

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: RULE TITLE:

64B18-11.001 Application for Licensure

PURPOSE AND EFFECT: The proposed rule amendment modifies the examination standards for licensure as a Podiatric Physician in Florida.

SUBJECT AREA TO BE ADDRESSED: The rule amendment addresses the application for licensure examination standards.

RULEMAKING AUTHORITY: 456.013, 461.005 FS.

LAW IMPLEMENTED: 456.013, 456.017(1)(c), 456.048, 456.049, 456.0635, 456.0135, 461.006, 465.0276, 465.039 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: Janet Hartman, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-1708.

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: RULE TITLE:

64B18-11.002 Examination for Licensure

PURPOSE AND EFFECT: The proposed rule amendment modifies the examination standards for licensure as a Podiatric Physician in Florida.

SUBJECT AREA TO BE ADDRESSED: The rule amendment addresses the examination for licensure standards.

RULEMAKING AUTHORITY: 456.017, 461.005 FS.

LAW IMPLEMENTED: 456.017(1)(c) 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: Janet Hartman, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-1708.

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: RULE TITLE:

64B18-17.001 Continuing Education Required for License Renewal

PURPOSE AND EFFECT: The proposed rule eliminates the cap on the number of credit hours that a licensed podiatric physician may receive for continuing education hours obtained through home study continuing education programs for the current renewal biennium.

SUBJECT AREA TO BE ADDRESSED: The proposed rule addresses the need to allow for additional continuing education options for health care providers.

RULEMAKING AUTHORITY: 456.013(6), 456.033, 456.0301(2), 461.005, 461.007(3) FS.

LAW IMPLEMENTED: 456.013(6), (7), (9), 456.0301(1), 456.033, 456.0341, 456.036(11), 461.003(5), 461.007(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Janet Hartman, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-1708.

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 CORRECTIONS

RULE NO.: RULE TITLE:

33-601.800 Close Management

PURPOSE AND EFFECT: The proposed rule is intended to provide procedures for placement of pregnant inmates in Close Management.

SUMMARY: Rulemaking is necessary to amend an existing rule to establish processes and procedures related to the placement of pregnant inmates in restrictive housing in accordance with § 944.241, F.S., as amended by the Florida Legislature in 2020.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used an itemized checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory cost associated with this rule that exceeds the criteria. Upon review of the proposed changes to the rule, the Department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 944.09, F.S.

LAW IMPLEMENTED: 944.09, 944.241 F.S.

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

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: Lauren Sanchez, Paralegal Specialist, 501 S. Calhoun Street, Tallahassee, FL 32399 (850)717-3610, lauren.sanchez@fdc.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jason Holman, Assistant General Counsel, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, Jason.Holman@fdc.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.800 Close Management.

(1) through (2) No change

(3) Procedures for Placement in Close Management.

(a) through (c) No change.

(d) When a pregnant inmate is placed in close management to protect the health and safety of the pregnant inmate or others,

or to preserve the security and order of the institution, the senior correctional officer or above must make a report utilizing Form DC6-1015, Report of Placement in Restrictive Housing for Pregnant Inmates, clearly stating the following:

1. The individualized reason restrictive housing is necessary;

2. The reason less restrictive means are not available; and,

3. Whether a qualified healthcare professional at the correctional institution objects to the placement.

A copy of the report must be provided to the pregnant prisoner within 12 hours after placement in close management. Form DC6-1015 is incorporated by reference in Rule 33-602.220, F.A.C.

(e)(d) Prior to docketing an inmate's case for CM review by the ICT, the classification supervisor will submit a referral to the senior psychologist for evaluation of the inmate utilizing the Close Management Referral Assessment, Form DC6-128. Form DC6-128 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 S. Calhoun St., Tallahassee, FL 32399, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03418>. The effective date of the form is 12/13.

(f)(e) Mental health staff will complete Form DC6-128, within five working days of receipt and return it to the classification supervisor.

(g)(f) Upon receiving the completed Form DC6-128, the classification supervisor will submit the case for placement on the ICT docket.

(h)(g) ICT Hearing. The ICT shall evaluate the recommendations for CM placement and the mental health assessment, interview the inmate, and consider all relevant information provided to the ICT by the inmate. The ICT shall ensure that the inmate was given a minimum of 48 hours to prepare for the review unless waived by completing Form DC6-265. The ICT shall document on Form DC6-233C that the inmate was allowed at least 48 hours to prepare for the review. The ICT shall inquire whether the inmate needs staff assistance. A staff member shall be assigned to assist an inmate when the ICT determines that the inmate is illiterate or does not understand English, has a disability that would hinder the inmate's ability to represent himself or herself, or when the complexity of the issues makes it unlikely that the inmate will be able to properly represent himself or herself. Assistance can also be provided at the inmate's request. In the event a staff member is assigned to assist an inmate, it is the responsibility of the staff member to explain the CM recommendation and procedures to the inmate. Even though the staff member will be authorized to assist an inmate during the hearing and aid the inmate in presenting his or her position, the staff member shall not take the position of an advocate or defense attorney for the inmate. The ICT is authorized to postpone the case review to

allow an inmate additional time to prepare. If an extension of time is given, the ICT shall document the postponement on Form DC6-233C. The inmate will appear at the hearing unless he or she demonstrates disruptive behavior, either before or during the hearing, that impedes the process, or the inmate waives his or her right to be present at the CM hearing. If the inmate waives his or her right to be present at the CM hearing Form DC6-265 shall be completed. In such cases, the review will be completed without the inmate present. The absence, removal, or presence of the inmate will be documented on Form DC6-233C. After the interview and review of all pertinent information including the mental health assessment, the ICT will make a recommendation to the SCO. This recommendation will be documented on Form DC6-233C. The ICT will inform the inmate of the basis for its decision and provide a copy of its decision to the inmate after the conclusion of the hearing. The ICT classification member will ensure that the results are entered in OBIS.

(i)(4) The SCO will review the recommendations of the ICT, Form DC6-128, and other pertinent information before making the final decision regarding CM placement. This review will be on site and the SCO may interview the inmate, except in situations requiring more immediate action. In such case, the SCO will review the documentation in OBIS. The SCO will approve, disapprove, or modify the ICT’s recommendation, or obtain further information from the ICT before reaching a final decision. If the ICT’s recommendation is disapproved or modified by the SCO, the inmate will be informed of the decision in writing by the SCO. Inmate notification will not be required when the SCO approves the ICT’s recommendation. After the review is complete, the SCO will document its decision in OBIS. A copy of Form DC6-233C will be kept in the inmate record file.

(4) through (18) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09, 944.241 FS. History—New 2-1-01, Amended 12-16-01, 4-8-04, 3-10-05, 4-9-06, 8-23-07, 4-27-08, 6-28-10, 4-6-11, 7-31-11, 1-4-12, 12-9-12, 12-24-13, 3-6-14, 8-17-16, 1-18-21, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard Comerford, Assistant Deputy Secretary of Institutions
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mark S. Inch, Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 4, 2021
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 27, 2020

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-602.211
 RULE TITLE: Restraint of Pregnant Inmates

PURPOSE AND EFFECT: Rulemaking is necessary to amend existing rules to establish processes and procedures related to the placement of pregnant inmates in restrictive housing in accordance with § 944.241, F.S., as amended by the Florida Legislature in 2020.

SUMMARY: The proposed rule is intended to provide processes and procedures for placement of pregnant inmates in restrictive housing.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used an itemized checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory cost associated with this rule that exceeds the criteria. Upon review of the proposed changes to the rule, the Department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 944.09, 944.241, FS.

LAW IMPLEMENTED: 944.241, FS.

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

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: Lauren Sanchez, Paralegal Specialist, 501 S. Calhoun Street, Tallahassee, FL 32399 (850)717-3610, lauren.sanchez@fdc.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jason Holman, Assistant General Counsel, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, Jason.Holman@fdc.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

33-602.211 Restraint of Pregnant Inmates.

(1) Definitions.

(a) through (b) No change.

(c) Senior correctional officer: refers to a staff member with the rank of correctional officer lieutenant or above.

(d)(e) Third trimester: refers, for the purposes of this rule, to the period of time from the start of the 28th week of pregnancy.

(2) through (9) No change .

(10) Miscellaneous.

(a) When a pregnant inmate is placed in Medical Isolation, a Medical Housing Unit, or the Infirmary, to protect the health and safety of the pregnant inmate or others, or to preserve the security and order of the institution, the senior correctional officer or above must make a report utilizing Form DC6-1016, Report of Placement in Restrictive Housing for Pregnant Inmates (MEDICAL), clearly stating the following:

1. The individualized reason restrictive housing is necessary;

2. The reason less restrictive means are not available; and,

3. Whether a qualified healthcare professional at the correctional institution objects to the placement.

A copy of the report must be provided to the pregnant prisoner within 12 hours after placement in a Medical Isolation, a Medical Housing Unit, or the Infirmary. Form DC6-1016 is hereby incorporated by reference. A copy of this form is available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. The effective date of the form is XX/XX.

Rulemaking Authority 944.09, 944.241 FS. Law Implemented 944.241 FS. History–New 9-24-12, Amended 1-10-18, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Richard Comerford, Assistant Deputy Secretary of Institutions

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mark S. Inch, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 18, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: February 26, 2021

DEPARTMENT OF CORRECTIONS

RULE NOS.: RULE TITLES:

33-602.220 Administrative Confinement

33-602.222 Disciplinary Confinement

PURPOSE AND EFFECT: The proposed rules are intended to provide procedures for placement of pregnant inmates in Administrative Confinement and Disciplinary Confinement.

SUMMARY: Rulemaking is necessary to amend existing rules to establish processes and procedures related to the placement of pregnant inmates in restrictive housing in accordance with § 944.241, F.S., as amended by the Florida Legislature in 2020.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used an itemized checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory cost associated with this rule that exceeds the criteria. Upon review of the proposed changes to the rule, the Department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 944.09, FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.241, 945.04 FS.

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

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: Lauren Sanchez, Paralegal Specialist, 501 S. Calhoun Street, Tallahassee, FL 32399 (850)717-3610, lauren.sanchez@fdc.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jason Holman, Assistant General Counsel, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, Jason.Holman@fdc.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

33-602.220 Administrative Confinement.

(1) No change.

(2) Procedures for Placement in Administrative Confinement.

(a) through (b) No change.

(c) When a pregnant inmate is placed in administrative confinement to protect the health and safety of the pregnant inmate or others, or to preserve the security and order of the institution, the senior correctional officer or above must make a report utilizing Form DC6-1015, Report of Placement in Restrictive Housing for Pregnant Inmates, clearly stating the following:

1. The individualized reason restrictive housing is necessary;

2. The reason less restrictive means are not available; and,

3. Whether a qualified healthcare professional at the correctional institution objects to the placement.

A copy of the report must be provided to the pregnant prisoner within 12 hours after placement in administrative confinement. Form DC6-1015 is hereby incorporated by reference. A copy of this form is available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. The effective date of the form is XX/XX.

(d)(e) Pursuant to Rule 33-601.733, F.A.C., upon placement into administrative confinement, the warden shall ensure that an inmate is provided the opportunity, at the inmate’s expense, to notify at least three approved visitors of any visitation denial or restrictions before the next scheduled visiting day if the situation permits the inmate to do so, or that staff notifies visitors by telephone if the inmate is unable to do so.

(e)(f) When an inmate is placed in administrative confinement, this action shall be documented in the electronic classification contact log in OBIS. This entry shall fully state the circumstances surrounding and the reason for placing the inmate in administrative confinement and a summary of the inmate’s comments. The reason must correspond with one of the criteria for placement provided in subsection (3) of this rule. This electronic entry shall be completed the same day the inmate is placed into administrative confinement, will establish the ICT 72-hour review appointment, and will document any telephone calls made by staff on the inmate’s behalf to his or

her visitors if time does not permit contact by mail prior to the planned visit. Any written statements provided by the inmate shall be forwarded to the ICT for its consideration prior to the 72-hour review appointment.

(f)(e) The ICT shall review inmates in administrative confinement within 72 hours. The ICT’s findings and decision shall be documented in the electronic classification contact log in OBIS. The only exception to being reviewed within 72 hours is when the ICT cannot complete its review within the allotted timeframe due to a holiday. If the review cannot be completed within 72 hours, the action of the senior correctional officer shall be reviewed within 72 hours by the duty warden, documented on the Form DC6-229, Daily Record of Special Housing, and evaluated within 5 days by the ICT. Inmates placed into administrative confinement shall not be released from this status until approved by the ICT. The classification supervisor shall be responsible for ensuring that the ICT docket is prepared. The ICT Chairperson is responsible for scheduling the ICT hearing date and time. The ICT shall review inmates for release from administrative confinement. During this review the ICT shall consider pending disciplinary hearings and other pending issues or actions. If an inmate has been held in administrative confinement pending a disciplinary hearing and the decision is not to impose disciplinary confinement as a part of the disciplinary action, the disciplinary team or hearing officer shall notify the confinement supervisor who shall coordinate the release of the inmate from administrative confinement. If the confinement supervisor discovers other pending issues or actions, the ICT shall be required to immediately review the case. In the event it is necessary to release an inmate from administrative confinement during weekends or holidays, the duty warden is authorized to approve the release immediately.

