

## Section I

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.:       RULE TITLE:  
64B3-3.001      General Requirements of Clinical  
                    Laboratory Personnel Training Programs

PURPOSE AND EFFECT: The proposed rule amendments are intended to update the application.

SUBJECT AREA TO BE ADDRESSED: To update the application.

RULEMAKING AUTHORITY: 483.805(4), 483.811(2) FS.

LAW IMPLEMENTED: 456.065(3), 483.807, 483.809, 483.811 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: Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257.

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

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE NO.:       RULE TITLE:  
64B17-5.001      Requirements for Reactivation of an  
                    Inactive or Retired License

PURPOSE AND EFFECT: The rule eases the burden on licensees through the end of the license renewal biennium ending November 2021 by temporarily waiving the in-person requirement for continuing education.

SUBJECT AREA TO BE ADDRESSED: The rule amendment addresses the continuing education requirement for reactivation of an inactive or retired license.

RULEMAKING AUTHORITY: 486.025, 486.085(3), (4)(a), 486.108(3), 456.036 FS.

LAW IMPLEMENTED: 486.085, 486.108, 456.036 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3252, or by email at allen.hall@flhealth.gov.

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

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE NO.:       RULE TITLE:  
64B17-7.0027     Procedure for Compliance with Board  
                    Ordered Laws and Rules Exam

PURPOSE AND EFFECT: The rule amendment incorporates an updated laws and rules exam application form DH-MQA 1144.

SUBJECT AREA TO BE ADDRESSED: The rule addresses the procedure for applying to take the laws and rules exam.

RULEMAKING AUTHORITY: 456.036, 456.072, 456.079, 486.025 FS.

LAW IMPLEMENTED: 456.072, 456.073, 456.079, 486.125 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3252, or by email at allen.hall@flhealth.gov.

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

## Section II

### Proposed Rules

**DEPARTMENT OF EDUCATION**

**Postsecondary Reciprocal Distance Education  
Coordinating Council**

RULE NO.:       RULE TITLE:  
6N-1.008        Appeals

PURPOSE AND EFFECT: Establish an appellate process for institutions denied participation or renewal in Florida State Authorization Reciprocity Agreement (FL-SARA).

SUMMARY: This rule develops and implements a means to hear and internally resolve appeals from postsecondary educational institutions for which the Postsecondary Reciprocal Distance Education Coordinating Council deny initial participation or renewal of participation in FL-SARA.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule does not impose any new or additional regulatory costs and should not have any economic impact, including those factors addressed in Section 120.541(2)(a), Florida Statutes 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: 1000.35(10), F.S.

LAW IMPLEMENTED: 1000.35(3), (5)-(7), F.S.

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

DATE AND TIME: November 10, 2020, 9:00 a.m.

PLACE: Miami (Location address will be posted at <http://www.fldoe.org/policy/state-board-of-edu/meetings/> at least 14 days prior)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rhesa Rudolph at the Council Office at Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

THE FULL TEXT OF THE PROPOSED RULE IS:

6N-1.008 Appeals.

(1) Section 1000.35 F.S. exempts Council decisions from Chapter 120 F.S. Therefore, parties seeking administrative review of proposed agency action by the Council shall follow the rules outlined herein.

(2) The Council shall issue a Notice of Action to institutions for proposed council action to be taken against the institution seeking approval to participate in the State Authorization Reciprocity Agreement "SARA". The Notice of Action shall state the grounds upon which the Council's

proposed action is based and state that the institution has the right to appeal the proposed council action. The Notice of Action shall be sent to the institution by certified mail, return receipt requested.

(3) The following council actions taken against the institution are appealable:

(a) A denial of an application for initial participation;

(b) A denial of an application for renewal of participation;

(c) A denial of an institution's claim for reimbursement; or,

(d) A claim against an institution for remittance of a payment;

(4) The institution shall have ten (10) days to appeal the Council action from the date the institution receives the Notice of Action.

(5) A request for appeal shall:

(a) Be in writing;

(b) Include the date the institution received the Notice of Action;

(c) Include the name, address, any email address, any facsimile number, and telephone number of the institution;

(d) Clearly identify the action being appealed;

(e) Include a concise statement of the facts alleged, including the specific facts the institution contends warrant reversal or modification of the Council's proposed action;

(f) A statement of the specific rules or statutes, if any, the institution contends require reversal or modification of the Council's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes;

(g) Include a statement of the relief sought by the institution;

(h) Include a copy of the Notice of Action issued; and,

(i) State whether a hearing or a review of written documentation is desired. If a hearing is not specifically requested, the appeal shall be by review of written documentation.

(6) The institution can request to review any information upon which the action was based.

(7) The institution may submit additional written documentation for review by the hearing officer either with the request for appeal or within seven (7) days of the date the institution submitted the request for appeal. The Council has seven (7) days from the date the Council received the request for appeal to submit written documentation to the designated hearing officer. Any written documentation received after the seven-day deadline will not be considered for review.

(8) The request for appeal and all written documentation should be submitted to the Council as indicated in the Notice of Action.

(9) If a hearing is requested, it shall be held within fourteen (14) days of the date the Council received the request for appeal, unless otherwise agreed to by both parties. At no time shall the

hearing be held prior to the date the hearing officer receives written documentation from both parties. Failure to provide written documentation does not affect the validity of the appeal from a judgment or order. The institution shall be provided with at least five (5) days' written notice, sent via certified mail, return receipt requested, of the time and place of the hearing.

(a) The institution may represent itself or retain legal counsel. Failure of the institution's representative to appear at a scheduled hearing shall constitute the waiver of the right to a personal appearance before the hearing officer.

(b) A council attorney shall attend the hearing to respond to the institution's testimony and written documentation and to answer questions from the hearing officer.

(10) The hearing officer shall be appointed by the Council director and approved by the Council chair and shall:

(a) Be a Department of Education employee; and,

(b) Independent of the original decision-making process that led to the proposed Council action.

(11) The Council shall record the hearing through an audio or video recording device at the Council's expense.

(12) Within five (5) days after the hearing, or within five (5) days after receipt of written documentation from both parties if no hearing is held, the hearing officer shall issue a Final Determination based on a full review of the information provided by both parties, and on applicable Florida State Board of Education Rules and Florida Statutes. The Final Determination shall be sent to the institution via certified mail, return receipt requested.

(13) The Florida Rules of Civil Procedure will control time computation under this rule.

(14) The actions of the Council remain in effect during the appeal process. During any such appeal the institution's status as a SARA participating (or non-participating) institution remains unchanged.

(15) The determination made by the Department of Education's hearing officer is the final administrative determination afforded to the institution.

(16) Any party adversely affected by the determination is entitled to seek judicial review pursuant to Rule 9.110(a)(2) of the Florida Rules of Appellate Procedure, which must be initiated by filing a Notice of Appeal with the Department's Clerk. A copy shall be provided to the Director of the Council at Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, FL 32399, within thirty (30) days of the date of the determination. A copy of the Notice of Appeal, accompanied by the prescribed filing fee, must be filed with the Clerk of the District Court of Appeal in the district where the institution is located or the First District Court of Appeal at 2000 Drayton Drive, Tallahassee, Florida 32399. Rulemaking Authority 1000.35(10) FS. Law Implemented 1000.35(3), (6)-(7) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Rhesa Rudolph, Council Office, Commission for Independent Education.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Postsecondary Reciprocal Distance Education Coordinating Council.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 30, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 7, 2020

## **DEPARTMENT OF JUVENILE JUSTICE**

### **Residential Services**

RULE NOS.: RULE TITLES:

63E-7.100 Definitions

63E-7.107 Safety and Security

PURPOSE AND EFFECT: The amendments implement the provisions in chapter 2020-89, Laws of Florida, that impose new limitations on the use of restrictive housing for pregnant prisoners.

SUMMARY: The amendments add a definition for "pregnant youth," and limit the use of controlled observation for such youth in residential facilities.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The SERC Checklist and current information available to the Department indicates that the statutory threshold for ratification will not be exceeded.

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: 985.64, 985.601, 944.241, FS  
LAW IMPLEMENTED: 985.601, 985.441, 944.241, FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Thursday, November 5, 2020, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Dr., General Counsel's Conference Room 3223, Tallahassee, Florida. For

information about participation by telephone, contact John Milla at (850)921-4129.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

63E-7.100 Definitions.

For the purpose of this rule chapter, governing the administration and operation of residential commitment programs for youth, the following words shall have the meanings indicated.

(1) through (57) No change.

(58) Pregnant Youth – Any youth whose pregnancy is confirmed by or otherwise known to a qualified healthcare professional at the residential facility.

(58) through (81) renumbered (59) through (82) No change.

Rulemaking Authority 985.64, 985.601(3)(a) FS. Law Implemented 985.601(3)(a), 985.03(44), 985.441 FS. History–New 5-30-19, Amended.

63E-7.107 Safety and Security.

(1) through (13) No change.

(14) Controlled Observation. A program may use controlled observation only when necessary and as a last resort. It is intended as an immediate, short-term, crisis management strategy for use during volatile situations in which one or more youths’ sudden or unforeseen onset of behavior imminently and substantially threatens the physical safety of others and compromises security. Controlled observation is not authorized for use as punishment or discipline.

(a) through (k) No change.

(l) A pregnant youth may only be placed in controlled observation when there are no less restrictive means available and such placement is necessary to protect the health and safety of the youth, or to preserve the security of the facility. If a pregnant youth is placed in controlled observation, the program shall provide a completed copy of the Pregnant Youth Controlled Observation Form (RS 012) to the youth within 12 hours of placement. The program shall maintain these forms in an administrative file, as well as in the youth’s official healthcare record. The Pregnant Youth Controlled Observation Form (RS 012 August 2020), is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.aps?No+Ref-????>.

(15) through (21) No change.

Rulemaking Authority 985.64, 985.601(3)(a), 944.241 FS. Law Implemented 985.601(3)(a), 985.03(44), 985.441, 944.241 FS. History–New 5-30-19, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Garrett Tucker, Assistant Secretary for Residential Services

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Simone Marstiller, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: September 24, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: September 8, 2020

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE NOS.: RULE TITLES:

64B4-5.001 Disciplinary Guidelines

64B4-5.0015 Out-of-State Telehealth Discipline

PURPOSE AND EFFECT: The Board proposes to update the language for Disciplinary Guidelines and establish Disciplinary Guidelines for Out of State Telehealth Registrants.

SUMMARY: To update rule language.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.079, 456.47(4), 456.47(7), 491.004(5) FS.

LAW IMPLEMENTED: 456.079, 456.47(4), 491.009 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Janet Hartman, Executive Director,

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-5.001 Disciplinary Guidelines.

(1) When the Board finds an applicant, licensee, registered intern, provisional licensee, or certificate holder whom it regulates under Chapter 491, F.S., or a telehealth provider registered under section 456.47(4), F.S., has committed any of the acts set forth in Section 456.072(1) or 491.009(1), F.S., it shall issue a final order imposing appropriate penalties as recommended in the following disciplinary guidelines.

(a) Attempting to obtain, obtaining, or renewing a license under Chapter 491, F.S., by bribery or fraudulent misrepresentation or through an error of the Board or the Department.

(Sections 456.072(1)(h) and 491.009(1)(a), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500.00 fine and reprimand	Denial or \$1,000.00 fine and permanent revocation
SECOND OFFENSE:	\$1,000.00 fine and probation	Permanent denial and \$1,000.00 fine and permanent revocation
THIRD AND SUBSEQUENT OFFENSES:	\$2,500.00 fine, or one (1) year suspension then probation	\$2,500.00 fine and permanent revocation
FRAUD First Offense	\$10,000.00 fine	\$10,000.00 fine and/or reprimand; probation; suspension then probation; permanent revocation
FRAUD Second Offense		\$10,000.00 fine and/or probation; suspension then probation; permanent revocation
FRAUD Third and Subsequent Offenses	\$10,000.00 fine	\$10,000.00 fine and/or one (1) year suspension then probation; permanent revocation
TELEHEALTH REGISTRANTS:		
FIRST OFFENSE	Reprimand	Revocation
SECOND OFFENSE	Suspension and a corrective action Plan	Revocation

THIRD AND SUBSEQUENT OFFENSES	One (1) year suspension followed by a corrective action plan	Revocation
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(b) Having a license or certificate to practice a comparable profession or any regulated profession revoked, suspended, or otherwise acted against, including the denial of certification or licensure by another state, territory, or country.

(Sections 456.072(1)(f) and 491.009(1)(b), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000.00 fine and reprimand	Denial or \$1,000.00 fine and permanent revocation
SECOND OFFENSE:	\$1,000.00 fine and probation	Permanent denial or \$1,000.00 fine and permanent revocation
THIRD AND SUBSEQUENT OFFENSES:	\$1,000.00 fine, one (1) year, suspension then probation	Permanent denial or \$1,000.00 fine and permanent revocation

TELEHEALTH REGISTRANTS:		
FIRST OFFENSE	Reprimand	Revocation
SECOND OFFENSE	Suspension and a corrective action Plan	Revocation
THIRD AND SUBSEQUENT OFFENSES	One (1) year suspension followed by a corrective action plan	Revocation

(c) Being convicted or found guilty, regardless of adjudication, or having entered a plea of nolo contendere to, a crime in any jurisdiction which directly relates to the practice of the licensee's profession or the licensee's ability to practice that profession.

(Sections 456.072(1)(c) and 491.009(1)(c), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000.00 fine and probation	Denial or \$1,000.00 fine and permanent revocation
SECOND OFFENSE:	\$1,000.00 fine and one (1) year suspension then probation	Permanent denial or \$1,000.00 fine and permanent revocation

<u>THIRD AND SUBSEQUENT OFFENSES:</u>	\$2,500.00 fine, two (2) years suspension then probation	\$2,500.00 fine and permanent revocation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	Suspension and a corrective action plan	Revocation
<u>SECOND OFFENSE</u>	Suspension and a corrective action plan	Revocation
<u>THIRD AND SUBSEQUENT OFFENSES</u>	Two (2) years suspension followed by a corrective action plan	Revocation

(d) False, deceptive, or misleading advertising or obtaining a fee or other thing of value on the representation that beneficial results from any treatment will be guaranteed.  
(Section 491.009(1)(d), F.S.)

