), District Four announces a hearing to which all persons are invited.

DATE AND TIME: June 27, 2019, 2:00 p.m.

PLACE: South Bay City Hall located at 335 SW 2nd Avenue, South Bay, FL 33493

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
Project on SR-25/US-27 from the Broward/Palm Beach County Line to MP 12.626. The project will include the following improvements to extend the roadway pavement's service life and improve safety: resurface the existing pavement, widen the shoulder pavement, closed unused median openings, close abandoned driveways along southbound US-27, modify driveways to better accommodate truck turning movements, replace guardrail, modify the drainage system, upgrade highway signs, and install edge line rumble striping.

The hearing will begin as an informal open house at 2:00 pm followed by a formal presentation at 2:30 p.m., then a public comment period.

A copy of the agenda may be obtained by contacting: Raul Dominguez, PE, FDOT Project Manager, at (954)777-4061, toll free at 1(866)336-8435, ext. 4061, or via email at raul.dominguez@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: Raul Dominguez, PE, FDOT Project Manager, at (954)777-4061, toll free at 1(866)336-8435, ext. 4061, or via email at raul.dominguez@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: Raul Dominguez, PE, FDOT Project Manager, at (954)777-4061, toll free at 1(866)336-8435, ext. 4061, or via email at raul.dominguez@dot.state.fl.us.

**Section VII**

**Notice of Petitions and Dispositions  
Regarding Declaratory Statements**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department

of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by John N. Palm, In Re: Old Port Cove Towers Condominium Association, Inc., Docket No. 2019008065 on March 14, 2019. The following is a summary of the agency's declination of the petition:

The Division is unable to issue a declaratory statement regarding past conduct; the Division is unable to issue a declaratory statement that seeks guidance for the determination of conduct of another person; and Petitioner is not a substantially affected person as contemplated by section 120.565, Florida Statutes.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: the Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030; (850)488-1631; lscmhpublicrecords@myfloridalicense.com.

**Section VIII**

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

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

NONE

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

NONE

**Section IX**

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

NONE

**Section X**

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

NONE

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

DEPARTMENT OF EDUCATION  
DISTRICT BOARD OF TRUSTEES  
MIAMI DADE COLLEGE  
P U B L I C A N N O U N C E M E N T  
REGARDING SOLICITING APPLICATIONS FOR  
Request for Qualifications  
NORTH CAMPUS FIRE AND WATER LOOP – DESIGN/BUILD  
2019-RB-40

Pursuant to sections 255.0525, 255.20 Florida Statutes the District Board of Trustees of Miami Dade College (the "Board") is soliciting applications for North Camus Fire and Water Loop – Design/Build

Application Packet: Interested parties can obtain application materials by visiting Miami Dade College Purchasing website on or after June 18, 2019. at <http://www.mdc.edu/purchasing/bids.asp> or by contacting the Purchasing Department at (305)237-2402.

Please direct questions to: Ramon S. Bristol Castrillon, CPPO, FCCN, Assistant Purchasing Director, Facilities/Plant Maintenance, Tel: (305)237-0011, Email: rbristol@mdc.edu.

**Section XII  
Miscellaneous**

DEPARTMENT OF STATE  
Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 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., Thursday, June 13, 2019 and 3:00 p.m., Wednesday, June 19, 2019.

Rule No.	File Date	Effective Date
5E-4.002	6/17/2019	7/7/2019
5E-4.003	6/17/2019	7/7/2019
5E-4.004	6/17/2019	7/7/2019
5E-4.0041	6/17/2019	7/7/2019
5E-4.006	6/17/2019	7/7/2019
5E-4.007	6/17/2019	7/7/2019