(3) through (10) No change.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.241, 945.04 FS. History—New 4-7-81, Amended 6-23-83, 3-12-84, Formerly 33-3.081, Amended 4-22-87, 8-27-87, 7-10-90, 12-4-90, 3-24-97, 4-26-98, 10-5-98, Formerly 33-3.0081, Amended 2-12-01, 2-5-02, 1-19-03, 4-1-04, 3-5-06, 10-31-06, 4-8-08, 6-25-08, 6-8-09, 7-5-10, 10-7-12, 3-6-14, 8-17-16, 1-18-21, _____.

33-602.222 Disciplinary Confinement.

(1) Definitions.

(a) through (i) No change.

(j) Senior Correctional Officer – refers to a staff member with the rank of correctional officer lieutenant or above.

(k)(f) Shift Supervisor – refers to the correctional officer in charge of security on any work shift.

(l)(k) Special Risk Inmate – refers to any inmate who has demonstrated behavior that is or could be harmful to himself or herself.

~~(m)(4)~~ State Classification Office (SCO) – refers to the office or Department staff at the central office level that is responsible for the review of inmate classification decisions. Duties include approving, disapproving, or modifying ICT recommendations.

~~(n)(m)~~ Visit – unless the context dictates otherwise, refers to the official inspection and tour of a confinement unit by a staff member.

(2) Placement in Confinement.

(a) An Inmate shall be given a pre-confinement medical evaluation by medical staff prior to being placed in disciplinary confinement. Any inmate currently in another confinement status who received a pre-confinement medical assessment shall not be required to have another prior to placement in disciplinary confinement.

(b) When a pregnant inmate is placed in disciplinary confinement to protect the health and safety of the pregnant inmate or others, or to preserve the security and order of the institution, the senior correctional officer or above must make a report utilizing Form DC6-1015, Report of Placement in Restrictive Housing for Pregnant Inmates, clearly stating the following:

1. The individualized reason restrictive housing is necessary;
2. The reason less restrictive means are not available; and,
3. Whether a qualified healthcare professional at the correctional institution objects to the placement.

A copy of the report must be provided to the pregnant prisoner within 12 hours after placement in disciplinary confinement. Form DC6-1015 is incorporated by reference in Rule 33-602.220, F.A.C.

(3) through (13) No change.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.241 FS. History--New 3-12-84, Formerly 33-3.084, Amended 7-10-90, 4-28-96, 12-7-97, 3-23-99, Formerly 33-3.0084, Amended 2-12-01, 2-15-02, 4-1-04, 1-16-06, 10-31-06, 6-25-08, 6-8-09, 7-5-10, 3-6-14, 8-17-16, 1-18-21, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Richard Comerford, Assistant Deputy Secretary of Institutions

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mark S. Inch, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 04, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 27, 2020

DEPARTMENT OF MANAGEMENT SERVICES

Commission on Human Relations

RULE NO.: RULE TITLE:

60Y-11.004 Investigatory Process

PURPOSE AND EFFECT: The proposed rule amendments seek to clarify and delete obsolete, unnecessary, or redundant rules.

SUMMARY: The proposed rule amendments are in response to recent amendments to section 760.11, FS.

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 amendment is to a procedural rule and will have no economic impact and, therefore, will not require ratification. There are no applicable federal standards that relate to Rule 60Y-11.

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: 760.06(12), FS.

LAW IMPLEMENTED: 112.3187-.31895. 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: Casey Snipes, Florida Commission on Human Relations, 4075 Esplanade Way, Suite 110, Tallahassee, FL 32399, (850) 488-7082, Casey.Snipes@fchr.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

60Y-11.004 Investigatory Process.

(1) Within ~~five~~ ~~three~~ ~~(3)~~ working days of a complaint being filed, the Commission shall acknowledge receipt of the complaint and send a copy of the complaint and any other preliminary information available concerning the disclosure of information under Section 112.3187, F.S., to the other parties named in Section 112.31895(1)(a), F.S. The other party shall also acknowledge receipt of such copies to the complainant ~~within 15 days.~~

(2) Within 15 days of the date the complaint was received, the Commission shall review the information and determine whether temporary reinstatement is appropriate under Section 112.3187(9)(f), F.S. If it so determines, the Commission shall apply for an expedited order from the appropriate agency or circuit court for reinstatement pending issuance of the final order on the complaint.

(3) If the Commission determines that reasonable grounds exist to believe that a prohibited action has occurred, is occurring, or is to be taken, it may request the agency or circuit court to order a stay of any personnel action for 45 days which, upon request, may be extended for appropriate periods of time. The Commission shall further report its determination together with any findings or recommendations, including corrective action to be taken, to the agency head and may report such to the Governor and Comptroller. If, after ~~35~~ ~~20~~ days, the agency does not implement the recommended corrective action, the Commission shall terminate the investigation. If the Commission finds, in consultation with the complainant, that the agency has implemented the corrective action, the Commission shall file such finding with the agency head, together with any written comments that the complainant provides, and terminate the investigation.

(4) Within ~~180~~ ~~90~~ days of the date the complaint was received, the Commission shall provide the agency head and the Complainant with a fact-finding report that may include recommendations to the parties or proposed resolution of the complaint. The Commission shall then proceed to attempt to conciliate the complaint.

(5) If the Commission is unable to conciliate a complaint within ~~35~~ ~~60~~ days of the issuance of the fact-finding report ~~and its receipt by the parties~~, or if the Commission finds there are no reasonable grounds to believe that a prohibited personnel action has occurred, is occurring or is to be taken, the Commission shall terminate the investigation.

Rulemaking Specific Authority ~~120.54~~, 760.06(12) FS. Law Implemented 112.3187-.31895 FS. History--New 1-1-04, Amended xx-xx-xx.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Cheyanne Costilla, Executive Director, Florida Commission on Human Relations

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Commission on Human Relations' board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 7/31/20

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 3/26/21

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-6.007
RULE TITLE: Permitted and Prohibited Substances for Racing Greyhounds

PURPOSE AND EFFECT: The purpose of this rule amendment is to remove the current rule language applicable to racing greyhounds and to update testing methodologies, measurement uncertainties, and screening limits for racing horses. The rule amendment further codifies those guidelines encapsulated in Emergency Rule 61DER21-2, F.A.C. and replaces the existing rule language that has become obsolete pursuant to Article 10, section 32, of the Florida Constitution.

SUMMARY: Testing Methodologies, Measurement Uncertainties, Screening Limits for Racing Horses

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 economic review conducted by the Agency.

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

RULEMAKING AUTHORITY: 550.0251(3), (11) 550.2415 (12) FS.

LAW IMPLEMENTED: 550.0251, 550.2415 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, April 22, 2021, 1:00 p.m. – 4:00 p.m.

PLACE: The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering will announce details for an online and telephonic hearing facilitated through GoToMeeting in a corresponding meeting notice published in the FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bryan A. Barber, Division of Pari-Mutuel Wagering, bryan.barber@myfloridalicense.com, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1761.

THE FULL TEXT OF THE PROPOSED RULE IS:

Substantial rewording of Rule 61D-6.007 follows. See Florida Administrative Code for present text.

61D-6.007 Testing Methodologies, Measurement Uncertainties, Screening Limits for Racing Horses Permitted and Prohibited Substances for Racing Greyhounds.

(1) Testing Methodologies: Methodologies used to screen for and confirm the administration of medications, drugs, and naturally occurring substances in racing horses shall be limited to the following: Immunoassay, Liquid Chromatography Mass Spectrometry (LCMS), Gas Chromatography Mass Spectrometry (GCMS), Clinical Refractometer, and/or Specific Gravity.

(2) Measurement Uncertainties: The Division hereby incorporates by reference the Division Laboratory Measurement Uncertainty Schedule containing the established levels. An electronic copy can be located at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(3) Screening Limit for Prohibited Substances in Racing Horses: Any and all findings above zero that are over the limit of detection, under any condition of use, for prohibited substances shall be considered a violation of Section 550.2415, F.S.

Rulemaking Authority 550.0251(3), (11), 550.2415(7)-(12) FS. Law Implemented 550.0251, 550.2415 FS. History—New 10-20-96, Amended 6-6-00, 6-6-04, 4-12-06, 6-26-11, 8-1-19, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bryan A. Barber, Division of Pari-Mutuel Wagering, bryan.barber@myfloridalicense.com, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1761.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Julie I. Brown, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 22, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 26, 2021

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE NO.: 64B2-16.003
 RULE TITLE: Guidelines for the Disposition of Disciplinary Cases

PURPOSE AND EFFECT: The Board proposes the rule amendment to update and revise the Boards' disciplinary guidelines.

SUMMARY: Substantial rewrite of disciplinary guidelines.
 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: 456.039(3), 456.072, 456.079, 460.405, 460.413 FS.

LAW IMPLEMENTED: 456.039(3), 456.072, 456.079, 460.413(4) 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: Anthony Spivey, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257; 850-488-0595 or by electronic mail – Anthony.Spivey@flhealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

Substantial rewording of Rule 64B2-16.003 follows. See Florida Administrative Code for present text.

64B2-16.003 Guidelines for the Disposition of Disciplinary Cases.

(1) Purpose. The purpose of this rule is to notify applicants and licensees of the ranges of penalties which will routinely be imposed unless the Board finds it necessary to deviate from the guidelines for the stated reasons given within this rule. The ranges of penalties provided below are based upon a single count violation of each provision listed; for multiple counts of the violated provisions or a combination of violations the Board shall consider a higher penalty than that for a single, isolated violation. Each range includes the lowest and highest penalty and is inclusive of all penalties falling between, including continuing education (CE). For all persons subject to this rule, conditions of probation may be required following any period of suspension of license and probation will require compliance with conditions as set forth in subsection (4). In addition to any other discipline imposed, the Board shall assess the actual costs related to the investigation and prosecution of a case.

(2) Violations and Range of Penalties. When the Board finds that an applicant or licensee whom it regulates pursuant to Chapter 460, F.S., has violated the below-listed provisions, it shall issue a final order imposing appropriate penalties, for each count, as set forth in Section 456.072(2), F.S., within the ranges recommended in the following disciplinary guidelines. The identification of offenses are descriptive only; the full language of each statutory provision cited must be considered in order to determine the conduct included. If the Board makes a finding of pecuniary benefit or self-gain related to the violation, then the Board shall require refund of fees billed and collected from the patient or a third party on behalf of the patient. In addition to or in lieu of any guideline penalties provided herein, if the violation is for fraud or making a false or fraudulent representation, the Board shall impose a fine of \$10,000 per count or offense.

Statutory or Rule cite and brief descriptor.	First Offense	Second Offense	Third or Subsequent Offenses
(a) Section 460.41, F.S., failure to provide itemized patient billing.	A fine of \$1,000, six (6) months of probation with records monitoring and three (3) hours CE on Laws, Rules and Ethics.	In addition to three (3) three hours CE on Laws, Rules and Ethics, from a minimum of a \$1,000 fine and six (6) months' probation with records	In addition to three (3) three hours CE on Laws, Rules and Ethics, from a minimum of a \$2,000

		<u>monitoring up to a maximum of a \$2,500 fine and six (6) month suspension followed by one (1) year probation with records monitoring.</u>	<u>fine, one (1) year suspension and two (2) years' probation with records monitoring up to a maximum of a \$5,000 fine and permanent revocation.</u>
(b) Section 460.411, F.S., practice without active license or license fraudulently obtained.			
i. License fraudulently obtained.	\$10,000 fine and permanent revocation or denial of license (minimum and maximum same).		
ii. Practice without active license.	From a minimum of an administrative fine of \$500 for each month of practice without an active license, up to a maximum of permanent revocation of license.	From a minimum of an administrative fine of \$1,000 for each month of practice without an active license, up to a maximum of permanent revocation of license.	From a minimum of an administrative fine of \$2,500 for each month of practice without an active license, up to a maximum of

			<u>permanen t revocatio n of license.</u>
<u>(c) Section 460.411(1)(b), F.S. (use/attempted use of suspended/revoked license).</u>	<u>Permanent revocation or denial of license (minimum and maximum same); if fraud involved, addition of a \$10,000.00 fine.</u>		
<u>(d) Section 460.411(2)(a), F.S. (selling/fraudulently obtaining diploma, license, record, registration).</u>	<u>Permanent revocation or denial of license (minimum and maximum same); if fraud involved, addition of a \$10,000.00 fine.</u>		
<u>(e) Section 460.411(2)(b), F.S.: (willfully false oath or affirmation).</u>	<u>Permanent revocation or denial of license (minimum and maximum same); if fraud involved, addition of a \$10,000.00 fine.</u>		
<u>(f) Section 460.411(2)(c), F.S.: (use of protected title without licensure).</u>	<u>Denial of license.</u>		