	MINIMUM	MAXIMUM
<u>FIRST OFFENSE:</u>	\$250.00 fine	\$1,000.00 fine and reprimand
<u>SECOND OFFENSE:</u>	\$500.00 fine	\$1,000.00 fine and probation
<u>THIRD AND SUBSEQUENT OFFENSES:</u>	\$1,000.00 fine	\$1,000.00 fine and one (1) year suspension then probation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	Letter of Concern	One (1) year suspension
<u>SECOND AND SUBSEQUENT OFFENSES</u>	Reprimand	Revocation

(e) Advertising, practicing, or attempting to practice under a name other than one's own.  
(Section 491.009(1)(e), F.S.)

	MINIMUM	MAXIMUM
<u>FIRST OFFENSE:</u>	\$250.00 fine	\$1,000.00 fine and reprimand
<u>SECOND OFFENSE:</u>	\$500.00 fine	\$1,000.00 fine and probation
<u>THIRD AND SUBSEQUENT OFFENSES:</u>	\$1,000.00 fine	\$1,000.00 fine and one (1) year suspension then probation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	Letter of Concern	One (1) year suspension
<u>SECOND AND SUBSEQUENT</u>	Reprimand	Revocation

<u>OFFENSES</u>		
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(f) Maintaining a professional association with any person whom the applicant or licensee knows, or has reason to believe, is in violation of Chapter 491, F.S., or of a rule of the Department or this Board.  
(Section 491.009(1)(f), F.S.)

	MINIMUM	MAXIMUM
<u>FIRST OFFENSE:</u>	\$250.00 fine	\$1,000.00 fine and reprimand
<u>SECOND OFFENSE:</u>	\$500.00 fine	\$1,000.00 fine and probation
<u>THIRD AND SUBSEQUENT OFFENSES:</u>	\$1,000.00 fine	\$1,000.00 fine and one (1) year suspension then probation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	Letter of Concern	Reprimand
<u>SECOND AND SUBSEQUENT OFFENSES</u>	Suspension and a corrective action plan	Revocation

(g) Knowingly aiding, assisting, procuring, or advising a non-licensed person to hold oneself out as licensed under Chapter 491, F.S.  
(Sections 456.072(1)(j) and 491.009(1)(g), F.S.)

	MINIMUM	MAXIMUM
<u>FIRST OFFENSE:</u>	\$1,000.00 fine and reprimand	\$1,000.00 fine and/or probation, one (1) year suspension then probation; permanent revocation
<u>SECOND OFFENSE:</u>	\$1,000.00 fine and probation	\$1,000.00 fine and permanent revocation
<u>THIRD AND SUBSEQUENT OFFENSES:</u>	\$1,000.00 fine and one (1) year suspension then probation	\$1,000.00 fine and permanent revocation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	Reprimand	Revocation
<u>SECOND AND SUBSEQUENT OFFENSES</u>	Suspension and a corrective action plan	Revocation

(h) Failing to perform any statutory or legal obligation placed upon a person licensed under Chapter 491, F.S.

(Sections 456.072(1)(k) and 491.009(1)(h), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	Reprimand	\$1,000.00 fine and <u>one</u> (1) year probation
SECOND OFFENSE:	\$1,000.00 fine and reprimand	\$1,000.00 fine and <u>six</u> (6) months suspension then probation
THIRD AND SUBSEQUENT OFFENSES:	\$1,000.00 fine and probation	\$1,000.00 fine and permanent revocation
TELEHEALTH REGISTRANTS		
FIRST OFFENSE	Reprimand	Suspension and a <u>corrective action plan</u>
SECOND AND SUBSEQUENT OFFENSES	Suspension and <u>a</u> <u>corrective action plan</u>	Revocation

(i) Willfully making or filing a false report or record; failing to file a report or record required by state or federal law; willfully impeding or obstructing the filing of a report or record; or inducing another person to make or file a false report or record or to impede or obstruct the filing of a report or record.  
(Sections 456.072(1)(l) and 491.009(1)(i), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500.00 fine and reprimand	\$1,000.00 fine and/or probation; <u>one</u> (1) year suspension then probation; permanent revocation
SECOND OFFENSE:	\$1,000.00 fine and probation	\$1,000.00 fine and <u>one</u> (1) year suspension followed by probation; denial or \$1,000.00 fine and permanent revocation
THIRD AND SUBSEQUENT OFFENSES:	\$1,000.00 fine, <u>one</u> (1) year suspension followed by probation	\$10,000.00 fine and permanent revocation
TELEHEALTH REGISTRANTS		
FIRST OFFENSE	Reprimand	Revocation
SECOND AND SUBSEQUENT OFFENSES	Suspension and <u>a</u> <u>corrective action plan</u>	Revocation

(j) Paying or receiving a kickback, rebate, bonus, or other remuneration for receiving a patient or client or referring a patient or client to another provider of mental health care services or to a provider of health care services or goods; referring a patient or client to oneself for services on a fee-paid basis when those services are already being paid for by some other public or private entity; or entering into a reciprocal referral agreement.

(Section 491.009(1)(j), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000.00 fine and reprimand	\$1,000.00 fine and probation
SECOND OFFENSE:	\$1,000.00 fine and probation	\$1,000.00 fine and <u>one</u> (1) year suspension then probation
THIRD AND SUBSEQUENT OFFENSES:	\$1,000.00 fine and <u>one</u> (1) year suspension then probation	Denial or \$1,000.00 fine and permanent revocation
TELEHEALTH REGISTRANTS		
FIRST OFFENSE	Reprimand	Suspension and a <u>corrective action plan</u>
SECOND AND SUBSEQUENT OFFENSES	Suspension and <u>a</u> <u>corrective action plan</u>	Revocation

(k) Committing any act upon a patient or client, which would constitute sexual battery or which would constitute sexual misconduct.

(Sections 456.072(1)(v) and 491.009(1)(k), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000.00 fine and <u>one</u> (1) year suspension then probation	Denial or \$1,000.00 fine and revocation
SECOND OFFENSE:	\$1,000.00 fine and <u>two</u> (2) years suspension then probation	Denial or \$1,000.00 fine and permanent revocation
THIRD AND SUBSEQUENT OFFENSES:	\$5,000.00 fine, <u>two</u> (2) years suspension then probation	\$10,000.00 fine and/or permanent revocation

<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST AND SUBSEQUENT OFFENSES</u>	<u>One (1) year suspension followed by a corrective action plan</u>	<u>Revocation</u>

(l) Making misleading, deceptive, untrue, or fraudulent misrepresentations in the practice of any profession licensed under Chapter 491, F.S., or employing a trick or scheme in or related to the practice of a profession.

(Sections 456.072(1)(m) and 491.009(1)(l), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$250.00 fine	\$1,000.00 fine and reprimand
SECOND OFFENSE:	\$500.00 fine	\$1,000.00 fine and probation
<u>THIRD AND SUBSEQUENT OFFENSES:</u>	\$1,000.00 fine	\$1,000.00 fine and <u>one (1) year suspension followed by probation</u>
FRAUD First Offense	\$10,000.00 fine	\$10,000.00 fine and/or reprimand; probation; suspension then probation; permanent revocation
FRAUD Second Offense	\$10,000.00 fine	\$10,000.00 fine and/or probation; suspension then probation; permanent revocation
FRAUD Third and Subsequent Offenses	\$10,000.00 fine	\$10,000.00 fine and/or <u>one (1) year suspension then probation; permanent revocation</u>
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	<u>Letter of Concern</u>	<u>Reprimand</u>
<u>SECOND OFFENSE</u>	<u>Reprimand</u>	<u>Suspension and a corrective action plan</u>
<u>THIRD AND SUBSEQUENT OFFENSES</u>	<u>Suspension and a corrective action plan</u>	<u>Revocation</u>

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

(Section 491.009(1)(m), F.S.)

	MINIMUM	MAXIMUM
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FIRST OFFENSE:	\$500.00 fine and reprimand	\$1,000.00 fine and/or <u>six (6) months suspension then probation, permanent revocation</u>
SECOND OFFENSE:	\$1,000.00 and reprimand	\$1,000.00 fine and/or <u>one (1) year suspension then probation, permanent revocation</u>
<u>THIRD AND SUBSEQUENT OFFENSES:</u>	\$1,000.00 fine and <u>one (1) year suspension then probation</u>	\$1,000.00 fine and/or permanent revocation
FRAUD First Offense	\$10,000.00 fine and reprimand	\$10,000.00 fine and/or <u>six (6) months suspension then probation; permanent revocation</u>
FRAUD Second Offense	\$10,000.00 fine and reprimand	\$10,000.00 fine and/or <u>one (1) year suspension then probation; permanent revocation</u>
FRAUD Third and Subsequent Offenses	\$10,000.00 fine and <u>one (1) year suspension then probation</u>	\$10,000.00 fine and/or permanent revocation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST AND SECOND OFFENSES</u>	<u>Reprimand</u>	<u>Revocation</u>
<u>THIRD AND SUBSEQUENT OFFENSES</u>	<u>One (1) year suspension followed by a corrective action plan</u>	<u>Revocation</u>

(n) Failing to make available to a patient or client, upon written request, copies of tests, reports, or documents in the possession or under the control of the licensee which have been prepared for and paid for by the patient or client.

(Section 491.009(1)(n), F.S.)

	MINIMUM	MAXIMUM
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FIRST OFFENSE:	\$500.00 fine and reprimand	\$1,000.00 fine and probation
SECOND OFFENSE:	\$1,000.00 fine and probation	\$1,000.00 fine and <u>one (1) year suspension then probation</u>
<u>THIRD AND SUBSEQUENT OFFENSES:</u>	\$2,500.00 fine, <u>one (1) year suspension then probation</u>	\$2,500.00 fine and/or permanent revocation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	<u>Reprimand</u>	<u>Suspension and a corrective action plan</u>
<u>SECOND OFFENSE</u>	<u>Suspension and _____ a corrective action plan</u>	<u>One (1) year suspension followed by a corrective action plan</u>
<u>THIRD AND SUBSEQUENT OFFENSES</u>	<u>One (1) year suspension followed by a corrective action plan</u>	<u>Revocation</u>

(o) Failing to respond within thirty (30) days to a written communication from the Department or the Board concerning any investigation by the Department or the Board, or failing to make available any relevant records with respect to the investigation about the licensee’s conduct or background. (Section 491.009(1)(o), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000.00 fine and reprimand	\$1,000.00 fine and probation
SECOND OFFENSE:	\$1,000.00 fine and probation	\$1,000.00 fine and <u>one (1) year suspension then probation</u>
<u>THIRD AND SUBSEQUENT OFFENSES:</u>	\$1,000.00 fine and <u>one (1) year suspension then probation</u>	Denial or \$1,000.00 fine and permanent revocation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	<u>Reprimand</u>	<u>Suspension and a corrective action plan</u>

<u>SECOND AND SUBSEQUENT OFFENSES</u>	<u>Suspension and _____ a corrective action plan</u>	<u>One (1) year suspension followed by a corrective action plan</u>
<u>THIRD AND SUBSEQUENT OFFENSES</u>	<u>One (1) year suspension followed by a corrective action plan</u>	<u>Revocation</u>

(p) Being unable to practice the profession for which one is licensed under Chapter 491, F.S., with reasonable skill and competence as a result of any mental or physical condition or by reason of illness; drunkenness; or excessive use of drugs, narcotics, chemicals, or any other substance. (Sections 456.072(1)(z) and 491.009(1)(p), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000.00 fine and probation	\$1,000.00 fine and suspension until the licensee is able to appear before the Board and demonstrate that he or she is able to practice with reasonable skill and competence, then probation
SECOND OFFENSE:	Suspension until the licensee is able to appear before the Board and demonstrate that his or her ability to practice with reasonable skill and competence, then probation	\$1,000.00 fine and permanent revocation
<u>THIRD AND SUBSEQUENT OFFENSES:</u>	Suspension until the licensee is able to appear before the Board and demonstrate his or her	\$2,500.00 fine and/or permanent revocation

	ability to practice with reasonable skill and competence, then probation	
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST AND SUBSEQUENT OFFENSES</u>	Suspension and a corrective action plan which includes, the Registrant appearing before the Board and demonstrating their ability to practice with reasonable skill and safety	<u>Revocation</u>

(q) Violating provisions of Chapter 491 or 456, F.S., or any rule adopted pursuant thereto.  
(Sections 456.072(1)(dd) and 491.009(1)(w), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$250.00 fine and reprimand	\$1,000.00 fine and/or probation; <u>one (1)</u> year suspension then probation; permanent revocation
SECOND OFFENSE:	\$1,000.00 fine and <u>one (1)</u> year probation	Denial or \$5,000.00 fine and <u>two (2)</u> years suspension then probation; permanent revocation
<u>THIRD AND SUBSEQUENT OFFENSES:</u>	\$1,000.00 fine and <u>one (1)</u> year suspension then probation	Denial or \$5,000.00 fine and/or permanent revocation
<u>TELEHEALTH REGISTRANTS</u>		

<u>FIRST OFFENSE</u>	<u>Reprimand</u>	<u>Revocation</u>
<u>SECOND AND SUBSEQUENT OFFENSES</u>	<u>Suspension and _____ a corrective action plan</u>	<u>Revocation</u>

(r) Performing any treatment or prescribing any therapy which, by the prevailing standards of the mental health professions in the community would constitute experimentation on human subjects, without first obtaining full, informed, and written consent.

(Section 491.009(1)(q), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500.00 fine and reprimand	\$1,000.00 fine and probation
SECOND OFFENSE:	\$1,000.00 fine and probation	\$1,000.00 fine and <u>one (1)</u> year suspension then probation
<u>THIRD AND SUBSEQUENT OFFENSES:</u>	\$1,000.00 fine and <u>one (1)</u> year suspension then probation	Denial or \$1,000.00 fine and permanent revocation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	<u>Reprimand</u>	<u>Suspension and a corrective action plan</u>
<u>SECOND AND SUBSEQUENT OFFENSES</u>	<u>Suspension and _____ a corrective action plan</u>	<u>One (1) year suspension followed by a corrective action plan</u>
<u>THIRD AND SUBSEQUENT OFFENSES</u>	<u>One (1) year suspension followed by a corrective action plan</u>	<u>Revocation</u>

(s) Failing to meet the MINIMUM standards of performance in professional activities when measured against generally prevailing peer performance, including the undertaking of activities for which the licensee is not qualified by training or experience.