5E-4.0071	6/17/2019	7/7/2019
5E-4.011	6/17/2019	7/7/2019
5E-4.013	6/17/2019	7/7/2019
5E-4.014	6/17/2019	7/7/2019
11B-20.001	6/19/2019	7/9/2019
11B-20.0014	6/19/2019	7/9/2019
11B-27.002	6/19/2019	7/9/2019
11B-27.004	6/19/2019	7/9/2019
11B-27.014	6/19/2019	7/9/2019
11B-30.006	6/19/2019	7/9/2019
11B-35.001	6/19/2019	7/9/2019
11B-35.009	6/19/2019	7/9/2019
11C-6.009	6/19/2019	7/9/2019
11C-7.006	6/19/2019	7/9/2019
11C-7.007	6/19/2019	7/9/2019
11C-7.009	6/19/2019	7/9/2019
11C-7.010	6/19/2019	7/9/2019
11D-9.001	6/19/2019	7/9/2019
11D-9.002	6/19/2019	7/9/2019
11D-9.005	6/19/2019	7/9/2019
11D-9.006	6/19/2019	7/9/2019
11D-10.003	6/19/2019	7/9/2019
11N-1.001	6/19/2019	7/9/2019
11N-1.002	6/19/2019	7/9/2019
11N-1.0021	6/19/2019	7/9/2019
11N-1.0022	6/19/2019	7/9/2019
11N-1.003	6/19/2019	7/9/2019
11N-1.0031	6/19/2019	7/9/2019
11N-1.004	6/19/2019	7/9/2019
11N-1.005	6/19/2019	7/9/2019
11N-1.0051	6/19/2019	7/9/2019
11N-1.006	6/19/2019	7/9/2019

11N-1.009	6/19/2019	7/9/2019
12-26.008	6/18/2019	7/8/2019
12A-19.071	6/18/2019	7/8/2019
12AER19-04	6/19/2019	6/19/2019
12B-5.150	6/18/2019	7/8/2019
29D-1.001	6/14/2019	7/4/2019
29D-1.002	6/14/2019	7/4/2019
29D-1.003	6/14/2019	7/4/2019
29D-1.004	6/14/2019	7/4/2019
29D-1.005	6/14/2019	7/4/2019
29D-1.006	6/14/2019	7/4/2019
29D-1.007	6/14/2019	7/4/2019
29D-1.008	6/14/2019	7/4/2019
29D-1.009	6/14/2019	7/4/2019
29D-1.010	6/14/2019	7/4/2019
29D-1.011	6/14/2019	7/4/2019
29D-1.012	6/14/2019	7/4/2019
29D-1.013	6/14/2019	7/4/2019
29D-1.014	6/14/2019	7/4/2019
29D-1.015	6/14/2019	7/4/2019
29D-1.016	6/14/2019	7/4/2019
29D-1.017	6/14/2019	7/4/2019
29D-1.018	6/14/2019	7/4/2019
29D-1.019	6/14/2019	7/4/2019
29D-2.001	6/14/2019	7/4/2019
29D-3.0001	6/14/2019	7/4/2019
29D-3.0004	6/14/2019	7/4/2019
29D-5.101	6/14/2019	7/4/2019
29D-5.201	6/14/2019	7/4/2019
29D-5.202	6/14/2019	7/4/2019
29D-5.203	6/14/2019	7/4/2019
29D-5.301	6/14/2019	7/4/2019

29D-5.302	6/14/2019	7/4/2019
29D-5.303	6/14/2019	7/4/2019
29L-1.001	6/14/2019	7/4/2019
29L-1.002	6/14/2019	7/4/2019
29L-1.003	6/14/2019	7/4/2019
29L-1.004	6/14/2019	7/4/2019
29L-1.005	6/14/2019	7/4/2019
29L-1.006	6/14/2019	7/4/2019
29L-1.007	6/14/2019	7/4/2019
29L-1.008	6/14/2019	7/4/2019
29L-1.009	6/14/2019	7/4/2019
29L-1.010	6/14/2019	7/4/2019
29L-1.011	6/14/2019	7/4/2019
29L-1.012	6/14/2019	7/4/2019
29L-1.013	6/14/2019	7/4/2019
29L-1.014	6/14/2019	7/4/2019
29L-1.015	6/14/2019	7/4/2019
29L-1.016	6/14/2019	7/4/2019
29L-1.017	6/14/2019	7/4/2019
29L-1.018	6/14/2019	7/4/2019
29L-1.019	6/14/2019	7/4/2019
29L-1.020	6/14/2019	7/4/2019
29L-1.021	6/14/2019	7/4/2019
29L-1.022	6/14/2019	7/4/2019
29L-1.023	6/14/2019	7/4/2019
29L-1.024	6/14/2019	7/4/2019
29L-2.001	6/14/2019	7/4/2019
29L-2.002	6/14/2019	7/4/2019
29L-2.003	6/14/2019	7/4/2019
29L-2.004	6/14/2019	7/4/2019
29L-2.005	6/14/2019	7/4/2019
29L-2.006	6/14/2019	7/4/2019