<u>(g) Section 460.411(2)(d), F.S.: (knowing concealment of information on violation).</u>	<u>From a minimum of a \$500 fine and six (6) months' probation, up to a maximum of a \$1,000 fine, one (1) year probation and three (3) hours CE on Laws, Rules and Ethics.</u>	<u>From a minimum of a \$1,000 fine and one (1) year suspension followed by two (2) years' probation up to a maximum of a \$2,500 fine, two (2) years suspension followed by three (3) years' probation.</u>	<u>From a minimum of a \$2,500 fine, two (2) years suspension followed by three (3) years' probation up to a maximum of permanent revocation.</u>
<u>(h) Section 460.412 or 456.072(1)(v), F.S.: (sexual misconduct).</u>	<u>From a minimum of a PRN referral for evaluation, one (1) year suspension followed by two (2) years' probation including a chaperone, up to a maximum \$7,500 fine and/or permanent revocation.</u>	<u>\$10,000 fine and permanent revocation.</u>	<u>\$10,000 fine and permanent revocation.</u>
<u>(i) Section 460.413(1)(a) or 456.072(1)(h), F.S., Obtain license by bribery, fraudulent misrepresentation or</u>			

<u>Department or Board Error.</u>			
i. Obtain license by bribery.	From a minimum \$500 fine and/or two (2) years' probation to a maximum of permanent revocation.	From a minimum \$10,000 fine and one (1) year suspension to permanent revocation.	Permanent revocation.
ii. Obtain license by fraudulent misrepresentations	From six months' probation and a fine of \$10,000 to a maximum of five (5) years suspension, passage of the SPEC Exam as condition of reinstatement, and a fine of \$10,000.	\$10,000 fine and permanent revocation.	
iii. Obtain license by Department or Board error.	Suspension until appearance before Board, demonstration of entitlement to licensure and certification by Board, and a \$500 fine.	Same Penalty as first violation.	Same Penalty as first violation
(j) Section 460.413(1)(b) or 456.072(1)(f), F.S.: having a license acted against in another state, territory, or country.	\$500 fine; if action in other state involved sexual misconduct, then permanent restriction on license	Same Penalty as first violation	Same Penalty as first violation

	requiring chaperone be present.		
(k), Section 460.413(1)(c) or 456.072(1)(c), F.S., crime related to practice.			
i. Misdemeanor.	From a minimum \$1,500 fine and six (6) months' probation, up to a \$3,000 fine and one (1) year suspension.	From a minimum \$3,000 fine, six (6) months suspension and one (1) year probation up to a \$5,000 fine and eighteen (18) month suspension.	From a minimum of \$4,000 fine, two (2) year Permanent revocation.
ii. Felony.	From a minimum \$5,000 fine and 1 year probation up to a maximum \$7,500 fine and one (1) year suspension followed by two (2) years' probation or permanent revocation.	From a minimum \$7,500 fine and two (2) years suspension followed by two (2) years' probation, up to a maximum \$10,000 fine and/or four (4) year suspension, passage of the SPEC exam as a condition of reinstatement of license to be followed by four (4) years' probation.	Permanent revocation.

<p>(l) Section 460.413(1)(d), F.S.: false/misleading advertising.</p>	<p>From a minimum \$1,000 fine and a letter of concern, up to a maximum \$2,500 fine and 3 hours CE on Laws, Rules and Ethics.</p>	<p>In addition to three (3) three hours CE on Laws, Rules and Ethics, from a minimum \$2,500 fine and one (1) year probation to a maximum \$5,000 fine and three (3) months suspension.</p>	<p>From a minimum of a \$10,000 fine and/or one (1) year suspension to a maximum \$10,000 fine and permanent revocation.</p>	<p>(o) Section 460.413(1)(g) or 456.072(1)(i), F.S.: failure to report another.</p>	<p>In addition to three (3) three hours Laws, Rules and Ethics CE, from a minimum letter of concern and a \$500 fine, up to a maximum \$2,000 fine and six (6) months' probation.</p>	<p>In addition to three (3) three hours Laws, Rules and Ethics CE, from a minimum \$2,000 fine up to a maximum \$4,000 fine and six (6) month suspension.</p>	<p>In addition to three (3) hours Laws, Rules and Ethics CE, from a minimum \$3,000 fine and six (6) months suspension to a maximum \$10,000 fine.</p>
<p>(m) Section 460.413(1)(e) or 456.072(1)(t), F.S.: non-identifying advertisement.</p>	<p>From a minimum \$1,000 fine, up to a maximum of three (3) three hours CE on Laws, Rules and Ethics.</p>	<p>In addition to three (3) three hours CE on Laws, Rules and Ethics, from a minimum \$2,000 fine and one (1) year probation to a maximum \$3,000 fine and three (3) years' probation.</p>	<p>In addition to three (3) three hours Laws, Rules, and Ethics CE, from a minimum \$4,000 fine up to a maximum \$7,500 fine and one (1) year of suspension followed by three (3) years' probation.</p>	<p>(p) Section 460.413(1)(h) or 456.072(1)(j), F.S.: assisting unlicensed person to practice.</p>	<p>In addition to three (3) three hours Laws, Rules and Ethics CE, from a minimum \$5,000 fine and one (1) year suspension to \$10,000 fine and five year suspension with passage of the SPEC Exam as a condition of</p>	<p>\$10,000 fine and permanent revocation.</p>	<p>\$10,000 fine and permanent revocation.</p>
<p>(n) Section 460.413(1)(f), F.S.: phony name.</p>	<p>In addition to two (2) hours CE on Ethics, from a minimum \$1,000 fine</p>	<p>In addition to two (2) hours CE on Ethics, from a minimum \$3,500 fine</p>	<p>From a minimum \$5,000 fine and six (6) months</p>	<p>suspension up to a maximum \$3,000 fine and one (1) year probation, up to a maximum \$5,000 fine and one (1) year suspension, followed by one (1) year probation.</p>			

	<u>reinstatement followed by three (3) years' probation with monitoring.</u>		
<u>(q) Section 460.413(1)(i) or 456.072(1)(k), F.S.: failure to perform statutory or legal obligation.</u>	<u>In addition to three (3) three hours Laws, Rules and Ethics CE, from a minimum \$1,000 fine and a letter of concern, up to a maximum \$3,000 fine and one (1) year suspension followed by two (2) years' probation.</u>	<u>From a minimum three (3) three hours Laws, Rules and Ethics CE, \$2,500 fine and one (1) year probation up to a maximum \$5,000 fine, 2 year suspension, SPEC Exam as condition of reinstatement followed by 2 years' probation or permanent revocation.</u>	<u>From a minimum \$10,000 fine and 1 year suspension up to a maximum \$10,000 fine and permanent revocation.</u>
<u>i. Negligent filing of false report.</u>	<u>From a minimum \$2,000 fine, up to a maximum \$5,000 fine, two (2) hours Ethics and three (3) hours Laws and Rules CE and one (1) year probation with records monitoring.</u>	<u>From a minimum \$3,000 fine and a reprimand to a maximum \$5,000 fine, two (2) hours Ethics and three (3) hours Laws and Rules CE and two (2) year suspension.</u>	<u>From a minimum \$5,000 fine up to a maximum \$10,000 fine and permanent revocation.</u>
<u>ii. Willful filing of false report.</u>	<u>From a minimum \$5,000 fine</u>	<u>From a minimum \$5,000 fine</u>	<u>From a minimum \$10,000</u>

<u>impeding, or inducing another to file false report.</u>	<u>and one (1) year suspension, followed by one (1) year probation with records monitoring, up to a maximum of 1 year suspension, SPEC Exam as condition of license reinstatement, followed by 3 years' probation</u>	<u>and three (3) year suspension with two (2) hours Ethics and three (3) hours Laws and Rules CE and passage of the SPEC Exam as conditions of licensure reinstatement followed by 3 years' probation with records monitoring up to a maximum \$7,500 fine and permanent revocation.</u>	<u>fine and five (5) year suspension up to a maximum \$10,000 fine and permanent revocation.</u>
<u>(s) Section 460.413(1)(k) or 456.072(1)(m), F.S.: misrepresentations/trick or scheme.</u>	<u>In addition to two (2) hours Ethics CE, from a minimum \$1,000 fine and one (1) year probation, up to a maximum \$3,000 fine, one (1) year suspension, followed by two (2) years' probation.</u>	<u>In addition to two (2) hours Ethics CE, from a \$5,000 fine and two (2) years suspension with passage of the SPEC Exam as a condition of license reinstatement followed by two (2) years' probation up to a maximum \$7,500 fine and permanent revocation.</u>	<u>Permanent Revocation.</u>

<p>(t) Section 460.413(1)(l) or 456.072(1)(y), F.S.: soliciting patients or commercial solicitation from accident report information.</p>	<p>From a minimum \$3,000 fine and/or two (2) years' probation, up to a maximum \$6,000 fine, two (2) year suspension followed by two (2) year probation and two (2) hours Ethics and three (3) hours Laws and Rules CE.</p>	<p>From a minimum \$5,000 fine and/or one year suspension followed by two (2) years' probation, up to a maximum \$10,000 fine, and permanent revocation.</p>	<p>Permanent Revocation.</p>	<p>456.072(1)(n), F.S.: exploit patient for financial gain.</p>	<p>and Rules and two (2) hours Ethics CE, from a minimum \$2,000 fine and/or one (1) year probation, up to a maximum \$4,000 fine and/or two (2) year suspension followed by two (2) years' probation of license.</p>	<p>and Rules and two (2) hours Ethics CE from a \$3,000 fine, one (1) year suspension with passage of the SPEC Exam as a condition of reinstatement followed by two (2) year probation with monitoring up to a maximum \$7,500 fine or permanent revocation</p>	<p>fine, two (2) years suspension followed by two (2) years' probation up to a maximum \$10,000 fine and permanent revocation;</p>
<p>(u) Section 460.413(1)(m), F.S.: medical recordkeeping.</p>	<p>In addition to three (3) hours Laws, Rules and Ethics and six (6) hours Documentation and Coding CE, from a minimum \$1,000 fine and/or one (1) year probation with records monitoring, up to a maximum \$3,000 fine, six (6) months suspension, followed by one (1) year probation with records monitoring.</p>	<p>From a minimum of \$2,500 fine and one (1) year suspension followed by one (1) year probation up to a maximum \$10,000 fine, one (1) year suspension followed by two (2) years' probation.</p>	<p>From a minimum \$7,500 fine and two (2) years suspension, followed by two (2) years' probation with records monitoring up to a maximum \$10,000 fine and permanent revocation.</p>	<p>(w) Section 460.413(1)(o), F.S.: unauthorized services.</p>	<p>From a minimum \$1,000 fine and/or one (1) year probation with monitoring, up to a maximum \$3,000 fine and two (2) years' probation with monitoring.</p>	<p>From a minimum \$3,000 fine and two (2) years' probation with monitoring, up to a maximum \$5,000 fine, two (2) years suspension with passage of the SPEC Exam as a condition of license reinstatement followed by two (2) years' probation with monitoring or permanent revocation.</p>	<p>For a third offense, from a minimum \$5,000 fine, two (2) year suspension with passage of the SPEC Exam as a condition of license reinstatement followed by two (2) years' probation with monitoring, up to a maximum \$10,000 fine and</p>
<p>(v) Section 460.413(1)(n) or</p>	<p>In addition to three (3) hours Laws</p>	<p>In addition to three (3) hours Laws</p>	<p>From a minimum \$7,500</p>				

			<u>permanen t revocatio n.</u>		<u>practice with reasonable skill and safety to patients as a condition of reinstatemen t, followed by three (3) years' probation.</u>	<u>condition of reinstatemen t, followed by four (4) years' probation to a maximum of three (3) year suspension with a recommenda tion of ability to practice with reasonable skill and safety to patients and passage of the SPEC Exam as conditions of reinstatemen t, and a \$7,500 fine or permanent revocation.</u>	<u>m \$10,000 fine and permanen t revocatio n.</u>
<u>(x) Section 460.413(1)(p), F.S.: dispensing drugs/performi ng surgery.</u>	<u>In addition to three (3) hours Laws and Rules and two (2) hours Ethics CE, from a minimum fine of \$5,000 and/or one year of probation, up to a maximum fine of \$10,000 and/or five (5) year suspension with passage of the SPEC Exam as a condition of license reinstatemen t followed by two (2) years' probation.</u>	<u>\$10,000 fine and permanent revocation.</u>	<u>\$10,000 fine and permanen t revocatio n.</u>				
<u>(y) Section 460.413(1)(q) or 456.072(1)(z), F.S.; unable to practice with reasonable skill and safety.</u>	<u>From a minimum \$1,000 fine, three (3) years' probation and referral for a PRN evaluation, up to a maximum of one (1) year suspension, with a recommenda tion of ability to</u>	<u>From a \$3,500 fine, referral for a PRN evaluation, and one (1) year suspension with a recommenda tion of ability to practice with reasonable skill and safety to</u>	<u>From a minimum \$5,000 fine, suspensio n until PRN referral and evaluatio n followed by five (5) years' probation up to a maximu</u>				
				<u>(z) Section 460.413(1)(t) or 456.072(1)(o), F.S., practicing beyond scope or competency.</u>			
				<u>i. Gross malpractice.</u>	<u>From a minimum \$2,500 fine, up to a maximum \$5,000 fine and/or permanent revocation.</u>	<u>From a minimum \$5,000 fine and one (1) year suspension followed by one (1) year probation up to a maximum \$7,500 fine, three (3) year suspension followed by three (3) year</u>	<u>From a minimum \$10,000 fine, two (2) years suspensio n and two (2) years' probation up to a maximu m \$10,000 fine and/or permanen</u>