(Section 491.009(1)(r), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$250.00 fine and reprimand	\$5,000.00 fine and/or probation, <u>one (1)</u> year suspension then

		probation; permanent revocation
SECOND OFFENSE:	\$1,000.00 fine and probation	\$1,000.00 fine and/or <u>one (1) year</u> suspension followed by probation, permanent revocation
THIRD AND SUBSEQUENT OFFENSES:	\$1,000.00 fine and <u>one (1) year</u> suspension then probation	Denial or \$1,000.00 fine and permanent revocation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	<u>Reprimand</u>	<u>Revocation</u>
<u>SECOND OFFENSE</u>	<u>Suspension and _____ a corrective action plan</u>	<u>Revocation</u>
<u>THIRD AND SUBSEQUENT OFFENSES</u>	<u>One (1) year suspension followed by a corrective action plan</u>	<u>Revocation</u>

(t) Delegating professional responsibilities to a person whom the licensee knows or has reason to know is not qualified by training or experience to perform such responsibilities. (Sections 456.072(1)(p) and 491.009(1)(s), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000.00 fine and reprimand	\$1,000.00 fine and probation
SECOND OFFENSE:	\$1,000.00 fine and probation	\$1,000.00 fine and permanent revocation
THIRD AND SUBSEQUENT OFFENSES:	\$1,000.00 fine and 1 year suspension then probation	\$1,000.00 fine and permanent revocation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	<u>Reprimand</u>	<u>Suspension and a corrective action plan</u>

<u>SECOND OFFENSE</u>	<u>Suspension and _____ a corrective action plan</u>	<u>Revocation</u>
<u>THIRD AND SUBSEQUENT OFFENSES</u>	<u>One (1) year suspension followed by a corrective action plan</u>	<u>Revocation</u>

(u) Violating a rule relating to the regulation of the profession or a lawful order of the Department or the Board previously entered in a disciplinary hearing.

(Section 491.009(1)(t), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$250.00 fine and reprimand	\$1,000.00 fine and/or <u>six (6) months</u> suspension then probation, permanent revocation
SECOND OFFENSE:	\$1,000.00 fine and <u>one (1) year</u> suspension then probation	Denial or \$1,000.00 fine and permanent revocation
THIRD AND SUBSEQUENT OFFENSES:	\$2,000.00 fine and <u>two (2) years</u> suspension then probation	\$2,000.00 fine and/or permanent revocation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	<u>Reprimand</u>	<u>Revocation</u>
<u>SECOND OFFENSE</u>	<u>One (1) year suspension followed by a corrective action plan</u>	<u>Revocation</u>
<u>THIRD AND SUBSEQUENT OFFENSES</u>	<u>Two (2) years suspension followed by a corrective action plan</u>	<u>Revocation</u>

(v) Failure of a licensee to maintain in confidence any communication made by a patient or client in the context of services, except by written permission or in the face of clear and

immediate probability of bodily harm to the patient or client or to others.

(Section 491.009(1)(u), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000.00 fine and reprimand	\$1,000.00 fine and probation
SECOND OFFENSE:	\$1,000.00 fine and probation	\$1,000.00 fine and permanent revocation
THIRD AND SUBSEQUENT OFFENSES:	\$1,000.00 fine and one (1) year suspension then probation	\$1,000.00 fine and/or permanent revocation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	Reprimand	Suspension and a corrective action plan
<u>SECOND OFFENSE</u>	Suspension and a corrective action plan	Revocation
<u>THIRD AND SUBSEQUENT OFFENSES</u>	One (1) year suspension followed by a corrective action plan	Revocation

(w) Making public statements which are derived from test data, client contacts, or behavioral research and which identify or damage research subjects or clients.

(Section 491.009(1)(v), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000.00 fine and reprimand	\$1,000.00 fine and probation
SECOND OFFENSE:	\$1,000.00 fine and probation	\$1,000.00 fine and permanent revocation
THIRD AND SUBSEQUENT OFFENSES:	\$2,000.00 fine 1 year suspension then probation	\$2,000.00 fine and/or permanent revocation
<u>TELEHEALTH REGISTRANTS</u>		

<u>FIRST OFFENSE</u>	Reprimand	Suspension and a corrective action plan
<u>SECOND OFFENSE</u>	Suspension and a corrective action plan	Revocation
<u>THIRD AND SUBSEQUENT OFFENSES</u>	One (1) year suspension followed by a corrective action plan	Revocation

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

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

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500.00 fine and reprimand	\$1,000.00 fine and probation
SECOND OFFENSE:	\$1,000.00 fine and probation	\$1,000.00 fine and one (1) year suspension followed by probation
THIRD AND SUBSEQUENT OFFENSES:	\$1,000.00 fine and one (1) year suspension then probation	Denial or \$1,000.00 fine and permanent revocation

<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	Reprimand	Suspension and a corrective action plan
<u>SECOND OFFENSE</u>	Suspension and a corrective action plan	One (1) year suspension followed by a corrective action plan
<u>THIRD AND SUBSEQUENT OFFENSES</u>	One (1) year suspension followed by a corrective action plan	Revocation

(y) Except as provided in Section 465.016, F.S., failing to report to the department any person whom the licensee knows is in violation of Chapter 456, Part II, Chapter 491, F.S., or the rules of the Department or the Board.

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

	MINIMUM	MAXIMUM
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FIRST OFFENSE:	\$250.00 fine	\$1,000.00 fine and reprimand
SECOND OFFENSE:	\$500.00 fine	\$1,000.00 fine and probation
<u>THIRD AND SUBSEQUENT OFFENSES:</u>	\$1,000.00 fine	\$1,000.00 fine and <u>one (1) year suspension then probation</u>
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	<u>Letter of concern</u>	<u>Reprimand</u>
<u>SECOND OFFENSE</u>	<u>Reprimand</u>	<u>Suspension and a corrective action plan</u>
<u>THIRD AND SUBSEQUENT OFFENSES</u>	<u>Suspension and a corrective action plan</u>	<u>Revocation</u>

(z) Exercising influence on the client for the purpose of financial gain of the licensee or a third party.  
(Section 456.072(1)(n), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000.00 fine and probation	Denial or \$1,000.00 fine and revocation
SECOND OFFENSE:	\$1,000.00 fine and <u>one (1) year suspension then by probation</u>	Permanent denial or \$1,000.00 fine and permanent revocation
<u>THIRD AND SUBSEQUENT OFFENSES:</u>	\$2,000.00 fine, <u>two (2) years suspension then probation</u>	\$2,000.00 fine and/or permanent revocation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	<u>Suspension and a corrective action plan</u>	<u>Revocation</u>
<u>SECOND OFFENSE</u>	<u>One (1) year suspension followed by a corrective action plan</u>	<u>Revocation</u>

<u>THIRD AND SUBSEQUENT OFFENSES</u>	<u>Two (2) years suspension followed by a corrective action plan</u>	<u>Revocation</u>
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(aa) Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding.  
(Section 456.072(1)(r), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000.00 fine and reprimand	\$1,000.00 fine and <u>six (6) months suspension then probation</u>
SECOND OFFENSE:	\$1,000.00 fine and <u>one (1) year suspension then probation</u>	Denial or \$1,000 fine and permanent revocation
<u>THIRD AND SUBSEQUENT OFFENSES:</u>	\$2,000.00 fine, <u>two (2) years suspension then probation</u>	\$2,000.00 fine and/or permanent revocation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	<u>Reprimand</u>	<u>Six (6) months suspension followed by a corrective action plan</u>
<u>SECOND AND SUBSEQUENT OFFENSES</u>	<u>One (1) year suspension followed by a corrective action plan</u>	<u>Revocation</u>
<u>THIRD AND SUBSEQUENT OFFENSES</u>	<u>Two (2) years suspension followed by a corrective action plan</u>	<u>Revocation</u>

(bb) Intentionally violating any rule adopted by the Board or the department, as appropriate.  
(Section 456.072(1)(b), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000.00 fine and reprimand	\$1,000.00 fine and/or <u>six (6) months suspension then probation,</u>

		permanent revocation
SECOND OFFENSE:	\$1,000.00 fine and <u>one</u> (1) year suspension then probation	Denial or \$1,000.00 fine and permanent revocation
THIRD <u>AND</u> <u>SUBSEQUENT</u> OFFENSES:	\$2,000.00 fine, <u>two</u> (2) years suspension then probation	\$2,000.00 fine and/or permanent revocation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	<u>Reprimand</u>	<u>Revocation</u>
<u>SECOND OFFENSE</u>	<u>One (1) year suspension followed by a corrective action plan</u>	<u>Revocation</u>
<u>THIRD AND SUBSEQUENT OFFENSES</u>	<u>Two (2) years suspension followed by a corrective action plan</u>	<u>Revocation</u>

(cc) Practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities the licensee knows, or has reason to know, the licensee is not competent to perform. (Section 456.072(1)(o), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000.00 fine and reprimand	\$1,000.00 fine and probation
SECOND OFFENSE:	\$1,000.00 fine and probation	\$1,000.00 fine and revocation
THIRD <u>AND</u> <u>SUBSEQUENT</u> OFFENSES:	\$1,000.00 fine and <u>one</u> (1) year suspension then probation	\$1,000.00 fine and permanent revocation
<u>TELEHEALTH REGISTRANTS</u>		

<u>FIRST OFFENSE</u>	<u>Reprimand</u>	<u>Suspension and a corrective action plan</u>
<u>SECOND OFFENSE</u>	<u>Suspension and _____ a corrective action plan</u>	<u>Revocation</u>
<u>THIRD AND SUBSEQUENT OFFENSES</u>	<u>One (1) year suspension followed by a corrective action plan</u>	<u>Revocation</u>

(dd) Violating any provision of this part, the applicable professional practice act, a rule of the department or the board, or a lawful order of the department or the board, or failing to comply with a lawfully issued subpoena of the department. (Sections 456.072(1)(q) and 491.009(1)(w), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$250.00 fine and reprimand	\$1,000.00 fine and/or probation; <u>one</u> (1) year suspension then probation; permanent revocation
SECOND OFFENSE:	\$1,000.00 fine and probation	\$1,000.00 fine and/or <u>one</u> (1) year suspension then probation, or permanent revocation
THIRD <u>AND</u> <u>SUBSEQUENT</u> OFFENSES:	\$1,000.00 fine and <u>one</u> (1) year suspension then probation	\$1,000.00 fine and permanent revocation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	<u>Reprimand</u>	<u>Revocation</u>
<u>SECOND OFFENSE</u>	<u>Suspension and _____ a corrective action plan</u>	<u>Revocation</u>
<u>THIRD AND SUBSEQUENT OFFENSES</u>	<u>One (1) year suspension followed by a corrective action plan</u>	<u>Revocation</u>

(ee) Failing to comply with the requirements for profiling and credentialing, including, but not limited to, failing to provide initial information, failing to timely provide updated information, or making misleading, untrue, deceptive, or fraudulent representations on a profile, credentialing, or initial or renewal licensure application.

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

	MINIMUM	MAXIMUM
FIRST OFFENSE:	Denial, \$500.00 fine and reprimand	\$1,000.00 fine and/or reprimand; <u>one (1)</u> year suspension then probation; permanent revocation
SECOND OFFENSE:	Denial, \$1,000.00 fine and probation	\$1,000.00 fine and/or <u>three (3)</u> months suspension then probation, permanent revocation
THIRD AND SUBSEQUENT OFFENSES:	Denial, \$1,000.00 fine and <u>one (1)</u> year suspension then probation	Denial or \$1,000.00 fine and permanent revocation
FRAUD First Offense	Denial, \$10,000.00 fine and reprimand	\$10,000.00 fine and/or reprimand; <u>one (1)</u> year suspension then probation; permanent revocation
FRAUD Second Offense	Denial, \$10,000.00 fine and probation	\$10,000.00 fine and/or <u>three (3)</u> months suspension then probation; permanent revocation
FRAUD Third and Subsequent Offenses	Denial, \$10,000.00 fine and <u>one (1)</u> year suspension then probation	\$10,000.00 fine and/or permanent revocation
TELEHEALTH REGISTRANTS		

<u>FIRST OFFENSE</u>	<u>Reprimand</u>	<u>Revocation</u>
<u>SECOND OFFENSE</u>	<u>Suspension and a corrective action plan</u>	<u>Revocation</u>
<u>THIRD AND SUBSEQUENT OFFENSES</u>	<u>One (1) year suspension followed by a corrective action plan</u>	<u>Revocation</u>

(ff) Using information about people involved in motor vehicle accidents which has been derived from accident reports made by law enforcement officers for the solicitation of the people involved in the accidents.