29L-2.007	6/14/2019	7/4/2019
29L-2.008	6/14/2019	7/4/2019
29L-2.009	6/14/2019	7/4/2019
29L-3.001	6/14/2019	7/4/2019
29L-3.002	6/14/2019	7/4/2019
29L-4.001	6/14/2019	7/4/2019
29L-4.002	6/14/2019	7/4/2019
29L-4.003	6/14/2019	7/4/2019
29L-4.004	6/14/2019	7/4/2019
29L-4.005	6/14/2019	7/4/2019
29L-4.006	6/14/2019	7/4/2019
29L-4.007	6/14/2019	7/4/2019
61G3-16.0091	6/19/2019	7/9/2019
61G3-25.004	6/19/2019	7/9/2019
61G3-25.005	6/19/2019	7/9/2019
61G5-18.004	6/18/2019	7/8/2019
64B9-8.003	6/18/2019	7/8/2019
64B10-15.001	6/14/2019	7/4/2019
64B12-16.003	6/14/2019	7/4/2019
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-3.009	12/5/2018	**/**/****

**AGENCY FOR HEALTH CARE ADMINISTRATION**  
**Certificate of Need**  
**EXEMPTION**

The Agency for Health Care Administration approved the following exemption on June 12, 2019 pursuant to subsection 408.036(3), Florida Statutes:



ID # E190007                      District: 5-2 (Pinellas County)  
 Facility/Project: East Bay Rehabilitation Center  
 Applicant: East Bay NC, LLC  
 Project Description: Transfer 12 community nursing home beds from Belleair East HCC, LLC d/b/a Belleair Health Care Center to East Bay NC, LLC d/b/a East Bay Rehabilitation Center  
 Proposed Project Cost: \$6,000,000

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 Clean Water State Revolving Fund Program  
 NOTICE OF AVAILABILITY  
 FLORIDA CATEGORICAL EXCLUSION NOTICE  
 Daytona Beach, Florida

The Florida Department of Environmental Protection (DEP) has determined that the City of Daytona Beach’s proposed project to improve the sludge dewatering facilities at the Westside Wastewater Treatment Plant are not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$3,861,200. The project may qualify for a Clean Water State Revolving Fund (CWSRF) loan comprised of federal or state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Pankaj Shah, CWSRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS#3505, Tallahassee, Florida 32399-3000 or calling (850)245-2962 or emailing to Pankaj.shah@dep.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 Clean Water State Revolving Fund Program  
 NOTICE OF AVAILABILITY  
 FLORIDA CATEGORICAL EXCLUSION NOTICE  
 City of Haines City

The Florida Department of Environmental Protection (DEP) has determined that the City of Haines City’s project involving construction of wastewater treatment and reuse facilities is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$7,860,000. The project may qualify for a Clean Water State Revolving Fund loan comprised of federal and state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Lisa Mecca, SRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS#3505, Tallahassee, Florida 32399-3000 or calling (850)245-2924 or emailing to Lisa.Mecca@dep.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 Clean Water State Revolving Fund Program  
 NOTICE OF AVAILABILITY  
 FLORIDA CATEGORICAL EXCLUSION NOTICE

Eastpoint Water and Sewer District  
 The Florida Department of Environmental Protection (DEP) has determined that the Eastpoint Water and Sewer District’s project involving construction of a new wastewater treatment plant and effluent disposal facilities is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$3,374,125. The project may qualify for a Clean Water State Revolving Fund loan comprised of federal and state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Michael Chase, SRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS#3505, Tallahassee, Florida 32399-3000 or calling (850)245-2913 or emailing to Raymond.Chase@FloridaDEP.gov.

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.

NONE