		<u>probation or permanent revocation.</u>	<u>t</u> <u>revocatio</u> <u>n.</u>		<u>to</u> a <u>maximum</u> <u>\$6,000 fine,</u> <u>5</u> year <u>suspension,</u> <u>SPEC Exam</u> <u>as condition</u> <u>of licensure</u> <u>reinstatement,</u> <u>followed</u> <u>by 2 year</u> <u>probation</u> <u>with</u> <u>monitoring.</u>	<u>two (2)</u> <u>years'</u> <u>probation</u> <u>with</u> <u>monitoring</u> <u>up to a</u> <u>maximum</u> <u>\$8,000 fine</u> <u>and three (3)</u> <u>year</u> <u>suspension,</u> <u>six (6) hours</u> <u>Documentati</u> <u>on and</u> <u>Coding CE</u> <u>and passage</u> <u>of the SPEC</u> <u>Exam as a</u> <u>condition of</u> <u>license</u> <u>reinstatement,</u> <u>followed</u> <u>by three (3)</u> <u>years'</u> <u>probation</u> <u>with</u> <u>monitoring</u> <u>or permanent</u> <u>revocation.</u>	<u>years,</u> <u>probation</u> <u>up to a</u> <u>maximu</u> <u>m</u> <u>\$10,000</u> <u>fine</u> <u>and/or</u> <u>permanen</u> <u>t</u> <u>revocatio</u> <u>n.</u>
<u>ii. Repeated</u> <u>malpractice.</u>	<u>From a</u> <u>minimum</u> <u>\$1,000 fine,</u> <u>three (3)</u> <u>hours Laws,</u> <u>Rules and</u> <u>Ethics CE,</u> <u>and one (1)</u> <u>year</u> <u>suspension</u> <u>followed by</u> <u>one (1) year</u> <u>probation up</u> <u>to a</u> <u>maximum</u> <u>\$6,000 fine,</u> <u>two (2) year</u> <u>suspension,</u> <u>three (3)</u> <u>hours Laws,</u> <u>Rules and</u> <u>Ethics CE</u> <u>and passage</u> <u>of the SPEC</u> <u>Exam as</u> <u>conditions of</u> <u>license</u> <u>reinstatement,</u> <u>followed</u> <u>by two (2)</u> <u>year</u> <u>probation</u> <u>with</u> <u>monitoring</u> <u>or permanent</u> <u>revocation.</u>	<u>From a</u> <u>minimum</u> <u>\$5,000 fine,</u> <u>two (2) year</u> <u>suspension</u> <u>and two (2)</u> <u>year</u> <u>probation up</u> <u>to a</u> <u>maximum</u> <u>\$10,000 fine,</u> <u>four (4) year</u> <u>suspension,</u> <u>three (3)</u> <u>hours Laws,</u> <u>Rules and</u> <u>Ethics CE</u> <u>and passage</u> <u>of the SPEC</u> <u>Exam as</u> <u>conditions of</u> <u>license</u> <u>reinstatement,</u> <u>followed</u> <u>by four (4)</u> <u>years'</u> <u>probation</u> <u>with</u> <u>monitoring</u> <u>or permanent</u> <u>revocation.</u>	<u>\$10,000</u> <u>fine and</u> <u>permanen</u> <u>t</u> <u>revocatio</u> <u>n</u> <u>(minimu</u> <u>m and</u> <u>maximu</u> <u>m same).</u>				
				<u>(aa) Section</u> <u>460.413(1)(s),</u> <u>F.S.:</u> <u>experimentatio</u> <u>n on human</u> <u>subjects</u> <u>without</u> <u>consent.</u>	<u>In addition to</u> <u>three (3)</u> <u>hours Laws</u> <u>and Rules</u> <u>and two (2)</u> <u>hours Ethics</u> <u>CE, from a</u> <u>\$2,000 fine</u> <u>and/or five</u> <u>(5) years'</u> <u>probation, up</u> <u>to a</u> <u>maximum of</u> <u>five (5) year</u> <u>suspension,</u> <u>passage of</u> <u>the SPEC</u> <u>Exam as</u> <u>condition of</u> <u>reinstatement,</u> <u>followed</u> <u>by two (2)</u>	<u>In addition to</u> <u>three (3)</u> <u>hours Laws</u> <u>and Rules</u> <u>and two (2)</u> <u>hours Ethics</u> <u>CE, from a</u> <u>minimum</u> <u>\$5,000 fine,</u> <u>one (1) year</u> <u>suspension</u> <u>and/or five</u> <u>(5) years'</u> <u>probation up</u> <u>to permanent</u> <u>revocation.</u>	<u>\$10,000</u> <u>fine and</u> <u>permanen</u> <u>t</u> <u>revocatio</u> <u>n.</u>
<u>iii. Unacceptable</u> <u>level of care,</u> <u>skill, and</u> <u>treatment.</u>	<u>For a first</u> <u>offense,</u> <u>from a</u> <u>minimum</u> <u>\$3,000 fine,</u> <u>1</u> year <u>suspension</u> <u>followed by</u> <u>two (2)</u> <u>years'</u> <u>probation up</u>	<u>From a</u> <u>minimum</u> <u>\$5,000 fine</u> <u>and 2 year</u> <u>suspension,</u> <u>passage of</u> <u>SPEC Exam</u> <u>as condition</u> <u>of license</u> <u>renewal,</u> <u>followed by</u>	<u>For a</u> <u>third</u> <u>offense,</u> <u>from a</u> <u>minimum</u> <u>\$7,500</u> <u>fine, one</u> <u>(1) year</u> <u>suspensio</u> <u>n then</u> <u>two (2)</u>				

	<u>years' probation.</u>		
(bb) Section 460.413(1)(t) or 456.072(1)(o), F.S.: practicing beyond the scope permitted or competent to perform.	In addition to three (3) hours Laws, Rules and Ethics CE, a minimum \$2,500 fine and/or one (1) year probation with monitoring, up to a maximum two (2) year suspension followed by two (2) years' probation with monitoring and a \$5,000 fine.	In addition to three (3) hours Laws and Rules and two (2) hours Ethics CE, from a minimum \$5,000 fine and/or two (2) year suspension followed by two (2) years' probation up to a maximum \$7,500 fine, four (4) year suspension, passage of the SPEC Exam as condition of license reinstatement, followed by four (4) year probation.	From a minimum \$10,000 fine up to a maximum \$10,000 fine and permanent revocation.
(cc) Section 460.413(1)(u) or 456.072(1)(p), F.S.: delegating responsibilities to unqualified person.	In addition to three (3) hours Laws and Rules and two (2) hours Ethics CE, \$1,000 fine and a Letter of Concern.	In addition to three (3) hours Laws and Rules and two (2) hours Ethics CE, from a minimum \$5,000 fine, one (1) year suspension followed by two (2) years' probation with monitoring	From a minimum \$10,000 fine up to a maximum \$10,000 fine and permanent revocation.

		<u>to a maximum of a \$7,500.</u>	
(dd) Section 460.413(1)(v) or 456.072(1)(q), F.S.: violating any lawfully issued order or subpoena.	From a minimum \$1,000 fine and a letter of concern, up to a maximum three (3) hours Laws, Rules and Ethics CE.	In addition to three (3) hours Laws and Rules and two (2) hours Ethics CE, from a minimum \$3,000 fine and/or two (2) years of probation up to a maximum \$5,000 fine or one (1) year suspension.	From a minimum \$7,500 fine and/or six (6) month suspension followed by probation up to a maximum \$10,000 fine and permanent revocation.
(ee) Section 460.413(1)(w), F.S. conspiring or committing an act to prevent a licensee from advertising.	From a minimum \$1,000 fine to a maximum of Letter of Concern and two (2) hours Ethics and Three (3) hours Laws and Rules CE.	From a minimum \$3,000 fine and six (6) months suspension up to a maximum \$5,000 fine, one (1) year suspension, two (2) hours Ethics and Three (3) hours Laws and Rules CE as conditions of reinstatement of license	From a minimum \$7,500 fine and/or two (2) year suspension followed by probation up to a maximum \$10,000 fine and/or permanent revocation.
(ff) Section 460.413(1)(x) or 345.072(1)(ee), F.S.: submitting	From a minimum \$3,000 fine and/or two (2) year probation, up	From a minimum \$5,000 fine and one (1) year suspension	\$10,000 fine and permanent revocation.

<p><u>claims for treatment not provided.</u></p>	<p>to a <u>maximum \$5,000 fine or one (1) year suspension, three (3) hours Laws and Rules, two (2) hours Ethics and six (6) hours Documentati on and Coding CE as conditions of licensure reinstatement, followed by one (1) year probation with records monitoring.</u></p>	<p>followed by <u>two (2) years' probation with monitoring to a maximum \$7,500 fine and/or five (5) year suspension, SPEC Exam as condition of licensure reinstatement, followed by five (5) years' probation with monitoring.</u></p>				<p><u>Exam as condition of reinstatement of license, followed by five (5) years' probation with records monitoring.</u></p>	
<p><u>(gg) Section 460.413(1)(y), F.S.: commingling or conversion of patient funds and financial recordkeeping.</u></p>	<p><u>In addition to three (3) hours Laws and Rules CE, from a minimum \$2,000 fine and/or one (1) year probation, up to a maximum \$4,000 fine, one (1) year suspension followed by one (1) year probation with records monitoring and three (3) hours Laws and Rules CE.</u></p>	<p><u>In addition to three (3) hours Laws and Rules and two (2) hours Documentati on and Coding CE, from a minimum \$5,000 fine and one (1) year suspension followed by one (1) year probation with records monitoring to a maximum of \$7,500 fine, five (5) year suspension, passage of the SPEC</u></p>	<p><u>From a minimum \$7,500 fine and/or one (1) year suspension, followed by two (2) years' probation with records monitoring up to a maximum \$10,000 fine and permanent revocatio n.</u></p>	<p><u>(hh) Section 460.413(1)(z), F.S.: offering or accepting payment by assignment if it appears to eliminate requirement for insured to pay deductible.</u></p>	<p><u>From minimum \$1,000 fine and/or a letter of concern up to a maximum \$3,000 fine and three (3) hours Laws, Rules and Ethics CE.</u></p>	<p><u>From a minimum \$3,000 fine and/or one (1) year probation with monitoring to a maximum \$5,000 fine and one (1) year suspension followed by one (1) probation with records monitoring and three (3) hours Laws, Rules and Ethics CE.</u></p>	<p><u>From a minimum of a \$10,000 fine up to a \$10,000 fine and permanent revocatio n.</u></p>
				<p><u>(ii) Section 460.413(1)(aa), F.S.: failure to provide insured with copy of claim (citation offense).</u></p>	<p><u>From a minimum \$1,000 fine and Letter of Concern up to a maximum of two (2) hours Ethics and Three (3) hours Laws and Rules CE.</u></p>	<p><u>From a minimum \$3,000 fine and/or one (1) years' probation to a maximum \$4,000 fine, two (2) hours Ethics and Three (3) hours Laws and Rules CE and 3 years suspension, SPEC Exam as condition</u></p>	<p><u>From a minimum \$10,000 fine up to a maximum \$10,000 fine and permanent revocatio n.</u></p>

		of license reinstatement, followed by probation with monitoring.					six (6) hours Documentation and Coding CE as conditions of licensure reinstatement, followed by five (5) years' probation with monitoring or permanent revocation.
(jj) Section 460.413(1)(bb), F.S.: advertised fee different from that submitted to payors.	From a minimum \$2,000 fine and one (1) year probation with monitoring, to a maximum \$5,000 fine and two (2) years' probation with records monitoring and three (3) hours Laws and Rules CE.	From a minimum of passage of the SPEC Exam or a \$3,500 fine and one (1) year suspension followed by one (1) year probation up to a maximum \$5,000 fine and two (2) year suspension, passage of the SPEC Exam as condition of license reinstatement, followed by two (2) year probation with records monitoring and three (3) hours Laws and Rules CE.	In addition to three (3) hours Laws and Rules and two (2) hours Ethics CE. From a minimum \$7,500 fine, two (2) year suspension followed by two (2) year probation with monitoring, passage of the SPEC Exam as a condition of licensure reinstatement, up to a maximum \$10,000 fine, five (5) year suspension, passage of the SPEC Exam and				
				(kk) Sections 460.413(1)(cc), 456.062, F.S.: failure of advertisement to state usual fee when offers free or discount services (citation offense).	From a minimum \$1,000 fine, Letter of Concern and three hours Laws, Rules and Ethics CE.	From a minimum \$2,000 fine and/or Letter of Concern up to one (1) year probation with monitoring to approve all advertising and three (3) hours Laws, Rules and Ethics CE.	\$5,000 fine, one (1) year suspension followed by one (1) year probation with monitoring to approve all advertising and three (3) hours Laws, Rules and Ethics CE.
				(ll) Section 460.413(1)(dd), F.S.: using acupuncture without certification.	\$3,000 fine and/or one (1) year probation, Letter of Concern, and three (3)	From a minimum of a \$7,500 fine and 3 year suspension, passage of the SPEC	From a minimum of a \$10,000 fine up to a maximum