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

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500.00 fine and reprimand	\$1,000.00 fine and <u>six (6)</u> months suspension then probation
SECOND OFFENSE:	\$1,000.00 and reprimand	\$1,000.00 fine and <u>one (1)</u> year suspension then probation
THIRD AND SUBSEQUENT OFFENSES:	\$1,000.00 fine <u>one (1)</u> year suspension then probation	\$1,000.00 fine and permanent revocation
TELEHEALTH REGISTRANTS		
<u>FIRST OFFENSE</u>	<u>Reprimand</u>	<u>Six (6) months suspension followed by a corrective action plan</u>
<u>SECOND OFFENSE</u>	<u>Reprimand</u>	<u>One (1) year suspension followed by a corrective action plan</u>
<u>THIRD AND SUBSEQUENT OFFENSES</u>	<u>One (1) year suspension followed by a corrective action plan</u>	<u>Revocation</u>

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

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

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500.00 fine	\$1,000.00 fine and reprimand
SECOND OFFENSE:	\$1,000.00 fine and probation	\$1,000.00 fine and six (6) months suspension then probation
THIRD AND SUBSEQUENT OFFENSES:	\$1,000.00 fine and one (1) year suspension then probation	Denial or \$1,000.00 fine and permanent revocation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	<u>Letter of Concern</u>	<u>Reprimand</u>
<u>SECOND OFFENSE</u>	<u>Suspension and a corrective action plan</u>	<u>Six (6) months suspension followed by a corrective action plan</u>
<u>THIRD AND SUBSEQUENT OFFENSES</u>	<u>One (1) year suspension followed by a corrective action plan</u>	<u>Revocation</u>

(hh) Testing positive for any drug on any confirmed preemployment or employer-ordered drug screening.  
(Section 456.072(1)(aa), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500.00 fine and probation	\$750.00 fine and substance abuse evaluation, suspension then probation
SECOND OFFENSE:	\$750.00 fine suspension then probation	\$1,000.00 fine and/or permanent revocation
THIRD AND SUBSEQUENT OFFENSES:	\$1,000.00 fine, two (2) years suspension then probation	\$1,000.00 fine and/or permanent revocation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	<u>Suspension and a</u>	<u>One (1) year suspension followed</u>

	<u>corrective action plan which includes, at a minimum, a substance abuse evaluation</u>	<u>by a corrective action plan which includes, at a minimum, a substance abuse evaluation</u>
<u>SECOND OFFENSE</u>	<u>Suspension and a corrective action plan which includes, at a minimum, a substance abuse evaluation</u>	<u>Revocation</u>
<u>THIRD AND SUBSEQUENT OFFENSES</u>	<u>One (1) year suspension followed by a corrective action plan</u>	<u>Revocation</u>

(ii) Failing to inform the department of any change of address of either the place of practice or current mailing address of any applicant or licensee.

(Section 456.035, F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$250.00 fine	\$500.00 fine and reprimand
SECOND OFFENSE:	\$1,000.00 fine and reprimand	\$1,000.00 fine and six (6) months suspension then probation
THIRD AND SUBSEQUENT OFFENSES:	\$1,000.00 fine and one (1) year suspension then probation	\$1,000.00 fine and permanent revocation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	<u>Letter of Concern</u>	<u>Reprimand</u>
<u>SECOND OFFENSE</u>	<u>Reprimand</u>	<u>Six (6) months suspension followed by a corrective action plan</u>



<u>THIRD AND SUBSEQUENT OFFENSES</u>	<u>One (1) year suspension followed by a corrective action plan</u>	<u>Revocation</u>
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(jj) Being terminated from a treatment program for impaired practitioners, which is overseen by an impaired practitioner consultant as described in Section 456.076, F.S., for failure to comply, without good cause, with the terms of the monitoring or treatment contract entered into by the licensee, or for not successfully completing any drug treatment or alcohol treatment program.

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

	MINIMUM	MAXIMUM
<u>FIRST AND SUBSEQUENT OFFENSES:</u>	Suspension until compliant with contract	\$10,000.00 fine and/or permanent revocation

<u>TELEHEALTH REGISTRANTS</u>		
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<u>FIRST AND SUBSEQUENT OFFENSES</u>	<u>Suspension and a corrective action plan that requires, at a minimum, compliance with the treatment contract</u>	<u>Revocation</u>
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(kk) Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, under 18 U.S.C. s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 U.S.C. ss. 1320a-7b, relating to the Medicaid program.

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

	MINIMUM	MAXIMUM
<u>FIRST OFFENSE:</u>	\$10,000.00 fine, permanent revocation	\$10,000.00 fine and permanent revocation

<u>TELEHEALTH REGISTRANTS</u>		
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<u>FIRST OFFENSE</u>	<u>Revocation</u>	<u>Revocation</u>
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(ll) Failing to remit the sum owed to the state for any overpayment from the Medicaid program pursuant to a final order, judgment, or stipulation or settlement.

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

	MINIMUM	MAXIMUM
<u>FIRST OFFENSE:</u>	\$500.00 fine and Letter of concern	\$5,000.00 fine and/or suspension
<u>SECOND OFFENSE:</u>	\$10,000.00 fine and reprimand	\$10,000.00 fine and/or permanent revocation
<u>THIRD OFFENSE:</u>	Permanent Revocation	
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	<u>Letter of Concern</u>	<u>Suspension and a corrective action plan</u>
<u>SECOND OFFENSE</u>	<u>Reprimand</u>	<u>Revocation</u>
<u>THIRD OFFENSE</u>	<u>Revocation</u>	

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

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

	MINIMUM	MAXIMUM
<u>FIRST OFFENSE:</u>	\$1,000.00 fine, Letter of concern	\$5,000.00 fine and/or suspension
<u>SECOND OFFENSE:</u>	\$10,000.00 fine, reprimand	\$10,000.00 fine and/or permanent revocation

<u>THIRD OFFENSE:</u>	Permanent Revocation	
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<u>TELEHEALTH REGISTRANTS</u>		
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<u>FIRST OFFENSE</u>	<u>Letter of Concern</u>	<u>Suspension and a corrective action plan</u>
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<u>SECOND OFFENSE</u>	<u>Reprimand</u>	<u>Revocation</u>
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<u>THIRD OFFENSE</u>	<u>Revocation</u>	
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(nn) Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, a crime in any jurisdiction which relates to health care fraud.

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

	MINIMUM	MAXIMUM
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FIRST OFFENSE:	\$10,000.00 fine and permanent revocation	\$10,000.00 fine and permanent revocation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	<u>Revocation</u>	

(oo) Willfully failing to comply with Section 627.64194 or 641.513, F.S., with such frequency as to indicate a general business practice – regarding emergency services and insurance billing.

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

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$250.00 fine, reprimand	\$500.00 fine, reprimand
SECOND OFFENSE:	\$500.00 fine and probation	\$500.00 fine, suspension then probation
<u>THIRD AND SUBSEQUENT OFFENSES:</u>	\$750.00 fine, suspension then probation	\$1,000.00 fine and/or permanent revocation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	<u>Letter of Concern</u>	<u>Reprimand</u>
<u>SECOND OFFENSE</u>	<u>Suspension and a corrective action plan</u>	<u>One (1) year suspension followed by a corrective action plan</u>
<u>THIRD AND SUBSEQUENT OFFENSES</u>	<u>One (1) year suspension followed by a corrective action plan</u>	<u>Revocation</u>

(2) - (4) No change.

Rulemaking Authority 456.079, 456.47(4), 456.47(7), 491.004(5) FS. Law Implemented 456.079, 456.47(4), 491.009 FS. History—New 3-5-89, Amended 1-3-91, 6-1-92, Formerly 21CC-5.001, Amended 1-9-94, Formerly 61F4-5.001, Amended 12-22-94, Formerly 59P-5.001, Amended 12-11-97, 10-1-00, 2-5-01, 10-15-02, 3-27-05, 1-16-06, 4-6-10, 5-22-12, 12-7-17, \_\_\_\_\_.

64B4-5.0015 Out-of-State Telehealth Discipline

(1) The following disciplinary guidelines shall be followed by the board in imposing disciplinary penalties upon out-of-

state telehealth providers registered pursuant to section 456.47(4), F.S., for violation of the below mentioned statutes and rules. For the purposes of this rule, the descriptions of the violations are abbreviated, and the full statute or rule cited should be consulted to determine the prohibited conduct.

<u>VIOLATION</u>	<u>PENALTY RANGE</u>	
	<u>FIRST VIOLATION</u>	<u>SECOND AND SUBSEQUENT VIOLATIONS</u>
<u>1. Fails to notify the applicable board, or the department if there is no board, of any adverse actions taken against his or her license. (Section 456.47(4)(i), F.S.);</u>	<u>Letter of Concern to suspension and a corrective action plan</u>	<u>Suspension and a corrective action plan to revocation</u>
<u>2. Has restrictions placed on or disciplinary action taken against his or her license in any state or jurisdiction. (Section 456.47(4)(i), F.S.)</u>	<u>Letter of concern to revocation as closely as possible to same penalty as imposed in other jurisdiction</u>	<u>Letter of concern to revocation as closely as possible to same penalty as imposed in other jurisdiction to revocation</u>
<u>3. Violates any of the requirements of section 456.47, F.S. (Section 456.47(4)(i), F.S.)</u>	<u>Letter of Concern to suspension and a corrective action plan</u>	<u>Suspension and a corrective action plan to revocation</u>
<u>4. Commits any act that constitutes grounds for disciplinary action under s.</u>	<u>As stated in rule 64B4-5.001(1), F.A.C.</u>	<u>As stated in rule 64B4-5.001(1), F.A.C.</u>

<u>456.072(1), or s. 491.009(1), F.S.</u>		
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(2) The range of disciplinary action for registered out-of-state telehealth providers shall be, in ascending order of severity, letter of concern, reprimand, suspension, and revocation.

(3) A suspension may be for a definite term or may be accompanied by a corrective action plan, as stated in rule 64B5-5.001(1), F.A.C.

(4) A suspension for a definite term may be terminated early only upon approval of the Board. A suspension accompanied by a corrective action plan may be lifted upon successful compliance with the corrective action or otherwise determined by the Board.

(5) A “corrective action plan” must accompany a suspension and includes rehabilitative provisions established by the Board which are narrowly tailored to address the conduct which resulted in the underlying disciplinary violations. In order to satisfy a corrective action plan, the Registrant must provide proof of successful completion of all provisions to the Board. A corrective action plan may follow a suspension for a definite term and require continued suspension until successful compliance with the corrective action plan. Nothing in this paragraph shall be interpreted as restricting the Board’s ability to impose a suspension for a definite term absent or accompanied by a corrective action plan.

Rulemaking Authority 456.47(4), 456.47(7) FS. Law Implemented 456.47(4) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 7, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 16, 2020

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NOS.:	RULE TITLES:
64B14-4.003	Documentation of Eligibility for Licensure
64B14-4.005	Documentation of Eligibility for Registration

PURPOSE AND EFFECT: The proposed rule amendments are intended to update the revised language and applications.

SUMMARY: The proposed rule amendments intend to update the revised language and applications.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 468.802, 468.803 FS.

LAW IMPLEMENTED: 456.013(1), (7), 456.0635, 468.803 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Janet Hartman, Executive Director, Board of Orthotists & Prosthetists, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-4.003 Documentation of Eligibility for Licensure.

(1) In order to establish eligibility for licensure as an orthotist, prosthetist, orthotic fitter, orthotic fitter assistant, or pedorthist under section 468.803(5)(a), (b), (c), (d) or (e), F.S., the applicant must submit an Application for Licensure, form DH-MQA 1132, 07/2020 08/2017, herein incorporated by reference, which is available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-09988>, or at the Board’s website <http://floridasorthotistsprosthetists.gov/>, and provide:

(a) An official transcript from the ~~regionally~~-accredited institution at which the applicant's Baccalaureate or post-graduate Bachelor of Science degree was awarded, indicating the degree awarded.

(b) No change.

(c) If the applicant completed a residency program certified by NCOPE, documentation from NCOPE certifying completion of the residency program ~~an original letter from the head of the residency program attesting to successful completion of the program.~~

(d)1. If the applicant completed an internship, ~~a patient log signed by the applicant's qualified supervisor(s), including the types of patients treated, the types of treatment provided, and the number of hours worked,~~ documentation from the qualified supervisor that specifies the number of hours worked and demonstrates compliance with rule 64B14-4.100, F.A.C., or

2. The Board ~~will shall~~ accept written documentation from NCOPE ABC ~~ABC~~ establishing the completion of an internship. Such documentation must be submitted to the Board office directly from NCOPE ABC ~~and must demonstrate the applicant's internship was in compliance with rule 64B14-4.100, F.A.C.~~

(e) No change.

(f) Sections 468.803(4)(a)2., (4)(b)2., (5)(a)2., and (5)(b)2., F.S., require that an applicant for examination or license must first complete a ~~4-year~~ qualified experience internship or residency. Experience gained in Florida, ~~either through a residency or internship,~~ is deemed "qualified" beginning only after the issuance date of a valid Registration to practice in Florida as ~~either an intern or a~~ resident.

(2) through (3) No change.

(4) In order to establish eligibility for licensure as a pedorthist under section 468.803(5)(e), F.S., the applicant must provide at a minimum:

(a) through (b) No change.

(c) ~~A patient log signed by the applicant's qualified supervisor(s), including the types of patients treated, the types of treatment provided,~~ Documentation from a qualified supervisor specifying ~~and~~ the number of hours worked.

(d) No change.

Rulemaking Authority 468.802 FS. Law Implemented 456.013(1), (7), 456.0635, 468.803 FS. History--New 12-10-98, Amended 11-11-02, 11-1-05, 9-21-06, 4-19-09, 4-12-10, Amended 6-19-12, 11-13-12, 6-10-13, 3-5-15, 10-21-18,\_\_\_\_\_.

64B14-4.005 Documentation of Eligibility for Registration.

In order to establish eligibility for registration as an orthotic, ~~or~~ prosthetic, ~~or orthotic-prosthetic~~ resident ~~or intern~~ under section 468.803(3)(a) or (b), F.S., the applicant must submit a completed Application for Initial Internship/Residency Registration, form number DH-MQA 1126, 7/20208/2017,

hereby adopted and incorporated by reference, which is available from: http://www.flrules.org/Gateway/reference.asp?No=Ref-09325, or the Board office or at the Board's website http://floridasorthotistsprosthetists.gov/, and provide:

(1)(a) An official transcript from the ~~regionally~~ accredited institution at which the applicant's Baccalaureate or post-graduate Bachelor of Science degree was awarded, indicating the degree awarded.

(b) No change.

1. through 3. No change.

~~(4) For registration as an intern the applicant must provide documentation of a proposed internship meeting the requirement of rule 64B14-4.100, F.A.C.~~

~~(4)(5) Documentation of completion of the mandatory courses.~~

Rulemaking Authority 468.802, 468.803 FS. Law Implemented 468.803, 456.0635 FS. History--New 12-9-10, Amended 5-15-12, 11-13-12, 5-6-18,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Orthotists & Prosthetists

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Board of Orthotists & Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: June 18, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: September 16, 2020

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NOS.: RULE TITLES:

64B14-4.100 Requirements for Prosthetic or Orthotic Residency or Internship

64B14-4.115 Requirements for Renewal of Prosthetic or Orthotic Residency or Internship

PURPOSE AND EFFECT: The proposed rule amendments are intended to update the revised language and applications.

SUMMARY: The proposed rule amendments intend to update the revised language and applications.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described

herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.025, 468.802, 468.803 FS.

LAW IMPLEMENTED: 468.803 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Janet Hartman, Executive Director, Board of Orthotists & Prosthetists, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-4.100 Requirements for Prosthetic or Orthotic Residency ~~or Internship~~.

(1) To meet the requirements for licensure as an orthotist or prosthetist, the applicant must document an internship that meets the requirements of this rule, or must complete a residency program accredited by NCOPE. An applicant for combined licensure as a ~~prosthetist/orthotist-prosthetist~~ must document an a discrete internship or residency, or completion of a combined residency, in each field.

(2) An internship must have ~~consisted~~ of orthotic or prosthetic clinical experience practicing under the general supervision of a licensed or ABC-certified orthotist or prosthetist, respectively. The documented internship must consist of a minimum of 1,900 hours.

(3) Internships must have been completed at facilities engaged in providing orthotic and prosthetic patient care. Interns must have provided direct patient care, ~~but only~~ under the supervision of a qualified orthotist or prosthetist; ~~the educational mission must not be compromised by an excessive~~

~~reliance on residents to fulfill facility service obligations.~~ Interns should progress from observing to actually providing direct patient care. Sufficient amounts of lab and technical experience must accompany the clinical training.

(4) The internship must have ~~required~~ the intern to meet the following objectives:

(a) Clinical Assessment. Determining ~~Determine~~ the orthotic or prosthetic needs of the patient by integrating the information obtained from history, examination, measurement and observation; development of a treatment protocol for the patient through review of patient data in order to formulate an orthotic or prosthetic recommendation and treatment plan.

(b) Patient Management. Applying a properly fitting prosthetic or ~~orthotic~~ device by using ~~accepted prosthetic/orthotic~~ techniques to achieve optimum outcomes; inform the patient of the various procedures to be performed by using appropriate communication skills; provide continuing patient care and periodic evaluation to ensure proper fit and function of the ~~prosthetic/orthotic~~ device.

(c) Professional Responsibility. Selecting the most appropriate course of action when faced with patient-related problems while adhering to ~~the laws and rules applicable to practice in Florida and~~ the standards of care of the profession.

(d) Practice Management. Demonstrating ~~Demonstrate~~ proper documentation of a patient's history and financial records by using established record-keeping techniques ~~and demonstrate an understanding of the facility's financial and safety policies and procedures.~~

(e) Technical Implementation. Interpreting patient data and modifying a patient model to ensure optimal fit and function; demonstrate the ability to fabricate or repair a prescribed device, selecting appropriate materials and components based on patient criteria to ensure optimum strength, durability and function.

(5) No change.

(6) ~~Each intern shall keep a daily patient log, subject to review by the Board.~~ Each intern shall be evaluated by ~~his/her~~ the supervising practitioner on a quarterly basis and at the conclusion of the internship.

(7) No change.

(8) If a change in supervisor is required, the applicant must submit a completed Registration Supervisor Update Form, form number DH-MQA 1133, ~~7/202001/42~~, which is available from the Board office or the Board's website <http://www.doh.state.fl.us/mqa/OrthPros/index.html>, or ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-01432>~~. Rulemaking Authority 468.802, 468.803 FS. Law Implemented 468.803 FS. History—New 11-1-99, Amended 7-2-07, 5-28-09, 4-11-10, 11-9-10, 1-10-12, 4-29-12, \_\_\_\_\_.

64B14-4.115 Requirements for Renewal of ~~Prosthetic or Orthotic Residency or Internship~~.

To be eligible for a ~~one (1) year~~ renewal of residency, the applicant must submit a renewal application to the department no earlier than 150 days prior to the expiration of the active residency ~~or internship~~. Each independent registration or dual registration is valid for 2 years after from the date of initial issuance. The renewal application must be received by the Department while the initial ~~intern or~~ resident registration is still active and valid. The application titled "Renewal of Internship/Residency Registration Renewal" is form DH-MQA-1268, 07/20202/2014, herein incorporated by reference and available at [http://www.flrules.org/gateway/reference.asp?No=Ref- 04134](http://www.flrules.org/gateway/reference.asp?No=Ref-04134), and the Department's website <http://floridaorthotistsprosthetists.gov/>. The registration renewal fee is set in Rule 64B14-2.006, F.A.C., and must be included with the completed application.

Rulemaking Authority 456.025, 468.803 FS. Law Implemented 468.803(3) FS. History—New 5-15-14,\_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**

Board of Orthotists & Prosthetists

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Board of Orthotists & Prosthetists

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** June 18, 2020

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** September 16, 2020

**DEPARTMENT OF FINANCIAL SERVICES**

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

**RULE NO.:** 69K-1.006  
**RULE TITLE:** Licensure Requirements Regarding Inspections

**PURPOSE AND EFFECT:** The Board proposes a new rule to clarify licensing guidelines necessary for completing inspections mandated by the licensing process as it relates to the issuance of licenses and compliance of licenses regarding the maintenance of facilities used by licensees.

**SUMMARY:** The proposed new rule, solely as it relates to licensing requirements and compliance, provides a waiver of inspection deadlines for the duration of the public health emergency of the COVID-19 pandemic.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

**RULEMAKING AUTHORITY:** 497.103(1), 497.380, 497.385, 497.604 FS.

**LAW IMPLEMENTED:** 497.380, 497.385, 497.604 FS.

**IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.**

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Mary Schwantes, Division Director, Board of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361, (850)545-9721, or by email: mary.schwantes@myfloridaco.com

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

69K-1.006 Licensure Requirements Regarding Inspections

(1) On-site inspections shall be required for the issuance of licenses, renewals, and requests for changes of location of licensed establishment as designated by rule in applicable chapters of 69K of the Florida Administrative Code.

(2) The deadline and terms for completing on-site inspections shall be determined by the Board.

(3) During the public health emergency of COVID 19 as declared by the Executive Branch of the State of Florida, inspection deadlines are temporarily waived. Once inspected, the applicant will have 30 days following the initial inspection to correct deficiencies, if any, noted during the inspection.

Rulemaking Authority 497.103(1), 497.380, 497.385, 497.604 FS. Law Implemented 497.380, 497.385, 497.604 FS. History—New,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Board of Funeral, Cemetery, and Consumer Services  
 NAME OF AGENCY HEAD WHO APPROVED THE  
 PROPOSED RULE: Board of Funeral, Cemetery, and  
 Consumer Services  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: July 22, 2020  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAR: September 24, 2020

### Section III

## Notice of Changes, Corrections and Withdrawals

**DEPARTMENT OF TRANSPORTATION**

RULE NO.:           RULE TITLE:  
 14-10.057           Application and Permit Insurance  
                           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. 46 No. 186, September 23, 2020 issue of the Florida Administrative Register.

14-10.057 Vegetation Management Application and Permit Issuance.

(1) Permit Required.

(a) No person or entity may remove, cut, or trim trees, shrubs, or herbaceous plants on the Department’s right of way to make visible or to ensure future visibility of off-premise outdoor advertising signs without Department approval of an Application to Permit Vegetation Management at Outdoor Advertising Sign, Form 650-050-06, Rev. 106/2019, which is incorporated herein by reference at ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-11486>~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-12209> and available electronically at <https://osp.fdot.gov>. For purposes of this rule, the use of chemical control constitutes removing, cutting, or trimming, depending on the impact on the tree, shrub, or herbaceous plant. The Application must be submitted to the State Outdoor Advertising Administrator, at the address referenced in ~~Rules~~ 14-10.0011(2), F.A.C., of this rule chapter or through the on-line portal. This rule does not apply to requests to trim or remove vegetation that screens signs that are not permitted by the Department pursuant to ~~Sections~~ 479.07, F.S.

(b) No change

(c) The Application Package shall contain the completed application and:

1. through 4. No change  
 5. ~~The A non-refundable~~ application fee ~~is of~~ \$25.00. The ~~non-refundable~~ application fee shall be a total of \$200.00 for more than eight applications submitted simultaneously within the same Department District. If payment is by check, the fee submitted with an ~~a~~ Application must be paid separately from fees for other types of permits.

6. No change

(d) No change

(e) An Application will not be approved:

1. through 9. No change

10. To remove, cut, or trim trees, shrubs, or herbaceous plants within the right of way of a roadway section to which a sign is not permitted, or proposed to be permitted, or to remove, cut, or trim trees, shrubs, or herbaceous plants within the right of way outside of the 1,000 feet view zone parameter in ~~Sections~~ 479.106(6)(b), F.S.

(f) through (h) No change

(2) through (3) No change

(4) Mitigation. An applicant shall mitigate in accordance with this rule chapter for the impact to vegetation from removal, cutting, trimming, or accidental damage of vegetation on the Department’s right of way.

(a) No change

(b) Where mitigation is necessary, the applicant will provide with the Application for Vegetation Management an appraisal prepared by a qualified individual as defined in above paragraph (1)(b) using the appropriate appraisal method found in Determining the Mitigation Value of Roadside Vegetation, Rev. 10/20, which is incorporated herein by reference at ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-11614>~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-12210>. The appraised value of the vegetation to be cut and removed will be the required mitigation subject to Department verification of the completeness and accuracy of mitigation calculations.

1. through 2. No change

(c) Mitigation is not required for the following activities:

1. through 2. No change

3. Removal of invasive exotic plants as listed by the Florida Department of Agriculture and Consumer Services, in Rule Chapter 5B-57, F.A.C., Introduction or Release of Plant Pests, Noxious Weeds, Arthropods, and Biological Control Agents, and Rule 5B-64.011, F.A.C., Prohibited Aquatic Plants.

4. through 7. No change

(5) through (6) No change

Rulemaking Authority 334.044(2), 479.02(7), FS. Law Implemented 334.044(26), 337.405, 479.106 FS. History—New 1-19-99, Amended 2-7-02, 2-8-06, 12-24-08, \_\_\_\_\_, Formerly 14-40.030.

## Section IV Emergency Rules

### DEPARTMENT OF THE LOTTERY

RULE NO.:        RULE TITLE:  
53ER20-81        POWERBALL® First Millionaire of the  
                          Year Promotion

SUMMARY: This rule sets forth the provisions for the POWERBALL® First Millionaire of the Year Promotion which will begin on October 12, 2020, and continue through October 16, 2020.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER20-81 POWERBALL® First Millionaire of the New Year Promotion.

(1) Beginning October 12, 2020, and continuing through October 16, 2020, ("Promotion Period"), the Florida Lottery will conduct the POWERBALL® First Millionaire of the New Year Promotion ("Promotion"). Players can enter the Promotion for a chance to become one of Florida's fifty (50) finalists who will be entered into a Preliminary Finalist Drawing for a chance to be selected as one of five finalists in the POWERBALL First Millionaire of the Year \$1 Million Prize Drawing ("1 Million Prize Drawing").

(2) Players are to enter the Promotion by emailing a photograph of themselves holding a Florida POWERBALL ticket, along with their name to promotions@flalottery.com. A player may enter the promotion more than one time; however, an individual can only qualify as a finalist one time. The odds of winning depend on the number of entries received each day during the Promotion Period. All entries are subject to review by the Florida Lottery and may be disqualified if eligibility requirements are not met. POWERBALL lottery tickets or promotional entries should not be submitted to the Lottery by any means of mail, other than email, for entry into the Promotion.

(3) Selection Process. Ten players' entries will be selected by the Florida Lottery on each of the five days during the Promotion Period. The Florida Lottery will total the number of entries received each day between 12:00:00 a.m. and 11:59:59 p.m. ET and divide the field of numbers into ten segments rounded down to the nearest whole number. The last entry in each of the ten segments ("n<sup>th</sup> number") will be selected as a finalist. If an alternate finalist selection becomes necessary due to circumstances described in subsection (4) below, an alternate

finalist will be selected using the formula of the n<sup>th</sup> number for the original finalist minus one number. If more than one alternate finalist is needed, the same selection formula will be used to select the next consecutive alternate finalist until an alternate finalist is selected, or it is determined that the selection of the finalist is no longer practicable.

(4) Notification. The Florida Lottery will notify by email the ten (10) daily selected finalists on the day following selection using the player's entry email address. For this Promotion, the Florida Lottery deems the player's email as the player's official contact information. The Florida Lottery will not attempt to further locate a player if the attempt to reach the player by email is unsuccessful. If the Florida Lottery does not receive an email response from the player that includes a copy of a current photo identification within two (2) business days after notification, the player will be disqualified and the Florida Lottery will select alternate finalists in accordance with subsection (3) above. Finalists will be announced and posted on flalottery.com/NYRE-2021 on October 30, 2020, or as soon thereafter as practicable.

(5) Preliminary Finalist Drawing and \$1 Million Prize Drawing. All finalists, including finalists from other Lotteries participating in their states' New Year's Eve Promotion, will be entered into a Preliminary Finalist Drawing anticipated to be conducted on or about November 5, 2020, in which five (5) finalists will be selected for the \$1 Million Prize Drawing and awarded a prize. If a Florida entry is selected as a finalist, the finalist will win a Party@Home New Year's Eve Prize Package "Prize Package" as further described in subsection (6) below in addition to the chance to win the \$1 Million Prize. A prizewinner is not required to be present at the preliminary finalist Drawing to be entered or selected in the Preliminary Finalist Drawing, nor is a finalist required to be present at the \$1 Million Prize Drawing to be entered or selected in the \$1 Million Prize Drawing. Both the Preliminary Finalist Drawing, and the \$1 Million Prize Drawing will be conducted by the Multi-State Lottery Association (MUSL) using a certified random number generation process. Drawings will be witnessed by an independent auditor employed by an independent certified public accounting firm. The finalists selected in the Preliminary Finalist Drawing will be announced on or soon after November 6, 2020. The \$1 Million prizewinner will be announced on or about January 1, 2021. The odds of being selected as a finalist depend on the total number of valid eligible entries (which includes entries from other participating Lotteries) in the Preliminary Finalist Drawing. The odds of a finalist winning the \$1 Million Prize in the \$1 Million Prize Drawing are 1 in 5.