	<u>hours Laws, Rules and Ethics CE.</u>	<u>Exam as a condition of license reinstatement, followed by two (2) years' probation up to a maximum of a \$7,500 fine, three (3) hours Laws, Rules and Ethics CE and three (3) year suspension followed by three (3) year probation or permanent revocation of acupuncture certification.</u>	<u>m \$10,000 fine and permanent revocation.</u>				<u>Ethics CE.</u>
				<u>(nn) Section 460.413(1)(ff), 456.072(1)(b), or 456.072(1)(dd), F.S.: violating Chapter 460, Chapter 456, F.S., or any Board rules.</u>	<u>\$1,000 fine and/or a letter of concern.</u>	<u>From a minimum \$5,000 fine and/or two (2) years' probation up to a maximum \$10,000 fine and permanent revocation of license.</u>	<u>\$10,000 fine and permanent revocation.</u>
				<u>(oo) Section 456.082, F.S.: disclosure of confidential information.</u>	<u>Letter of Concern and three Hours Laws and Rules and three hours Ethics CE.</u>	<u>From a minimum \$4,000 fine and one (1) year suspension followed by one (1) year probation to three (3) year suspension, SPEC Exam and three (3) hours Laws and Rules and three (3) hours Ethics as conditions of licensure reinstatement followed by three (3) year probation.</u>	<u>From a minimum \$7,500 fine and one (1) year suspension followed by two (2) years' probation up to a maximum \$10,000 fine and permanent revocation.</u>
<u>(mm) Section 460.413(1)(ee), F.S.: failure to report violation in the facility.</u>	<u>From a minimum of a letter of concern and/or a \$1,000 fine up to a maximum Letter of Concern and three (3) hours Laws, Rules and Ethics CE.</u>	<u>From a minimum of a \$2,000 fine and one (1) year probation up to a maximum \$3,000 fine, three (3) hours Laws, Rules and Ethics CE, and two (2) year probation.</u>	<u>From a minimum \$5,000 fine and two (2) year suspension followed by two (2) year probation up to a maximum \$7,500 fine, passage of the SPEC Exam and three (3) hours Laws and Rules and two (2) hours</u>				
				<u>(pp) Section 456.057(6), F.S.: timely and appropriate release of medical records.</u>	<u>In addition to three (3) hours Laws, Rules and Ethics CE, from a minimum \$1,000 fine and/or a letter of concern up to a maximum</u>	<u>In addition to three (3) hours Laws, Rules and Ethics CE, from a minimum \$2,500 fine and/or one (1) year probation to a maximum \$5,000 fine</u>	<u>From a minimum \$7,500 fine and one (1) year suspension followed by two (2) years' probation up to a</u>

	<u>\$3,000 fine and one (1) year of probation.</u>	<u>and six (6) month suspension followed by two (2) years' probation.</u>	<u>maximum \$10,000 fine and/or permanent revocation.</u>
<u>(qq) Section 456.072(1)(a), F.S.: misleading, deceptive, or fraudulent representations</u>	<u>From a minimum of one (1) year suspension and a fine of \$10,000 per count or offense up to a maximum of five (5) year suspension, three (3) hours Laws, Rules and Ethics CE and a fine of \$10,000 per count or offense.</u>	<u>From a fine of \$10,000 per count or offense and 5 year suspension, SPEC Exam as condition of licensure reinstatement, up to a maximum of permanent revocation.</u>	<u>From a minimum fine of \$10,000 per count or offense and five (5) year suspension to a \$10,000 fine and permanent revocation.</u>
<u>(rr) Section 456.072(1)(d), F.S.: improper usage of laser device.</u>	<u>In addition to passage of a training/competency course for the device type, from a minimum \$1,000 fine and/or one (1) year probation up to a maximum \$3,000 fine and two (2) year suspension followed by two (2) years' probation.</u>	<u>In addition to passage of a training/competency course for the device type, from a minimum \$3,000 fine and one (1) year suspension followed by one (1) year probation up to a maximum \$6,000 fine and five (5) year suspension, SPEC Exam</u>	<u>From a minimum \$10,000 fine, up to a maximum \$10,000 fine and permanent revocation.</u>

		<u>as condition of licensure reinstatement, followed by five (5) years' probation.</u>	
<u>(ss) Section 456.072(1)(g), F.S.: found liable in civil proceeding for knowingly filing a false report or complaint against another licensee with DOH.</u>	<u>From a minimum \$2,000 fine to a maximum \$3,000 fine, a letter of concern and two (2) hours Ethics CE.</u>	<u>From a minimum of 2 hours Ethics CE, \$3,000 fine and one (1) year suspension followed by one (1) year probation to a maximum \$5,000 fine and/or three (3) year suspension, SPEC Exam and two (2) hours Ethics CE as conditions of licensure reinstatement, followed by three (3) years' probation.</u>	<u>From a minimum \$10,000 fine up to a maximum \$10,000 fine and permanent revocation.</u>
<u>(tt) Section 456.072(1)(e), F.S.: failure to comply with HIV/AIDS course requirements.</u>	<u>In addition to three (3) hours Laws, Rules and Ethics CE, a fine of \$1,000 and a letter of concern.</u>	<u>In addition to three (3) hours Laws, Rules and Ethics CE, from a minimum fine of \$2,500 up to a maximum of one (1) year probation.</u>	<u>A fine of \$10,000 and permanent revocation.</u>
<u>(uu) Section 456.072(1)(r), F.S.: improper interference</u>	<u>From a minimum letter of concern,</u>	<u>In addition to two (2) hours Ethics CE, from a</u>	<u>From a minimum \$5,000 fine up to</u>

<u>with investigation, inspection, or discipline.</u>	<u>\$1,000 fine and/or one (1) year of probation up to _____ a maximum \$3,000 fine and two (2) hours Ethics CE.</u>	<u>minimum \$5,000 fine and three (3) year suspension, SPEC Exam as condition of license reinstatement, followed by one (1) year probation up to _____ a maximum \$5,000 fine or permanent revocation.</u>	<u>a maximum \$10,000 fine—and permanent revocation.</u>
<u>(vv) Section 456.072(1)(w), F.S. profiling and credentialing violations.</u>	<u>Three hours Laws, Rules and Ethics CE and a letter of concern.</u>	<u>In addition to three hours Laws, Rules and Ethics CE, from a minimum \$2,000 fine and one (1) year probation up to _____ a maximum \$3,000 fine and two (2) years' probation</u>	<u>From a minimum \$5,000 up to _____ a maximum \$10,000 fine and permanent revocation.</u>
<u>(ww) Section 456.072(1)(x), F.S.: failure to comply with 30-day notification of convictions and nolo pleas.</u>	<u>\$1,000 fine and/or _____ a letter of concern and three (3) hours Laws, Rules and Ethics CE.</u>	<u>From a minimum of a reprimand and a \$5,000 fine up to one (1) year suspension followed by probation and _____ a \$10,000 fine.</u>	<u>From a minimum \$10,000 fine up to _____ a maximum \$10,000 fine and/or permanent revocation.</u>
<u>(xx) Section 456.072(1)(aa), F.S.: testing</u>	<u>Suspension of license until PRN</u>	<u>From _____ a \$2,500 fine and</u>	<u>From _____ a \$5,000 fine,</u>

<u>positive on drug screening.</u>	<u>evaluation and recommendation of ability to practice with reasonable skill and safety to patients; if recommended, entry into contract and from _____ a minimum \$1,000 fine and one (1) year suspension and/or two (2) years' probation and referral for a PRN evaluation, up to _____ a maximum of one (1) year suspension followed by three (3) years' probation with monitoring.</u>	<u>suspension until PRN referral and/or evaluation followed by probation to _____ a \$10,000 fine and permanent revocation.</u>	<u>suspension until PRN referral and/or evaluation and five (5) years' probation up to _____ a maximum \$10,000 fine and _____ permanent revocation.</u>
<u>(yy) Section 456.072(1)(bb), F.S.: wrong patient, wrong site, or wrong or unnecessary procedure.</u>	<u>In addition to six (6) hours CE in Documentation and Coding, from _____ a minimum \$1,000 fine and/or _____ a reprimand, up to _____ a maximum \$3,000 fine and/or one</u>	<u>In addition to six (6) hours CE in Documentation and Coding, from _____ a minimum \$3,000 fine and/or two (2) year suspension followed by two (2) year probation</u>	<u>From _____ a minimum \$10,000 fine and or one (1) year probation up to _____ a maximum \$10,000 fine and permanent</u>

	<u>(1) year suspension followed by one (1) year probation with monitoring.</u>	<u>with monitoring up to a maximum \$6,000 fine five (5) year suspension, passage of the SPEC Exam as condition of reinstatement, followed by five (5) year probation with monitoring.</u>	<u>revocation.</u>	<u>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.</u>	<u>and probation with monitoring.</u>	<u>permanent restriction on practice.</u>	<u>and permanent revocation.</u>
<u>(zz) Section 456.039(3), F.S.: failing to update information pursuant to Section 456.039(1), F.S., in writing within 45 days after the occurrence of an event or attainment of a status required to be reported.</u>	<u>In addition to three (3) hours Laws, Rules and Ethics CE, from a minimum \$1,000 fine to a maximum of letter of concern and three (3) hours Laws, Rules and Ethics CE.</u>	<u>In addition to three (3) hours Laws, Rules and Ethics CE, from a minimum of one (1) year probation to maximum of \$3,500 fine and three (3) hours Laws, Rules and Ethics CE.</u>	<u>\$10,000 fine and permanent revocation.</u>	<u>(bbb) Section 456.072(1)(ii), F.S., for 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 Medicaid program.</u>	<u>Permanent revocation and a fine of \$10,000.</u>		
<u>(aaa) Section 456.072(1)(hh), F.S., for being terminated from a treatment program for impaired practitioners, which is overseen by an impaired practitioner consultant as described in Section</u>	<u>From a minimum of suspension until compliant with contract and recommendation of ability to practice with reasonable skill and safety to patients to \$1,000 fine</u>	<u>From a minimum of suspension until compliant with contract and recommendation of ability to practice with reasonable skill and safety to patients to \$3,000 or</u>	<u>From a minimum of five (5) year suspension followed by permanent restriction on practice to a fine of \$10,000</u>	<u>(ccc) Section 456.072(1)(jj), F.S., for failing to remit the sum owed to state for an</u>	<u>From a minimum of a letter of concern to one (1) year probation</u>	<u>From a minimum of a reprimand, \$3,000 fine and one (1) year</u>	<u>From a minimum of a \$5,000 fine and one (1)</u>

<p><u>overpayment from Medicaid program pursuant to a final order, judgment, or stipulation or settlement.</u></p>	<p>and a \$1,000 fine to a maximum of a reprimand, \$2,500 fine and/or two (2) year suspension, three (3) hours Laws, Rules and Ethics and six (6) hours Documentati on and Coding CE as conditions of reinstatem ent.</p>	<p>suspension followed by one (1) year probation up to a maximum of \$6+0,000 fine, three (3) year suspension followed by three (3) years' probation, passage of the SPEC Exam, three (3) hours Laws, Rules and Ethics and six (6) hours Documentati on and Coding CE as conditions of license reinstatem ent or permanent revocation.</p>	<p>year suspensio n, to a maximu m \$10,000 fine and permanen t revocatio n.</p>	<p><u>from which the practitioner was terminated has been restored.</u></p> <p>(eee) Section 456.072(1)(ll), F.S., for 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.</p>	<p>A fine of \$10,000 and Permanent revocation or denial of license (minimum and maximum same).</p>		
<p>(ddd) Section 456.072(1)(kk), F.S., for 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</p>	<p>From a minimum of a letter of concern and \$1,000 fine to maximum of a reprimand, \$2,000 fine, and two (2) hours Ethics CE.</p>	<p>From a minimum of a reprimand, \$3,000 fine and one (1) year suspension followed by one (1) year probation to a maximum \$5,000 fine and two (2) hours Ethics CE.</p>	<p>From a minimum of a \$5,000 fine and one (1) year suspension to a maximu m \$10,000 fine and permanen t revocatio n.</p>	<p>(fff) Section 456.072(1)(nn), F.S., violating any provisions of s. 790.338, F.S., relating to medical privacy concerning firearms.</p>	<p>\$1,000 fine and letter of concern.</p>	<p>From a minimum \$5,000 fine, six (6) month suspension followed by one (1) year probation up to two (2) year suspension followed by two (2) year probation.</p>	<p>From a minimum \$10,000 fine to a maximu m \$10,000 fine and permanen t revocatio n.</p>
				<p>(ggg) Section 456.072(1)(oo), F.S., willfully failing to comply with s. 627.64194 or 641.513, F.S. as to indicate a business practice – regarding provision of emergency</p>	<p>From a minimum \$1,000 fine and/or one (1) year of probation, up to a maximum \$3,000 fine.</p>	<p>From a minimum \$5,000 fine and/or six (6) month suspension followed by two (2) years of probation to a maximum \$10,000 fine and or</p>	<p>\$10,000 fine and permanen t revocatio n.</p>