(6) Prize Package. The Prize Package will consist of elements for the prizewinner to host a New Year's Eve party for up to eight (8) people, including the prizewinner, at their home



and to participate remotely as one (1) of five (5) finalists in the \$1 Million Prize Drawing for a chance to win \$1 Million during the live television broadcast of *Dick Clark's New Year's Rockin' Eve*<sup>SM</sup> on ABC ("Program"). The Prize Package includes the following:

- (a) Cash prize of \$12,500;
- (b) Deluxe surf and turf dinner for eight (8) people from Omaha Steaks<sup>®</sup>;
- (c) 70" LED television (to watch the live broadcast of the Program), including a home theater sound system and installation;
- (d) Gift certificate to Party City<sup>®</sup> for \$500;
- (e) Premium beverage package from a retailer local to the prizewinner (provided in accordance with age restrictions);
- (f) Top-tier Karaoke system;
- (g) Three (3) Time-Life<sup>SM</sup> CD/DVD Collections and a compatible CD/DVD player;
- (h) Two (2) gift bags valued at approximately \$250 each;
- (i) Six (6) party gift bags for prizewinner's guests valued at approximately \$50 each; and
- (j) Payment of federal income tax withholding on the total retail value on the Prize Package elements described in paragraphs (6)(a) through (j) above. The Florida Lottery will pay applicable federal income tax withholding on the retail value of the prize. The reportable taxable value of the prize includes the value of the prize plus the value of the federal income tax withholding paid by the Lottery. The approximate retail value of the Prize Package and the estimated reportable taxable value of the prize for a U.S. citizen are as follows:

Approximate Retail Value of Prize Package	Estimated Reportable Taxable Value of Prize Package
\$20,000	\$26,315.79

(7) How to Claim a Prize Package/ State-Owed Debt/Child Support.

(a) A Florida prizewinner in the Preliminary Finalist Drawing will be required to complete a Winner Claim Form DOL 173-2, revised 2/18, or Spanish Winner Claim Form DOL 173-2S, revised 3/19, and provide a copy of acceptable identification as set forth in the rule of the Florida Lottery governing payment of prizes in order to claim the prize. A copy of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011. The prizewinner must also submit a completed Winner Release, Acknowledgement and Authorization form DOL 474-NYRE-W, revised 10/20, along with a Guest Release, Acknowledgement and Authorization form DOL 474-NYRE-G, Effective 10/20, for each guest attending the party, to be completed by the guest. Forms DOL 173-2, DOL 173-2S, DOL 474-NYRE-W and DOL 474-NYRE-G are hereby incorporated by reference.

Forms DOL 173-2 and DOL 173-2S can be obtained from any Florida Lottery office or retailer, from the Florida Lottery's website, flalottery.com, or by writing to: Florida Lottery, Customer Service, 250 Marriott Drive, Tallahassee, Florida 32399-4016. Forms DOL 474-NYRE-W and DOL 474-NYRE-G can be obtained from any Florida Lottery office or by writing to Florida Lottery, Customer Service, 250 Marriott Drive, Tallahassee, Florida 32399-4016.

(b) Prize Package winners will be analyzed for Florida state-owed debt and child support. If the prizewinner is identified as owing any outstanding debt to any state agency or owes child support collected through a court, the debt will be offset in accordance with section 24.115, F.S. If the debt is an amount less than the \$12,500 cash portion of the Prize Package, the balance of the prize less applicable income tax withholding and after the debt is offset shall be awarded along with the non-cash elements of the Prize Package. If the debt is an amount greater than the \$12,500 cash portion of the Prize Package, the entire prize amount after applicable income tax withholding will be applied to the outstanding debt and the non-cash elements of the Prize Package will be awarded. If the prizewinner does not have outstanding state-owed debt, the Florida Lottery will award the \$12,500 cash portion of the Prize Package. Payment of the prize will be made in accordance with the rule of the Florida Lottery governing payment of prizes.

(c) The prizewinner will be contacted by a representative of Dick Clark Productions, Inc. ("Prize Provider") who will coordinate with the prizewinner and be responsible for fulfillment of each non-cash element of the Prize Package.

(8) Other Prize Package Terms and Conditions.

(a) A Prize Package winner is not obligated to host or have a New Year's Eve Party at his/her residence to participate in the \$1 Million Prize Drawing for, and to remain eligible to win, the \$1 Million Prize. However, the prizewinner will be required to either participate and appear in the Program via remote video transmission from his/her residence or another local location to be determined by the Prize Provider, or appoint a proxy (or have a proxy appointed by the Prize Provider) to participate and appear in the Program via remote video transmission in place of the prizewinner. If a proxy is appointed, the prizewinner will still receive all elements of the Prize Package; the entire value of the Prize Package will remain taxable income to the prizewinner; and the prizewinner shall remain eligible to win the \$1 Million Prize.

(b) If a prizewinner chooses to appoint a proxy, provided there is sufficient time, the prizewinner and proxy must complete a Proxy Appointment and Acknowledgement form DOL 491-B, revised 5/20. The proxy must also complete a Proxy Release, Acknowledgement and Authorization form DOL 474-NYRE-P, effective 10/20. The proxy forms must be received by the Florida Lottery no later than November 23,

2020. Forms DOL 491-B and DOL 474-NYRE-P are hereby incorporated by reference and can be obtained from any Florida Lottery office, or by writing to: Florida Lottery, Customer Service Division, 250 Marriott Drive, Tallahassee, Florida 32399-4016. If the aforementioned forms are not received by Lottery by the deadline of November 23, 2020, a proxy may be appointed by the Prize Provider. A prizewinner can only appoint a proxy one time.

(c) No cash option is available in lieu of the non-cash elements of a Prize Package.

(d) A prizewinner must be at least 18 years of age and is solely responsible for the actions of the guests who attend the New Year's Eve at-home-party.

(9) How to Claim a \$1 Million Prize/State-Owed Debt/Child Support. If the prizewinner in the \$1 Million Prize Drawing is a Florida winner, the prizewinner will be required to complete an additional Winner Claim Form DOL 173-2, Revised 2/18, or Spanish Winner Claim Form DOL 173-2S, Revised 3/19, and provide a copy of acceptable identification as set forth in the rule of the Florida Lottery governing payment of prizes in order to claim the prize. The prizewinner will be analyzed a second time for Florida state-owed debt. If the prizewinner is identified as owing any outstanding debt to any state agency or owes child support collected through a court, the debt will be offset in accordance with section 24.115, F.S. If the debt is an amount less than \$1 Million, the balance of the prize less applicable income tax withholding and after the debt is offset shall be awarded. If the debt is an amount greater than \$1 Million, the entire prize amount after applicable income tax withholding will be applied to the outstanding debt. If the prizewinner in the \$1 Million Prize Drawing does not have outstanding state-owed debt, the \$1 Million Prize will be awarded less applicable income tax withholding. Payment of the prize will be made in accordance with the rule of the Florida Lottery governing payment of prizes.

(10) Other Restrictions and Provisions.

(a) The right to claim a prize cannot be assigned to another person or entity.

(b) All prizes are subject to the provisions of chapter 24, F.S., and rules promulgated thereunder. Prizes will be paid in accordance with the rule of the Florida Lottery governing payment of prizes.

(c) Persons prohibited by section 24.116, F.S., from purchasing a Florida Lottery ticket are not eligible to enter the POWERBALL® First Millionaire of the New Year Promotion.

(d) By entering the POWERBALL® First Millionaire of the New Year Promotion, a player gives his or her permission for the Florida Lottery to photograph and/or videotape and record the prizewinner with or without prior notification and to use the name, photograph, videotape, and/or recording of the

prizewinner for advertising or publicity purposes without additional compensation.

(11) Taxes. Except as specifically mentioned herein, all federal, state and/or local taxes on a Prize Package, and, if applicable, the \$1 Million prize will be the responsibility of the prizewinner. Applicable tax forms for the \$1 Million Prize will be issued by the Florida Lottery to the prizewinner separately from the tax forms for a Prize Package.

Rulemaking Authority 24.105(9), 24.109(1), FS. Law Implemented 24.105(9), 24.115(1) FS. History – New 10-8-20.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: October 8, 2020.

### Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF FINANCIAL SERVICES  
Division of Funeral, Cemetery, and Consumer Services

RULE NO.: RULE TITLE:

69K-18.004 Intern Training Agencies.

NOTICE IS HEREBY GIVEN that on October 07, 2020, the Division of Funeral, Cemetery, and Consumer Services, received a petition for waiver of certain requirements of subsection 69K-18.004(3), FAC. The petitions were filed on behalf of Beyers Funeral Home, Inc. (Beyers), which is acquiring a funeral establishment that is currently a training agency. Beyers seeks a waiver such that the number of cases done by the prior owner of the funeral establishment should count against the requirement of the cited rule, so that the training agency status of the funeral establishment may be continued, thus preventing the imposition of serious hardship to the interns currently training at the said funeral establishment.

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

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

DEPARTMENT OF STATE  
Division of Historical Resources

The Division of Historical Resources announces a public meeting to which all persons are invited.

DATE AND TIME: October 16, 2020, 10:30 a.m. to conclusion.

PLACE: Online (Zoom) Meeting. In-person option (seating will be limited) at the R.A. Gray Building Heritage Hall, 500 S. Bronough St., Tallahassee, FL 32399

Registration URL:

<https://dos-myflorida.zoom.us/j/91823994531?pwd=QzZlZmRNVFhFMWlublhpUzVTcE14QT09>

Join Zoom Meeting

<https://dos-myflorida.zoom.us/j/91823994531?pwd=QzZlZmRNVFhFMWlublhpUzVTcE14QT09>

Meeting ID: 918 2399 4531

Passcode: 838344

One tap mobile

8335480282,,91823994531# US Toll-free

8778535247,,91823994531# US Toll-free

Dial by your location

833 548 0282 US Toll-free

877 853 5247 US Toll-free

888 788 0099 US Toll-free

833 548 0276 US Toll-free

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Results of the University of South Florida Investigations at the Former Dozier School for Boys property.

A copy of the agenda may be obtained by contacting: Sarah Liko at (850)245-6332 or Sarah.Liko@dos.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 48 hours before the workshop/meeting by contacting: Sarah Liko at (850)245-6332 or Sarah.Liko@dos.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: Sarah Liko at (850)245-6332 or Sarah.Liko@dos.myflorida.com.

**DEPARTMENT OF STATE**

Division of Cultural Affairs

The Florida Division of Cultural Affairs and Florida Council on Arts and Culture announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, October 29, 2020, 9:00 a.m. until conclusion

PLACE: This meeting will be held via webinar and teleconference. Please join the meeting from your computer, tablet or smartphone.

<https://www.gotomeet.me/CultureBuildsFL/cultural-facilities-panel-meeting>

You can also dial in using your phone.

United States: +1 (646) 749-3112

Access Code: 830-005-061

Join from a video-conferencing room or system.

Dial in or type: 67.217.95.2 or inroomlink.goto.com

Meeting ID: 830 005 061

Or dial directly: 830005061@67.217.95.2 or 67.217.95.2##830005061

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review and score grant applications for the 2021-2022 Cultural Facilities grant program immediately followed by a meeting of the Florida Council on Arts and Culture.

A copy of the agenda may be obtained by contacting: The Division of Cultural Affairs at (850)245-6470 or by visiting our website: [www.florida-arts.org](http://www.florida-arts.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rachele Ashmore, (850)245-6490, [rachele.ashmore@dos.myflorida.com](mailto:rachele.ashmore@dos.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: Teri Abstein, (850)245-6299, [teri.abstein@dos.myflorida.com](mailto:teri.abstein@dos.myflorida.com) regarding the Cultural Facilities grant program, Rachele Ashmore, (850)245-6490, [rachele.ashmore@dos.myflorida.com](mailto:rachele.ashmore@dos.myflorida.com) regarding the Florida Council on Arts and Culture.

**DEPARTMENT OF STATE**

Division of Cultural Affairs

The Florida Division of Cultural Affairs announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, October 27, 2020, 9:00 a.m. until conclusion

PLACE: This meeting will be held via webinar and teleconference. Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/388763525>

You can also dial in using your phone.

United States: +1 (872) 240-3412

Access Code: 388-763-525

Join from a video-conferencing room or system.

Dial in or type: 67.217.95.2 or inroomlink.goto.com

Meeting ID: 388 763 525

Or dial directly: 388763525@67.217.95.2 or 67.217.95.2##388763525

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review grant applications for the Fast Track Grant Program, Group A.

A copy of the agenda may be obtained by contacting: The Division of Cultural Affairs at (850)245-6470 or by visiting our website: [www.florida-arts.org/calendar](http://www.florida-arts.org/calendar).

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: Rachelle Ashmore at (850)245-6490 or at [Rachelle.Ashmore@dos.myflorida.com](mailto:Rachelle.Ashmore@dos.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: Sarah Stage, (850)245-6459, [sarah.stage@dos.myflorida.com](mailto:sarah.stage@dos.myflorida.com).

**DEPARTMENT OF STATE**

Division of Cultural Affairs

The Florida Division of Cultural Affairs announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, October 28, 2020, 9:00 a.m. until conclusion

PLACE: This meeting will be held via webinar and teleconference. Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/581431613>

You can also dial in using your phone.

United States: +1 (872) 240-3412

Access Code: 581-431-613

Join from a video-conferencing room or system.

Dial in or type: 67.217.95.2 or [inroomlink.goto.com](http://inroomlink.goto.com)

Meeting ID: 581 431 613

Or dial directly: 581431613@67.217.95.2 or 67.217.95.2##581431613

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review grant applications for the Fast Track Grant Program, Group B.

A copy of the agenda may be obtained by contacting: The Division of Cultural Affairs at (850)245-6470 or by visiting our website: [www.florida-arts.org/calendar](http://www.florida-arts.org/calendar)

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: Rachelle Ashmore at (850)245-6490 or at [Rachelle.Ashmore@dos.myflorida.com](mailto:Rachelle.Ashmore@dos.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: Sarah Stage, (850)245-6459, [sarah.stage@dos.myflorida.com](mailto:sarah.stage@dos.myflorida.com).

**DEPARTMENT OF EDUCATION**

Division of Florida Colleges

The Florida State College at Jacksonville District Board of Trustees announce the following workshop, which is open to the public, and an Executive Session for Tuesday, October 13, 2020. All meetings will be held at the College's Advanced Technology Center.

DATE AND TIME: Tuesday, October 13, 2020, 12:00 Noon – 2:00 p.m.

PLACE: FSCJ Advanced Technology Center (ATC), 401 West State St., Jacksonville, FL 32202

**DEEP DIVE WORKSHOP:**

PLACE: Rooms T-140 & 141

**GENERAL SUBJECT MATTER(S) TO BE CONSIDERED:**

1) Strategic Plan – 2020 Visionary Impact Plan (VIP) and 2) FSCJ Foundation Operations

**EXECUTIVE SESSION:**

DATE AND TIME: Tuesday, October 13, 2020, Approximately 2:00 p.m.

PLACE: Room T-140

**GENERAL SUBJECT MATTER(S) TO BE CONSIDERED:**

Executive Session and Board discussion regarding the Faculty Collective Bargaining Agreement and related labor matters pursuant to Section 447.605, Florida Statutes (2019). Pursuant to Section 447.605, Florida Statutes (2019), the Executive Session is closed to the public and exempt from the provisions of Section 286.011, Florida Statutes (2019). Documents prepared for the Executive Session pertaining to faculty collective bargaining are confidential and exempt from Section 119.07(1), Florida Statutes (2019).

A copy of the workshop agenda may be obtained by contacting: Kimberli Sodek, Office of the College President (OCP) Administrative Support Manager at [Kim.Sodek@fscj.edu](mailto:Kim.Sodek@fscj.edu), and will be available beginning Tuesday, October 6, 2020, and copies will be provided upon written request and the payment of approved duplicating charges.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the workshop is asked to advise the agency at least 24 hours before the workshop by contacting: The OCP Administrative Support Manager Kimberli Sodek at 904.632.3205 or [Kim.Sodek@fscj.edu](mailto:Kim.Sodek@fscj.edu). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Florida State College at Jacksonville, hereby reaffirms the principle of equal opportunity for all persons regardless of race, disability, color, ethnicity, national origin, religion, gender, age, sex, sexual orientation/expression, marital status, veteran

status, pregnancy or genetic information. Equal opportunity principle applies with regard to employment, delivery of educational programs and services, and all other appropriate areas in which the College is involved.

For more information, you may contact: Kimberli Sodek, OCP Administrative Support Manager at 904.632.3205 or Kim.Sodek@fscj.edu.

**DEPARTMENT OF TRANSPORTATION**

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

DATE AND TIME: November 2, 2020, 1:00 p.m.

PLACE: Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/438832717>

You can also dial in using your phone.

(For supported devices, tap a one-touch number below to join instantly.)

United States: +1 (646) 749-3122

- One-touch: tel:+16467493122,,438832717#

Access Code: 438-832-717

Join from a video-conferencing room or system.

Dial in or type: 67.217.95.2 or inroomlink.goto.com

Meeting ID: 438 832 717

Or dial directly: 438832717@67.217.95.2 or 67.217.95.2##438832717

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This Access Management Review Committee meeting is being held to discuss the proposed access for the development to be located at the south west quadrant of US 301 and Ft. Hamer Road in Manatee County.

A copy of the agenda may be obtained by contacting: Leanna Schaihl, Access Management Manager, District One, Florida Department of Transportation, 801 N. Broadway Ave., Bartow, FL 33830, Phone: 863.519.2244, email: Leanna.Schaihl@dot.state.fl.us.

For more information, you may contact: Leanna Schaihl, Access Management Manager, District One, Florida Department of Transportation, 801 N. Broadway Ave., Bartow, FL 33830, Phone: 863.519.2244, email: Leanna.Schaihl@dot.state.fl.us.

**PUBLIC SERVICE COMMISSION**

The Florida Public Service Commission announces a public workshop to which all persons are invited. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this workshop.

DATE AND TIME: October 21, 2020, 10:00 a.m.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32399-0850.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Undocketed — The Commission has been tasked, along with

the Department of Transportation and the Office of Energy within the Department of Agriculture and Consumer Services, with the development of an electric vehicle (EV) master plan for the EV charging station infrastructure for the State Highway System pursuant to Chapter 2020-21, Laws of Florida. The purpose of this workshop is to provide a forum for Commission staff to discuss with stakeholders their comments submitted to the Commission in response to Commission staff’s September 2, 2020 request for information. For questions, contact Ben Crawford at [bcrawfor@psc.state.fl.us](mailto:bcrawfor@psc.state.fl.us) or Adria Harper at [aharper@psc.state.fl.us](mailto:aharper@psc.state.fl.us).

**SPECIAL COVID-19 CONSIDERATIONS:** As the Governor of the State of Florida has declared a state of emergency due to the COVID-19 Pandemic, all presentations to the Commission by participating entities will be made remotely. Additionally, the Commission must limit the manner in which the public may participate or view the workshop. As always, the public may view a live stream of the workshop online using the link available at

<http://www.floridapsc.com/Conferences/AudioVideoEventCoverage>. Due to these extraordinary circumstances, however, no member of the public may attend in person.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the 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). Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.

**EMERGENCY CANCELLATION OF WORKSHOP:** If a named storm or other disaster requires cancellation of the workshop, Commission staff will attempt to give timely direct notice to the parties. Cancellation can also be confirmed by calling the Office of the General Counsel at (850) 413-6199.

A copy of the agenda may be obtained by contacting: Adria Harper at the above email address. The agenda for the workshop will be available on the Commission’s website, [www.floridapsc.com](http://www.floridapsc.com), under the Utility Regulation tab by October 14, 2020.

**WATER MANAGEMENT DISTRICTS**

South Florida Water Management District

The South Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, October 19, 2020, 12:00 Noon

Loxahatchee River Preservation Initiative Meeting

PLACE: This meeting will be held via teleconference

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a public meeting to discuss and consider Loxahatchee River

Preservation Initiative business, including current and future projects and activities.

Since its inception in 2000, the Loxahatchee River Preservation Initiative (LRPI) has guided regional watershed restoration projects within northeastern Palm Beach County and southern Martin County. The LRPI is a multi-agency partnership between the South Florida Water Management District, Florida Department of Environmental Protection (Florida Park Service), Friends of the Loxahatchee River, Jupiter Inlet District (JID), Loxahatchee River Environmental Control District (LRD), Martin County, Palm Beach County, South Indian River Water Control District (SIRWCD), Town of Jupiter, and Village of Tequesta. The LRPI uses state and local funding for restoration projects with environmental benefits aimed at preserving and protecting the resource for future generations to enjoy.

All members of the public are invited to attend and provide public comment.

One or more members of the Governing Board of the South Florida Water Management District may attend these meetings. No Governing Board action will be taken.

Teleconference information:

(561) 682-6800 (WPB Local Number)

(855) 682-6800 (Toll Free Nationwide)

Access Code:

995 045 930

A copy of the agenda may be obtained by contacting: Nestor Garrido, 561-682-6908, ngarrido@sfwmd.gov, or by visiting [www.LRPI.us](http://www.LRPI.us) 7 days prior to the workshop/meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Rosie Byrd, District Clerk, at 561 682-6805. 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: Nestor Garrido, 561-682-6908, ngarrido@sfwmd.gov.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

The Agency for Health Care Administration announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 16, 2020, 10:00 a.m. – 12:00 p.m., Eastern Time

PLACE: Virtual, GoTo Webinar Meeting. See Agenda for GoTo Webinar Meeting details.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency for Health Care Administration FX Executive Steering Committee will meet to discuss the FX Program.

A copy of the agenda may be obtained by contacting: the FX Program Website at

[https://ahca.myflorida.com/medicaid/FX/fx\\_gov.shtml](https://ahca.myflorida.com/medicaid/FX/fx_gov.shtml).

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: Arabella Reeves at (850) 412-3461 or [arabella.reeves@ahca.myflorida.com](mailto:arabella.reeves@ahca.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: [arabella.reeves@ahca.myflorida.com](mailto:arabella.reeves@ahca.myflorida.com) regarding the FX Executive Steering Committee or to submit public comment.

**DEPARTMENT OF MANAGEMENT SERVICES**

The Florida Cybersecurity Task Force Protect Workgroup announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 15, 2020, 11:00 a.m. – 12:00 p.m. ET

PLACE: 1(888)585-9008, Conference Room#: 261-924-180

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Cybersecurity Task Force, established pursuant to Chapter 2019-118, Laws of Florida, announces its agenda to include: workgroup operations. Participants may participate by phone by dialing: United States (toll free) 1 (888) 585-9008, Access Code 261-924-180.

A copy of the agenda may be obtained by contacting: The agency website at

[https://www.dms.myflorida.com/other\\_programs/cybersecurity\\_task\\_force](https://www.dms.myflorida.com/other_programs/cybersecurity_task_force)

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: Tyler.Jefferson@dms.fl.gov or (850)488-6285. 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 MANAGEMENT SERVICES**

Division of Purchasing

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

DATE AND TIME: November 23, 2020, 3:00 p.m.

PLACE: Department of Management Services, 4050 Esplanade Way, Suite 101, Tallahassee, FL, 32399.

Please join my meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/198062149>

You can also dial in using your phone. United States (Toll Free): 1 877 309 2073 United States: +1 (646) 749-3129

Access Code: 198-062-149

Join from a video-conferencing room or system. Dial in or type: 67.217.95.2 or [inroomlink.goto.com](https://inroomlink.goto.com) Meeting ID: 198 062 149  
Or dial directly: 198062149@67.217.95.2 or 67.217.95.2##198062149

New to GoToMeeting? Get the app now and be ready when your first meeting starts:  
<https://global.gotomeeting.com/install/198062149>

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Department of Management Services will conduct a public opening for the Invitation to Negotiate No.: DMS-19/20-006, entitled "Mobile Communication Services".

This meeting is subject to cancellation or postponement. The Florida Department of Management Services will post notice of any changes or additional meeting(s) on the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and will not re-advertise any notice in the Florida Administrative Register (FAR).

A copy of the agenda may be obtained by contacting: Department of Management Services.

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: Department of Management Services. 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 BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

The Electrical Contractors' Licensing Board announces a telephone conference call to which all persons are invited.

**DATES AND TIMES:** Tuesday, November 17, 2020, 10:00 a.m.; Wednesday, November 18, 2020, 10:00 a.m.; Thursday, November 19, 2020, 9:00 a.m.; Friday, November 20, 2020, 10:00 a.m.

**PLACE:** <https://global.gotomeeting.com/join/564765493>

You can also dial in using your phone.

United States: +1 (224) 501-3412

Access Code: 564-765-493

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Tuesday, November 17, 2020 at 10:00 a.m. Application Review; Wednesday, November 18, 2020 at 10:00 a.m. Application Review; Thursday, November 19, 2020 at 9:00 a.m. Discipline and General Business; Friday, November 20, 2020 at 10:00 a.m. Probable Cause Panel - (Closed to the Public.)

A copy of the agenda may be obtained by contacting: The Electrical Contractors' Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399. (850) 487-1395.

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: The Electrical Contractors' Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399. (850) 487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: The Electrical Contractors' Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399. (850) 487-1395.

**DEPARTMENT OF HEALTH**

**Division of Medical Quality Assurance**

The Department of Health Dietetics and Nutrition Practice Council under the Board of Medicine announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** October 23, 2020, 11:30 a.m. E.T.

**PLACE:** Conference calls: 1-888-585-9008; then enter Conference Room Number: 564-341-766 followed by the # sign.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Onboard Training for new Council Members.

A copy of the agenda may be obtained by contacting: The Department of Health, Council for Dietetics and Nutrition, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255, by calling the council office at (850) 245-4373 or by visiting the website: <http://www.floridahealth.gov/licensing-and-regulation/dietetic-nutrition/index.html>

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 days 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).

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

DEPARTMENT OF HEALTH

The Drug Policy Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 20, 2020, 8:30 a.m. - 12:30 p.m. ET.

PLACE: Virtually only, via GoToMeeting

- GoToMeeting: Click on the following link: <https://global.gotomeeting.com/join/868127213>
- Dial: United States (Toll Free): 1-866-899-4679, Access code: 868-127-213

GENERAL SUBJECT MATTER TO BE CONSIDERED: Established in section 397.333, Florida Statutes, the Drug Policy Advisory Council reviews and analyzes the impacts of substance abuse in the State and makes recommendations for the implementation of a state drug control strategy.

A copy of the agenda may be obtained by contacting: Nathan Dunn at (850) 245-4018, or [Nathan.Dunn@FLHealth.gov](mailto:Nathan.Dunn@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 2 days before the workshop/meeting by contacting: Nathan Dunn at the contact information above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Florida Department of Health/ Division of Children's Medical Services/ Early Steps Program announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 5, 2020, 10:30 a.m.-12:00 p.m. ET

PLACE: [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_ZjdiNGM2ZWmtZDhINy00Y2RkLTljODAtYjRiMTgzMDNjNTFi%40thread.v2/0?context=%7b%22Tid%22%3a%2228cd8f80-3c44-4b27-81a0-cd2b03a31b8d%22%2c%22Oid%22%3a%22f8eb3290-8661-44b3-9ddf-05d19ede70c7%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZjdiNGM2ZWmtZDhINy00Y2RkLTljODAtYjRiMTgzMDNjNTFi%40thread.v2/0?context=%7b%22Tid%22%3a%2228cd8f80-3c44-4b27-81a0-cd2b03a31b8d%22%2c%22Oid%22%3a%22f8eb3290-8661-44b3-9ddf-05d19ede70c7%22%7d)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Interagency Coordinating Council for Infants and Toddlers is conducting their quarterly meeting to assist and advise the Early Steps Program.

A copy of the agenda may be obtained by contacting: [Allison.Rudd@flhealth.gov](mailto:Allison.Rudd@flhealth.gov).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: [Allison.Rudd@flhealth.gov](mailto:Allison.Rudd@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: [Allison.Rudd@flhealth.gov](mailto:Allison.Rudd@flhealth.gov).