<u>services and insurance billing.</u>		<u>permanent revocation.</u>	
<u>(hhh) Providing false information regarding Emotional Support Animal without personal knowledge. (Section 456.072(1)(pp), F.S.)</u>	<u>Written reprimand to \$500 fine and three (3) hours Laws, Rules and Ethics CE.</u>	<u>Minimum of reprimand, \$500 fine and 3 hours Laws, Rules and Ethics CE to a maximum of \$1,000 fine, one (1) year suspension followed by two (2) years' probation with records review.</u>	<u>Minimum of Reprimand, \$1,000 fine, 3 hours Laws, Rules and Ethics CE and two years' probation with records monitoring to a maximum of \$10,000 fine and one year suspension followed by five (5) years of probation with records review.</u>
<u>(iii) Intentionally implanting a patient with an embryo or human reproductive material without consent as to donor. (Section 456.072(1)(qq), F.S.)</u>	<u>Minimum of reprimand, \$1,000 fine, 3 hours Laws and Rules Ethics and Boundaries CE to a maximum of \$7,500 fine, one (1) year suspension followed by two (2) years' probation.</u>	<u>Minimum of \$5,000 fine, six (6) month suspension followed by two (2) years' probation, passage of national Ethics and Boundaries Exam as condition of reinstatement, to a maximum of</u>	<u>\$10,000 fine and permanent revocation of license.</u>

		<u>\$10,000 fine and permanent revocation of license.</u>	
<u>(jjj) Failure to comply with Section 456.51, F.S., regarding consent for Pelvic Exams.</u>	<u>Written reprimand to \$500 fine.</u>	<u>Minimum of reprimand, \$500 fine and 3 hours Laws and Rule Laws, Rules and Ethics s CE to a maximum of \$1,000 fine, one (1) year suspension followed by two (2) years' probation with records review and/or chaperone.</u>	<u>Minimum of Reprimand, \$1,000 fine, 3 hours Laws, Rules and Ethics CE and passage of national Ethics and Boundaries Exam to a maximum of \$10,000 fine and permanent revocation.</u>

(3) The Board may take into consideration the following factors in determining the appropriate disciplinary action to be imposed and in going outside of the disciplinary guidelines:

- (a) The danger to the public;
- (b) The number of unrelated and distinct offenses;
- (c) The actual damage, physical or otherwise, to the patient(s);
- (d) The length of time since the date of the last violation(s);
- (e) The length of time the licensee has practiced his or her profession;
- (f) Prior discipline imposed upon the licensee;
- (g) The deterrent effect of the penalty imposed;
- (h) The effect of the penalty upon the licensee's livelihood;
- (i) Rehabilitation efforts of the licensee including remorse, restitution, and corrective actions;
- (j) Efforts of the licensee to correct or stop violations or failure of the licensee to correct or stop violations;

(k) Related violations against the licensee in another state, including findings of guilt or innocence, penalties imposed and penalties served:

(l) The actual negligence of the licensee pertaining to any violation:

(m) Any other mitigating or aggravating circumstances.

(4) When the Board orders probation, that probation will automatically include monitoring by either the Department of Health Compliance Management Unit and/or a Board-approved Monitor. If the type of monitor is not specified, monitoring shall be by the DOH/CMU. Unless otherwise specified, if monitoring by a Board-approved Monitor is ordered, such monitoring shall be at random intervals as chosen by the Monitor, and shall be either with or without advance notice to the Respondent, at the discretion of the Monitor. In addition to monitoring any or all of the following conditions may be imposed as terms of probation:

(a) Restitution of the cost of probation;

(b) Restitution to patient(s) or third-party payor(s);

(c) Payment of fine(s);

(d) Consent to Department access to all business records;

(e) Fulfilling continuing education requirements;

(f) Consent to indirect or direct supervision of practice by Board-approved sponsor;

(g) Consent to restrictions on advertising;

(h) Consent to restriction of practice, including hours, days or type of practice;

(i) Consent to disallowance of sponsorship of trainees;

(j) Submission of reports by licensee and consent to submission of reports by sponsor and/or employer and/or helping professional;

(k) Consent to urine and blood testing;

(l) Fulfilling community service requirement(s);

(m) Successful completion of the Special Purposes Examination (SPEC) examination of the National Board of Chiropractic Examiners;

(n) Other conditions as appropriate.

Rulemaking Authority 456.039(3), 456.072, 456.079, 460.405, 460.413 FS. Law Implemented 456.039(3), 456.072, 456.079, 460.413(4) FS. History—New 1-10-80, Formerly 21D-16.03, Amended 1-28-87, 1-28-90, 6-24-93, Formerly 21D-16.003, Amended 10-26-93, Formerly 61F2-16.003, Amended 7-18-95, Formerly 59N-16.003, Amended 11-4-98, 6-6-02, 5-23-04, 4-13-05, 9-15-05, 2-6-06, 5-11-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Chiropractic Medicine

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Chiropractic Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 26, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 5, 2019

Section III

Notice of Changes, Corrections and Withdrawals

NONE

Section IV

Emergency Rules

NONE

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

NOTICE IS HEREBY GIVEN that on March 24, 2021, the Southwest Florida Water Management District, received a petition for a variance or waiver.

Petitioner’s Name: Hillsborough County Water Resource Department

Rule No.: 40D-22.201

Nature of the rule for which variance or waiver is sought: Lawn and landscape irrigation

The Petition has been assigned tracking No. 21-4333.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Talia M. Paolillo, 7601 US Highway 301, Tampa, Florida 33637, 1(813)985-7481 x. 2298, water.variances@watermatters.org. (J2021013).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052 Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

The Board of Accountancy hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed on August 13, 2020, by Natasha Shapiro. The Notice of Petition for Waiver or Variance was published in Vol. 46, No. 173, of the September 3, 2020, Florida Administrative Register. Petitioner sought a permanent waiver or variance from the

requirements of paragraph 61H1-28.0052(1)(b), F.A.C., acknowledging that she is four (4) months and twenty-seven (27) days outside the required eighteen (18) month window. The Board considered the instant Petition at a duly-noticed public meeting, held on September 25, 2020, via teleconference and video conference. The Board’s Order, filed on October 27, 2020, denied the Petition for a Variance or Waiver stating that the Petitioner has failed to meet the purpose of the underlying statute by other means and has failed to demonstrate application of the rule to Petitioner would create an undue hardship or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Roger Scarborough, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607, (850)487-1395 or by email Roger.Scarborough@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-27.002 Concentrations in Accounting and Business

The Board of Accountancy hereby gives notice: notice of the issuance of an Order regarding the Petition for Waiver or Variance, filed on October 6, 2020, by Bianca Javier. The Notice of Petition for Waiver or Variance was published in Vol. 46, No. 209, of the October 26, 2020, Florida Administrative Register. Petitioner requested a permanent variance of 61H1-27.002, to the extent necessary for the Board to find that she has met the requirements for licensure as a CPA. The Board considered the instant Petition at a duly-noticed public meeting via telephone and video conference held December 11, 2020. The Board’s Order, filed on January 8, 2021, denied the Petition for a Variance or Waiver stating that the Petitioner has failed to meet the purpose of the underlying statute by other means and has failed to demonstrate application of the rule to Petitioner would create an undue hardship or violate principles of fairness. A copy of the Order or additional information may be obtained by contacting: Roger Scarborough, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607, (850)487-1395 or by email Roger.Scarborough@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052 Number of Sitzings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

The Board of Accountancy hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed

on October 23, 2020, by Michael Neilson. The Notice of Petition for Waiver or Variance was published in Vol. 46, No. 125, of the November 3, 2020, Florida Administrative Register. Petitioner sought a permanent waiver or variance from the requirements of paragraph 61H1-28.0052(1)(b), F.A.C., acknowledging that she is ten (10) months and eighteen (18) days outside the eighteen (18) month window for the FAR portion of the examination and five (5) months and fifteen (15) days outside the 18-month window. The Board considered the instant Petition at a duly-noticed public meeting, held on September 25, 2020, via teleconference and video conference. The Board’s Order, filed on October 27, 2020, would be met by granting a variance from paragraph 61H1-27.002(2)(a), F.A.C. The Board further found that Petitioner had established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Roger Scarborough, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607, (850)487-1395 or by email Roger.Scarborough@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052 Number of Sitzings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

The Board of Accountancy hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed on August 7, 2020, by Kathy B. Forester. The Notice of Petition for Waiver or Variance was published in Vol. 46, No. 173, of the September 3, 2020, Florida Administrative Register. Petitioner sought a permanent waiver or variance from the requirements of paragraph 61H1-28.0052(1)(b), F.A.C., acknowledging that she is four (4) months and nineteen (19) days outside the eighteen (18) month window for the FAR portion of the examination and five (5) months and fifteen (15) days outside the 18-month window for the BEC portion of the examination. The Board considered the instant Petition at a duly-noticed public meeting, held on September 25, 2020, via teleconference and video conference. The Board’s Order, filed on October 27, 2020, denied the Petition for a Variance or Waiver stating that the Petitioner has failed to meet the purpose of the underlying statute by other means and has failed to demonstrate application of the rule to Petitioner would create an undue hardship or violate principles of fairness. The Board further found that Petitioner did not provide a sufficiently compelling explanation for not meeting the rule criteria and

passing BEC during the available 3.5 months prior to the impact or declaration of COVID 19 restrictions.

A copy of the Order or additional information may be obtained by contacting: Roger Scarborough, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607, (850)487-1395 or by email Roger.Scarborough@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052 Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

The Board of Accountancy hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed on August 21, 2020, by Gina Paola Jimenez. The Notice of Petition for Waiver or Variance was published in Vol. 46, No. 173, of the September 3, 2020, Florida Administrative Register. Petitioner sought a permanent waiver or variance from the requirements of paragraph 61H1-28.0052(1)(b), F.A.C., acknowledging that she is ten (10) months and eighteen (18) days outside the eighteen (18) month window for the FAR portion of the examination and five (5) months and fifteen (15) days outside the 18-month window. The Board considered the instant Petition at a duly-noticed public meeting, held on September 25, 2020, via teleconference and video conference. The Board's Order, filed on October 27, 2020, denied the Petition for a Variance or Waiver stating that the Petitioner has failed to meet the purpose of the underlying statute by other means and has failed to demonstrate application of the rule to Petitioner would create an undue hardship or violate principles of fairness. The Board further found that Petitioner did not provide a substantially compelling explanation for not meeting the rule criteria, noting that both REG and BEC sections expired prior to passing the AUD section of the exam.

A copy of the Order or additional information may be obtained by contacting: Roger Scarborough, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607, (850)487-1395 or by email Roger.Scarborough@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052 Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

The Board of Accountancy hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed

on September 8, 2020, by Alyssa Heredia. The Notice of Petition for Waiver or Variance was published in Vol. 46, No. 180, of the September 15, 2020, Florida Administrative Register. Petitioner sought a permanent waiver or variance from the requirements of paragraph 61H1-28.0052(1)(b), F.A.C., acknowledging that she is three (3) months and twenty-eight (28) days outside the eighteen (18) month window for the FAR portion of the examination and five (5) months and fifteen (15) days outside the 18-month window for the REG portion of the examination. The Board considered the instant Petition at a duly-noticed public meeting, held on October 23, 2020, via teleconference and video conference. The Board's Order, filed on November 10, 2020, denied the Petition for a Variance or Waiver stating that the Petitioner has failed to meet the purpose of the underlying statute by other means and has failed to demonstrate application of the rule to Petitioner would create an undue hardship or violate principles of fairness. The Board further found that Petitioner has additional time to test, noting passage of solely one portion of the examination, separates her from rule compliance.