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

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

DATE AND TIME: Monday, October 19, 2020, 10:00 a.m., Eastern Time

PLACE: 1-888-585-9008, access code: 717-433-638

Due to COVID-19, this public hearing will be held by teleconference.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Federal regulations related to the United States Department of Health and Human Services funding requests require states, such as Florida, that are applying for Community Services Block Grant funding to prepare a State Plan as part of the application process. Another part of this process is providing the public an opportunity to review and comment on the contents of the State Plan.

The Florida Department of Economic Opportunity is holding a public hearing on Monday, October 19, 2020, to receive comments regarding the State of Florida's Community Services Block Grant (CSBG) State Plan for Federal Fiscal Year (FFY) 2021.

APPEALS INFORMATION: If a person decides to appeal any decision of the Florida Department of Economic Opportunity with respect to any matter considered at the public meeting, he or she will need a record of the proceeding. For such purposes, he or she may need to ensure that a record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

A copy of the agenda may be obtained by contacting: The State Plan for the public hearing may also be obtained by contacting: Ms. Debbie Smiley, Chief, Bureau of Economic Self-Sufficiency, Florida Department of Economic Opportunity, 107 East Madison Street, MSC 400, Tallahassee, Florida 32399-4120; phone: (850) 717-8450; email: [debbie.smiley@deo.myflorida.com](mailto:debbie.smiley@deo.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: Ms. Debbie Smiley, Chief, Bureau of Economic Self-Sufficiency, Florida Department of Economic Opportunity, 107 East Madison Street, MSC 400, Tallahassee, Florida 32399-4120; phone: (850) 717-8450; email:



debbie.smiley@deo.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).

**FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION**

The Florida Medical Malpractice Joint Underwriting Association announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 20, 2020, 10:00 a.m.  
 PLACE: Virtual Meeting, contact FMMJUA at (850) 385-8114 or Frankie@fmmjua.org to participate.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Audit Committee, Claims & Underwriting Committee and the Compensation Committee will receive and consider business properly brought before the Committees. The Board of Governors will immediately follow the Committee Meetings and will receive and consider quarterly reports from the Association's Investment Counsel, General Counsel, Servicing Carrier, Audit Committee, Claims & Underwriting Committee, Compensation Committee, General Manager, and such other business properly brought before the Board.

A copy of the agenda may be obtained by contacting: frankie@fmmjua.org or call 850-385-8114.

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: frankie@fmmjua.org or call 850-385-8114. 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: frankie@fmmjua.org or call 850-385-8114.

**FLORIDA COMMISSION ON ACCESS TO CIVIL JUSTICE**

The Florida Commission on Access to Civil Justice announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 16, 2020, 9:30 a.m. - 11:30 a.m. Eastern Time Zone

PLACE: This will be a virtual meeting and it will be broadcast on the Florida Channel: <https://thefloridachannel.org/>

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Voices in the Civil Justice System: learning from self-represented litigants and their trusted intermediaries report – Briefing and Discussion, presented by Katherine Alteneder, Executive Director, Self-Represented Litigation Network. As well as updates on access to civil justice initiatives.

A copy of the agenda may be obtained by contacting: Francisco-Javier Digon-Greer at 1(800)342-8060, ext. 5793 or email: flaccessjustice@flabar.org.

For more information, you may contact: Francisco-Javier Digon-Greer at 1(800)342-8060, ext. 5793 or email: flaccessjustice@flabar.org.

**ENTERPRISE FLORIDA, INC.**

The Enterprise Florida, Inc. and the Florida Defense Alliance announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 22, 2020, 9:00 a.m. ET – 10:30 a.m. ET

PLACE: Join Zoom Meeting  
<https://zoom.us/j/97293678363?pwd=eGFMVjRKWtB2NEYwdmVlQ11HRFJlQT09>

Meeting ID: 972 9367 8363

Passcode: Oct@22

One tap mobile  
 +13017158592,,97293678363#,,,,,0#,,426620# US (Germantown)

+13126266799,,97293678363#,,,,,0#,,426620# US (Chicago)

Dial by your location

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

Meeting ID: 972 9367 8363

Passcode: 426620

Find your local number: <https://zoom.us/j/ab6H3dd6fs>

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This meeting will discuss proposed actions that will assist in preserving, protecting and enhancing Florida's military installations, missions, and quality of life for Florida's military community.

A copy of the agenda may be obtained by contacting: Michelle Griggs, (850) 298-6640, mgriggs@enterprise-florida.com or <https://www.enterprise-florida.com/wp-content/uploads/FDA-Agendas-2020.pdf>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Michelle Griggs, (850) 298-6640, mgriggs@enterprise-florida.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: Michelle Griggs, (850) 298-6640, mgriggs@enterprise-florida.com.

**COUNCIL OF COMMUNITY COLLEGE PRESIDENTS**

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

DATE AND TIME: Friday, October 16, 2020, 1:00 p.m.

PLACE: Zoom

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

A copy of the agenda may be obtained by contacting: Sharlee Whiddon, [swhiddon@myafchome.org](mailto:swhiddon@myafchome.org).

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

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: Marsha Kiner, 850-222-3222.

**PANHANDLE PUBLIC LIBRARY COOPERATIVE SYSTEM**

The Panhandle Public Library Cooperative System (PPLCS) announces a public meeting to which all persons are invited.

DATE AND TIME: October 21, 2020, 10:00 a.m.

PLACE: the PPLCS meeting room located at 2862 Madison St., Ste. #1, Marianna, FL 32448

GENERAL SUBJECT MATTER TO BE CONSIDERED: regular board meeting material

A copy of the agenda may be obtained by contacting: Cynthia De La Hunt at [cdelahunt@pplcs.net](mailto:cdelahunt@pplcs.net) or at 850-482-9296.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Cynthia De La Hunt at [cdelahunt@pplcs.net](mailto:cdelahunt@pplcs.net) or at 850-482-9296. 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: Cynthia De La Hunt at [cdelahunt@pplcs.net](mailto:cdelahunt@pplcs.net) or at 850-482-9296.

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

NONE

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

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

NONE

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

NONE

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

NONE

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

NONE

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

CITY OF FT. LAUDERDALE  
NOTICE OF RECEIPT OF UNSOLICITED PROPOSAL  
AND INVITATION TO SUBMIT PROPOSALS TO  
CONSTRUCT, OPERATE AND MAINTAIN A  
RECREATIONAL AND CULTURAL FACILITY ON CITY-  
OWNED LAND

PLEASE TAKE NOTICE that the City of Fort Lauderdale, Florida, has received an unsolicited proposal from a private

entity pursuant to Section 255.065, Florida Statutes, to construct, operate, and maintain a recreational and cultural facility on City-owned land located in the plat of “F.R. Oliver Subdivision” according to the plat thereof recorded in Plat Book 1, Page 34 of the Public Records of Dade County, Florida, together with “F.A. Chapman’s Re-subdivision of F.R. Oliver Subdivision”, according to the plat thereof recorded in Plat Book 3, Page 188 of the Public Records of Dade County, Florida, said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida, commonly known as the former site of City of Fort Lauderdale One Stop Shop. The City of Fort Lauderdale will accept other proposals for the same project on or before the sixtieth day after Friday, October 9, 2020. Other proposals for the same project must be received in writing and in accordance with Section 255.065, Florida Statutes, in the City of Fort Lauderdale City Manager’s Office, 100 North Andrews Avenue, Fort Lauderdale, Florida, 33301, before 5:00 p.m. Eastern Standard Time on Tuesday, December 8, 2020.

Jeffrey A. Modarelli, City Clerk

Publish: Sun Sentinel-Broward Edition: 10/09/2020 and 10/16/2020

Florida Administrative Register: 10/09/2020 and 10/16/2020

## 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., Friday, October 2, 2020 and 3:00 p.m., Thursday, October 8, 2020.

Rule No.	File Date	Effective Date
6A-1.0451	10/7/2020	10/27/2020
6A-1.0502	10/7/2020	10/27/2020
6A-1.0504	10/7/2020	10/27/2020
6A-1.09412	10/7/2020	10/27/2020
6A-1.099812	10/7/2020	10/27/2020
6A-3.0171	10/7/2020	10/27/2020
6A-4.0311	10/7/2020	10/27/2020
6A-4.03321	10/7/2020	10/27/2020
6A-6.0573	10/7/2020	10/27/2020

6A-6.0574	10/7/2020	10/27/2020
6A-6.0952	10/7/2020	10/27/2020
6A-10.024	10/7/2020	10/27/2020
6A-10.082	10/7/2020	10/27/2020
6A-14.095	10/7/2020	10/27/2020
25-6.047	10/6/2020	10/26/2020
25-6.054	10/6/2020	10/26/2020
25-6.074	10/6/2020	10/26/2020
25-6.081	10/6/2020	10/26/2020
25-6.082	10/6/2020	10/26/2020
25-6.104	10/6/2020	10/26/2020
33-602.210	10/8/2020	10/28/2020
53ER20-76	10/6/2020	10/8/2020
53ER20-77	10/6/2020	10/8/2020
53ER20-78	10/6/2020	10/8/2020
53ER20-79	10/6/2020	10/8/2020
53ER20-80	10/6/2020	10/8/2020
53ER20-81	10/8/2020	10/8/2020
61G19-7.001	10/2/2020	10/22/2020
61K1-3.0001	10/5/2020	10/25/2020
61K1-3.001	10/5/2020	10/25/2020
61K1-3.002	10/5/2020	10/25/2020
61K1-3.009	10/5/2020	10/25/2020
61K1-3.010	10/5/2020	10/25/2020
61K1-3.019	10/5/2020	10/25/2020
64B1-4.0011	10/7/2020	10/27/2020
64B10-11.003	10/5/2020	10/25/2020
64B10-11.013	10/5/2020	10/25/2020
64B10-16.001	10/5/2020	10/25/2020
64B10-16.002	10/5/2020	10/25/2020
64B16-31.001	10/8/2020	10/28/2020
64B16-31.003	10/8/2020	10/28/2020

64B16-31.005	10/8/2020	10/28/2020
64B16-31.007	10/8/2020	10/28/2020
64B16-31.009	10/8/2020	10/28/2020
64B16-31.033	10/8/2020	10/28/2020
64B16-31.035	10/8/2020	10/28/2020
64B16-31.037	10/8/2020	10/28/2020
64B16-31.039	10/8/2020	10/28/2020
64B16-31.041	10/8/2020	10/28/2020
64B16-31.043	10/8/2020	10/28/2020
68B-43.002	10/6/2020	10/26/2020
68B-43.003	10/6/2020	10/26/2020
68B-43.004	10/6/2020	10/26/2020
<b>LIST OF RULES AWAITING EPA APPROVAL PURSUANT TO SECTION 373.4146 (2), FLORIDA STATUTES</b>		
<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
62-330.010	7/21/2020	**/**/****
62-330.050	6/26/2020	**/**/****
62-330.060	6/26/2020	**/**/****
62-330.090	6/26/2020	**/**/****
62-330.201	6/26/2020	**/**/****
62-330.340	6/26/2020	**/**/****
62-330.402	6/26/2020	**/**/****
62-331.010	7/21/2020	**/**/****
62-331.020	6/11/2020	**/**/****
62-331.030	6/11/2020	**/**/****
62-331.040	6/11/2020	**/**/****
62-331.050	6/11/2020	**/**/****
62-331.051	7/21/2020	**/**/****
62-331.052	7/21/2020	**/**/****
62-331.053	7/21/2020	**/**/****
62-331.054	7/21/2020	**/**/****
62-331.060	7/21/2020	**/**/****

62-331.070	6/11/2020	**/**/****
62-331.080	7/21/2020	**/**/****
62-331.090	7/21/2020	**/**/****
62-331.100	6/11/2020	**/**/****
62-331.110	7/21/2020	**/**/****
62-331.120	7/21/2020	**/**/****
62-331.130	6/11/2020	**/**/****
62-331.140	6/11/2020	**/**/****
62-331.160	7/21/2020	**/**/****
62-331.200	7/21/2020	**/**/****
62-331.201	7/21/2020	**/**/****
62-331.210	7/21/2020	**/**/****
62-331.211	6/11/2020	**/**/****
62-331.212	6/11/2020	**/**/****
62-331.213	6/11/2020	**/**/****
62-331.214	6/11/2020	**/**/****
62-331.215	7/21/2020	**/**/****
62-331.216	7/21/2020	**/**/****
62-331.217	7/21/2020	**/**/****
62-331.218	6/11/2020	**/**/****
62-331.219	6/11/2020	**/**/****
62-331.220	6/11/2020	**/**/****
62-331.221	6/11/2020	**/**/****
62-331.222	6/11/2020	**/**/****
62-331.223	6/11/2020	**/**/****
62-331.224	6/11/2020	**/**/****
62-331.225	7/21/2020	**/**/****
62-331.226	7/21/2020	**/**/****
62-331.227	6/11/2020	**/**/****
62-331.228	6/11/2020	**/**/****
62-331.229	7/21/2020	**/**/****
62-331.230	7/21/2020	**/**/****

62-331.231	7/21/2020	**/**/****
62-331.233	6/11/2020	**/**/****
62-331.234	6/11/2020	**/**/****
62-331.235	6/11/2020	**/**/****
62-331.236	6/11/2020	**/**/****
62-331.237	6/11/2020	**/**/****
62-331.238	6/11/2020	**/**/****
62-331.239	6/11/2020	**/**/****
62-331.240	7/21/2020	**/**/****
62-331.241	6/11/2020	**/**/****
62-331.242	7/21/2020	**/**/****
62-331.243	6/11/2020	**/**/****
62-331.244	6/11/2020	**/**/****
62-331.245	6/11/2020	**/**/****
62-331.246	6/11/2020	**/**/****
62-331.247	6/11/2020	**/**/****
62-331.248	7/21/2020	**/**/****
<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	**/**/****
60P-1.003	11/5/2019	**/**/****
60P-2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
64B8-10.003	12/9/2015	**/**/****

**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.