A copy of the Order or additional information may be obtained by contacting: Roger Scarborough, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607, (850)487-1395 or by email Roger.Scarborough@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NOS.:RULE TITLES:

61H1-27.001 College or University Requirements

61H1-27.002 Concentrations in Accounting and Business

The Board of Accountancy hereby gives notice: notice of the issuance of an Order regarding the Petition for Waiver or Variance, filed on September 11, 2020, by Aleksandra Dubova. The Notice of Petition for Waiver or Variance was published in Vol. 46, No. 181, of the September 16, 2020, Florida Administrative Register. Petitioner sought a permanent waiver or variance from the requirements of subsections 61H1-27.001(5) and 61H1-27.002(2), F.A.C., asserting in part the vigor of the courses, to the extend necessary for the Board to determine she has met the education requirements for licensure. The Board considered the instant Petition at a duly-noticed public meeting, held on October 23, 2020, via teleconference and video conference. The Board's Order, filed on November 10, 2020, denied the Petition for a Variance or Waiver because the petitioner has failed to meet the purpose of the underlying statute by other means and has failed to demonstrate application of the rule to Petitioner would create an undue hardship or violate principles of fairness. The Board further found that

within approximately two years, Petitioner would be eligible for remedy by rule without board action.

A copy of the Order or additional information may be obtained by contacting: Roger Scarborough, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607, (850)487-1395 or by email Roger.Scarborough@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

The Board of Accountancy hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed on June 8, 2020, by Orlando Fernandez, Jr., CPA. The Notice of Petition for Waiver or Variance was published in Vol. 46, No. 118, of the June 17, 2020, Florida Administrative Register. Prior to the meeting, the petitioner submitted in writing a statement of withdrawal of the petition. The petition and withdrawal information was presented at a duly-noticed public meeting, held on September 25, 2020, via teleconference and video conference. The Board’s Order was filed on October 26, 2020. Based on the material presented, and the Petitioner’s withdrawal, the Board accepted the Petitioner’s withdrawal as final action on the petition.

A copy of the Order or additional information may be obtained by contacting: Roger Scarborough, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607, (850)487-1395 or by email Roger.Scarborough@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052 Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

The Board of Accountancy hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed on August 21, 2020, by Stancey Peprah (Kwakwa). The Notice of Petition for Waiver or Variance was published in Vol. 46, No. 173, of the September 3, 2020, Florida Administrative Register. Petitioner sought a permanent waiver or variance from the requirements of paragraph 61H1-28.0052(1)(b), F.A.C., acknowledging that she is four (4) months and twenty-seven (27) days outside the eighteen (18) month window. The Board considered the instant Petition at a duly-noticed public meeting, held on September 25, 2020, via teleconference and video conference. The Board’s Order, filed on October 27, 2020, denied the Petition for a Variance or Waiver stating that the Petitioner has failed to meet the purpose of the underlying statute by other means and has failed to demonstrate application

of the rule to Petitioner would create an undue hardship or violate principles of fairness. The Board further found that Petitioner did not provide a compelling explanation for not meeting the rule criteria, noting that over 10 months transpired between the passage of the AUD and REG sections, with only two months resulting from exam delays.

A copy of the Order or additional information may be obtained by contacting: Roger Scarborough, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607, (850)487-1395 or by email Roger.Scarborough@myfloridalicense.com.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: RULE TITLE:

64B10-16.001 General Information; Monitors

The Board of Nursing Home Administrators hereby gives notice: that on March 8, 2021, an Order was filed on the Petition for Variance or Waiver. The Petition for Variance or Waiver was filed by Samantha Pierce, on January 12, 2021, seeking a waiver or variance from subsections 64B10-16.001(5) and (9), F.A.C., regarding the administrator-in-training program starting and interruption date. The Notice of Petition for Variance or Waiver was published in Volume 47, No. 09, of the January 14, 2021 issue of the Florida Administrative Register. No comments by interested persons were received during the 14-day period after the filing of the notice. The Board, at its meeting held on January 15, 2021, determined that the Petitioner has demonstrated she met the purpose of the underlying statute and demonstrated that application of the rule at issue would constitute a substantial hardship. The Board determined that the petition shall be granted.

A copy of the Order or additional information may be obtained by contacting: Dr. Anthony Spivey, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin C-07, Tallahassee, Florida 32399-3257, (850)245-4393, Anthony.Spivey@flhealth.gov.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

The Council on the Social Status of Black Men and Boys announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, April 8th meetings, CANCELLED

PLACE: VIRTUAL Full Council Business Meeting

All of the below Subcommittee Meetings CANCELLED

Criminal Justice & Community Relations Subcommittee Teleconference

DATE AND TIME: Thursday, April 8, 2021, 2:00 p.m. – 2:30 p.m.

Toll Free Dial in Number: 1(888)585-9008, Conference Code: 428-345-081

Education Development Subcommittee Teleconference

DATE AND TIME: Thursday, April 8, 2021, 2:30 p.m. – 3:00 p.m.

Toll Free Dial in Number: 1(888)585-9008, Conference Code: 428-345-081

Employment & Economic Development Subcommittee Teleconference

DATE AND TIME: Thursday, April 8, 2021, 3:00 p.m. – 3:30 p.m.

Toll Free Dial in Number: 1(888)585-9008, Conference Code: 428-345-081

Physical / Behavioral Health & Family Stability Subcommittee Teleconference

DATE AND TIME: Thursday, April 8, 2021, 3:30 p.m. – 4:00 p.m.

Toll Free Dial in Number: 1(888)585-9008, Conference Code: 428-345-081

Social Media Platform and Website Subcommittee Meeting

DATE AND TIME: Thursday, April 8, 2021, 4:00 p.m. – 4:30 p.m.

Toll Free Dial in Number: 1(888)585-9008, Conference Code: 428-345-081

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

A copy of the agenda may be obtained by contacting: NA
For more information, you may contact: the Bureau of Criminal Justice Programs at (850)414-3300.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Department of Agriculture and Consumer Services announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 29, 2021, 3:00 p.m.

PLACE: Call in: (850)391-8548, Access Code: 429 350 12#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a town hall meeting with the Cannabis Director to discuss hemp industry questions from the public.

A copy of the agenda may be obtained by contacting: cannabis@fdacs.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 4 days before the workshop/meeting by contacting: cannabis@fdacs.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: cannabis@fdacs.gov.

DEPARTMENT OF EDUCATION

State Board of Education

The Division of Blind Services announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 7, 2021, 10:00 a.m.

PLACE: (850)583-5063, United States, Tallahassee, Phone Conference ID: 404 952 919#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is an invitation to join a meeting with leaders at the Conklin Davis Center and DBS to discuss future residential services at the center.

A copy of the agenda may be obtained by contacting: NO AGENDA

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

For more information, you may contact: The Division of Blind Services, 325 West Gaines Street, Turlington Bldg., Room 1114, Tallahassee, FL 32399, Phone: (850)245-0320, Email: Amy.Grissom@dbs.fldoe.org.

PUBLIC SERVICE COMMISSION

FAR NOTICE OF COMMISSION MEETING

The FLORIDA PUBLIC SERVICE COMMISSION announces a public meeting (telephonic) in the following matter to which all persons are invited.

DATE AND TIME: April 6, 2021, 1:30 p.m.

PLACE: Telephone: 1-888-585-9008. Conference Code: 416-925-719.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 20210049-TP Request for submission of proposals for relay service, beginning in March 2022, for the deaf, hard of hearing, deaf/blind, or speech impaired, and other implementation matters in compliance with the Florida Telecommunications Access System Act of 1991.

The purpose of this meeting is to discuss issues relating to the Request for Proposals. A copy of the agenda may be obtained

by contacting: Curtis Williams, cjwillia@psc.state.fl.us or at (850) 413-6924. Mr. Williams is also available to answer questions about this meeting. A copy of the agenda and meeting materials will also be made available on the Commission's website, www.floridapsc.com

ADA: 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 close of business on April 2, 2021, 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).

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

COMMISSION ON ETHICS

The Commission on Ethics (Advisory Committee on Next Executive Director) announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, April 7, 2021, 10:00 a.m.

PLACE: This meeting will be held via teleconferencing/audio conferencing. This will not be an "in person" meeting. Those who wish to attend the meeting can do so via <https://zoom.us/j/94373254068>, Passcode: 406920, calling (312)626-6799 and using Webinar ID 943 7325 4068, Passcode: 406920, or live stream link available at the time of the meeting on the Commission's homepage (www.ethics.state.fl.us).

Note that this meeting is subject to possible cancellation if other meeting(s) provide sufficient time for applicant interviews.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Interviewing of applicants for the position of the Commission's Executive Director and related discussions as to recommendations to the full Commission.

A copy of the agenda may be obtained by contacting: www.ethics.state.fl.us or (850)488-7864.

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: (850)488-7864. 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).

COMMISSION ON ETHICS

The Commission on Ethics (Advisory Committee on Next Executive Director) announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, April 8, 2021, 10:00 a.m.

PLACE: This meeting will be held via teleconferencing/audio conferencing. This will not be an "in person" meeting. Those who wish to attend the meeting can do so via <https://zoom.us/j/96121966752>, Passcode: 868018, calling (312)626-6799 and using Webinar ID 961 2196 6752, Passcode: 868018, or live stream link available at the time of the meeting on the Commission's homepage (www.ethics.state.fl.us).

Note that this meeting is subject to possible cancellation if other meeting(s) provide sufficient time for applicant interviews.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Interviewing of applicants for the position of the Commission's Executive Director and related discussions as to recommendations to the full Commission.

A copy of the agenda may be obtained by contacting: www.ethics.state.fl.us or (850)488-7864.

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: (850)488-7864. 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).

COMMISSION ON ETHICS

The Commission on Ethics (Advisory Committee on Next Executive Director) announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, April 9, 2021, 3:00 p.m.

PLACE: This meeting will be held via teleconferencing/audio conferencing. This will not be an "in person" meeting. Those who wish to attend the meeting can do so via <https://zoom.us/j/91902315746>, Passcode: 390894, calling (312)626-6799 and using Webinar ID 919 0231 5746, Passcode: 390894, or live stream link available at the time of the meeting on the Commission's homepage (www.ethics.state.fl.us).

Note that this meeting is subject to possible cancellation if other meeting(s) provide sufficient time for applicant interviews.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Interviewing of applicants for the position of the Commission's Executive Director and related discussions as to recommendations to the full Commission.

A copy of the agenda may be obtained by contacting: www.ethics.state.fl.us or (850)488-7864.

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: (850)488-7864. 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).

METROPOLITAN PLANNING ORGANIZATIONS

Orlando Urban Area

The Central Florida MPO Alliance announces a workshop to which all persons are invited.

DATE AND TIME: Friday, April 9, 2021, 10:00 a.m.

PLACE: The workshop will be conducted on the Zoom platform.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled Central Florida MPO Alliance (CFMPOA) meeting.

A copy of the agenda may be obtained by contacting: Lisa Smith, Board Services Coordinator, MetroPlan Orlando, 250 South Orange Avenue, suite 200, Orlando FL 32801, (407)481-5672, ext. 307.

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: Lisa Smith, Board Services Coordinator, MetroPlan Orlando, 250 South Orange Avenue, suite 200, Orlando FL 32801, (407)481-5672, ext. 307. 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: Lisa Smith, Board Services Coordinator, MetroPlan Orlando, 250 South Orange Avenue, suite 200, Orlando FL 32801, (407)481-5672, ext. 307.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.:RULE TITLES:

61D-6.007 Permitted and Prohibited Substances for Racing Greyhounds

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering has scheduled the hearing below. This hearing will take place if requested within 21 days of the corresponding notice of proposed rule.

DATE AND TIME: Thursday, April 22, 2021, 1:00 p.m. – 4:00 p.m.

PLACE: Online/Telephone via GoToMeeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: Testing methodologies, measurement uncertainties, and screening limits in racing horses

If you wish to provide testimony at this hearing, please contact the Division no later than 24 hours before the hearing in order to add your name to the list of presenters: Bryan Barber, Division of Pari-Mutuel Wagering, bryan.barber@myfloridalicense.com, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1761.

New to GoToMeeting? Get the app now and be ready when the meeting starts:

<https://global.gotomeeting.com/install/876782181>. Please note: If you are unable to install the app, you may still join the meeting from your Web browser.

Methods of Joining the GoToMeeting:

These are the best ways to join the subject meeting depending on the equipment you have available:

Computer equipped with speakers and a microphone:

1. Follow this link: <https://global.gotomeeting.com/join/876782181>;
2. During the hearing, all attendees will be muted until it is their turn to speak.

Computer not equipped with a microphone:

1. Follow this link: <https://global.gotomeeting.com/join/876782181>;
2. Once you are signed into the meeting go to the “Audio” or “Phone” tab on the dashboard;
3. Click the “Turn Off Computer Audio” button;
4. Use your phone to dial the toll-free phone number provided on the dashboard;
5. When prompted, enter the access code and audio pin provided on the dashboard;
6. During the hearing, all attendees will be muted until it is their turn to speak.

Mobile Device (iOS, Android or Windows Phone):

1. Download the GoToMeeting app for your mobile device;
2. Follow this link: <https://global.gotomeeting.com/join/876782181>;
3. Follow the GoToMeeting prompts and enter your full name;
4. During the hearing, all attendees will be muted until it is their turn to speak.

Telephone (Important note: If you are joining the meeting by telephone, please do so at least 15 minutes prior to the hearing start time so you can be registered as an attendee.):

1. Use your phone to dial: United States (Toll Free): 1(866)899 4679, United States: (571)317-3116
2. When prompted, enter Access Code: 876-782-181;
3. Follow remaining prompts (you will not have an audio pin, so just press #);

4. Once you are in the meeting, announce your full name to be registered as an attendee;

5. During the hearing, all attendees will be muted until it is their turn to speak.

For more details on how to join a GoToMeeting, please visit: <https://support.goto.com/meeting/help/how-to-join-a-meeting-g2m030001>.

NOTE FOR ALL COMPUTER USERS: If you sign in on your computer and indicate that you are using "Computer Audio," and then you call in on your phone while in proximity to your computer, you will generate audio feedback.

A copy of the agenda may be obtained by contacting: Bryan Barber, Division of Pari-Mutuel Wagering, bryan.barber@myfloridalicense.com, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1761.

For more information, you may contact: Bryan Barber, Division of Pari-Mutuel Wagering, bryan.barber@myfloridalicense.com, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1761.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Geologists

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

DATE AND TIME: Wednesday, April 21, 2021, 9:00 a.m.

PLACE: Via Teleconference; dial 1(877)309-2073, Access Code#659-910-157

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting

A copy of the agenda may be obtained by contacting: Lina Hurtado, Division of Professions, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Lina Hurtado, Division of Professions, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Lina Hurtado, Division of Professions, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984.

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

The Department of Children and Families, Division of Purchasing announces a public meeting to which all persons are invited.

DATE AND TIME: April 6, 2021, 11:00 a.m.

PLACE: Conference call # 1(888)585-9008, Conference Room: 890-576-349

GENERAL SUBJECT MATTER TO BE CONSIDERED: Request for Applications RFA11L2GN1 - Prevention Partnership Grant - Grant Review Committee Meeting to Complete Review of Grant Applications for the SOUTHEAST and SOUTHERN Regions.

A copy of the agenda may be obtained by contacting: michele.staffieri@myflfamilies.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

The Board of Pilot Commissioners Deputy Pilot Advancement Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, April 9, 2021, 10:00 a.m. ET

PLACE: 1(888)585-9008, participant passcode: 491089625

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancements.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982.

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

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

For more information, you may contact: Board of Pilot Commissioners, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982.

QUINCY-GADSDEN AIRPORT AUTHORITY

The Quincy-Gadsden Airport Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 12, 2021, 5:30 p.m.

PLACE: Quincy Municipal Airport Terminal - 1300 Airport Drive, Quincy, FL 32352

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold the regular monthly meeting of the Quincy-Gadsden Airport Authority

A copy of the agenda may be obtained by contacting: Janice Watson, QGAA, P.O. Box 1905 Quincy, FL 32352, (850)643-7752, quincyairport@tds.net.

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.

INFINITE SOURCE COMMUNICATIONS GROUP, LLC The Florida Department of Transportation District Six announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 14, 2021, 6:00 p.m. – 7:30 p.m.

PLACE: GoToWebinar - To participate in this meeting from your computer, tablet or smartphone please click on the registration link: (Here Link - https://attendee.gotowebinar.com/register/3292872812143084046

Participants can also call in by dialing (213)929-4212, Access code: 164-781-182.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a Virtual Public Meeting for a Bus-on-Shoulder project along State Road (SR) 112/I-195/Julia Tuttle Causeway from east of SR 5/Biscayne Boulevard to SR 907/Alton Road, in Miami-Dade County. The project identification number is 444622-1-52-01. The meeting will consist of a formal presentation followed by an open discussion. Staff will be available to answer questions. Questions will be responded to as time permits, in the order received. If your question is not responded to during the event, a response will be provided in writing following the meeting.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Community Outreach Specialist, Rodolfo Roman at (786)519-7160, email: Roman@iscprgroup.com.

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

For more information, you may contact: Rodolfo Roman at (786)519-7160, email: Roman@iscprgroup.com.

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

RICHARD W. PRINGLE, P.A.
Public Notice Fort Myers Shores Fire Protection and Rescue Service District Notice of Receipt of Unsolicited Proposal Public Private Partnership Proposal No. 02-2021 New Fire Station #2 at River Hall

NOTICE IS HEREBY GIVEN that the Fort Myers Shores Fire Protection and Rescue Service District, an independent special fire control district ("District"), has received an unsolicited proposal for the District's possible construction and possible construction financing of a new fire station for the District on the District's real property located at 2404 River Hall Parkway, Alva, Florida 33920 (Station #2), which is sometimes hereinafter referred to as the "Project." The District Board of Commissioners has determined that the Project is a "qualifying project" under Section 255.065, Florida Statutes. The District is advertising this Public Notice to advise the public and interested parties that the District intends to enter into an agreement for the Project and the District will accept other competing proposals for the Project as outlined herein. The Project, as identified in the unsolicited proposal, is for the design and construction of a new fire station facility and a training tower and related site improvements for the District's Project, and for the financing of the Project.

The general scope of the construction aspect of the Project is as follows: The Project consists of the design and construction of a new fire station structure that is a single story and that is approximately 11,000 square feet to 12,000 square feet in size, together with a three story training tower, and together with all of the site improvements on the District's fire station site located at 2404 River Hall Parkway, Alva, Florida 33920. The Project fire station structure will include living quarters and accommodations for a 24/7 fulltime staff of seven (7) firefighters and three (3) drive through bays for fire and rescue apparatus with the drive through bays being approximately seventy-seven (77) feet long at a minimum. In addition to the design and construction of the Project improvements, the Proposal must also include a separate proposal element for the financing of the Project which can include multiple financing options of the Project.

Persons or entities wishing to submit alternative or competing Proposals to the unsolicited proposal for the Project may do so by delivering sealed Proposals to: Chief Chris Dowaliby, or his designee, at the administrative offices of the District at 12345 Palm Beach Blvd., Fort Myers, FL 33905, on or before the deadline of 2:00 p.m. on May 6, 2021. The entire Proposal package, which shall include one (1) original and six (6) copies of the Proposal, shall be enclosed in a sealed envelope or container and shall have the following information clearly printed or written on the exterior of the envelope or container:
PUBLIC PRIVATE PARTNERSHIP UNSOLICITED
PROPOSAL NO. 02-2021
FORT MYERS SHORES FIRE PROTECTION AND
RESCUE SERVICE DISTRICT
NEW FIRE STATION #2 AT RIVER HALL
(NAME OF RESPONDER: _____)

Sealed Proposals must be received by the Chief, or his designee, at the administrative offices of the District at 12345 Palm Beach Blvd., Fort Myers, FL 33905, no later than the response deadline of 2:00 p.m. on May 6, 2021. Proposals received after such time will not be accepted. Proposals delayed for any reason shall not be considered. Faxed or electronically mailed Proposals will not be accepted. All costs and expenses related to the preparation and submission of a Proposal are the sole responsibility of the Proposer.

All prospective Proposers are prohibited from contacting any member of the District Board of Commissioners or any District employees except for the Chief. All questions should be directed to the Chief, or his designee, Phone: (239)694-2833, EMAIL FMSFD1@hotmail.com.

Proposals shall include all information and materials required by Section 255.065, Florida Statutes. In particular, Proposals shall describe the Proposer's Project design and construction, including the training tower, and the separate financing proposal(s). Also, the Proposals shall provide a Proposal range of the guaranteed maximum price for the Project. A Proposer can also include in its Proposal any additional information about the Proposer and the proposed Project that the Proposer believes will assist the District in evaluating its Proposal such as construction methods and materials and structure foot prints and elevations and site layouts. A Proposer can submit a narrative statement which relates to the Project, and the separate financing of the Project. As a part of the narrative statement, a Proposer can provide a description of what they believe differentiates them and their Proposal from other Proposers for the benefit of the District.

It is anticipated that the unsolicited proposal, which has been deemed a qualified Proposal, and the other qualified Proposals submitted to the District in response to this public notification will be considered and a decision on the selection/ranking of the unsolicited proposal and the qualified Proposals will be made by the District Board of Commissioners at an official public meeting of the District's Board of Commissioners. Currently, the District Board of Commissioners intends to review the Proposals and make a decision on the selection/ ranking of the unsolicited proposal and the qualified Proposals at the Board of Commissioners meeting held on Thursday, May 20, 2021. The District may request additional information from Proposers that may be necessary to fully evaluate a Proposal. The District may conduct such investigations as the District deems necessary and appropriate to assist in the evaluation of any proposal. As referenced in paragraph 255.065(5)(c), Florida Statutes, the District may consider factors that include, but are not limited to, professional qualifications, general business terms, innovative design techniques or cost reduction terms, and finance plans as a part of the decision making by the District on

the selection/ranking of the unsolicited proposal and the qualified Proposals.

The District reserves the right to reject any or all Proposals in its sole discretion. The District also reserves the right to waive irregularities and technicalities, to re-advertise for additional Proposals, and to select the Proposer, who, in the District’s sole opinion, is in the best interests of the District.

Once the Board of Commissioners has held a public meeting to qualify and select/rank the unsolicited proposal and the qualified Proposals, the individual(s) designated by the Board of Commissioners as the District’s negotiating team will attempt to negotiate a satisfactory agreement between the District and the highest ranked Proposer selected by the Board of Commissioners. If an agreement cannot be reached in a reasonable period of time, in the District’s sole discretion, the negotiations with said Proposer shall be formally terminated through the declaration of an impasse and no further action may be taken to enter into an agreement with said Proposer. If the Proposers are ranked and if an impasse is declared with the highest ranked Proposer, the agreement negotiation process described above may occur with the second ranked Proposer, and thereafter the same agreement negotiation process may be used with each of the next ranked Proposers until an agreement is successfully negotiated with a Proposer who has been determined to be qualified by the Board of Commissioners. The District reserves the right to negotiate all agreement terms and provisions. The District’s negotiating team designated by the Board of Commissioners will negotiate all agreement terms and provisions and will attempt to reach a final agreement with a Proposer subject to final review and approval of the agreement with a Proposer by the Board of Commissioners in the Board of Commissioners’ sole discretion. It is anticipated that any agreement between the District and a Proposer may include an agreement article which provides that there will be a guaranteed maximum not to exceed agreement price. It is anticipated that there may also be a separate agreement article which provides a final Project completion date.

In all cases, the Board of Commissioners reserves the authority, in its sole discretion, to take such official action that it deems to be in the best interests of the District in a manner which satisfies the requirements of Florida law, including Section 255.065, Florida Statutes.

Proposals may be made available for public inspection pursuant to applicable provisions of the Florida Public Records Act. Proposals may be withdrawn either in writing or in person through an authorized representative at any time prior to the Proposal submission deadline. After the Proposal submission deadline, Proposals may not be withdrawn or modified except to the extent agreed to by the District during subsequent agreement negotiations.

The District does not discriminate on the basis of age, race, color, sex, religion, national origin, disability or marital status.

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., Monday, March 22, 2021 and 3:00 p.m., Friday, March 26, 2021.

Rule No.	File Date	Effective Date
6M-4.610	3/25/2021	4/14/2021
6M-4.740	3/25/2021	4/14/2021
6M-4.741	3/25/2021	4/14/2021
6M-8.301	3/25/2021	4/14/2021
40D-8.041	3/23/2021	4/12/2021
40D-8.623	3/23/2021	4/12/2021
40D-8.624	3/23/2021	4/12/2021
40E-1.800	3/22/2021	4/11/2021
40E-1.801	3/22/2021	4/11/2021
40E-61.010	3/22/2021	4/11/2021
40E-61.011	3/22/2021	4/11/2021
40E-61.020	3/22/2021	4/11/2021
40E-61.021	3/22/2021	4/11/2021
40E-61.023	3/22/2021	4/11/2021
40E-61.024	3/22/2021	4/11/2021
40E-61.030	3/22/2021	4/11/2021
40E-61.031	3/22/2021	4/11/2021
40E-61.041	3/22/2021	4/11/2021
40E-61.042	3/22/2021	4/11/2021
40E-61.051	3/22/2021	4/11/2021
40E-61.101	3/22/2021	4/11/2021
40E-61.200	3/22/2021	4/11/2021
40E-61.201	3/22/2021	4/11/2021
40E-61.220	3/22/2021	4/11/2021
40E-61.250	3/22/2021	4/11/2021
40E-61.260	3/22/2021	4/11/2021
40E-61.280	3/22/2021	4/11/2021
40E-61.290	3/22/2021	4/11/2021
40E-61.301	3/22/2021	4/11/2021

40E-61.321	3/22/2021	4/11/2021
40E-61.331	3/22/2021	4/11/2021
40E-61.351	3/22/2021	4/11/2021
40E-61.381	3/22/2021	4/11/2021
61G15-35.003	3/25/2021	4/14/2021
64B3-6.001	3/25/2021	4/14/2021
64B8-4.009	3/22/2021	4/11/2021
64B19-18.003	3/23/2021	4/12/2021
69V-40.002	3/23/2021	4/12/2021
69V-40.0331	3/23/2021	4/12/2021

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

Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
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.