

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
64B8-30.015 Disciplinary Guidelines
PURPOSE AND EFFECT: The Board proposes the
development of a rule amendment to clarify disciplinary
guidelines.

SUBJECT AREA TO BE ADDRESSED: Clarifications to the
disciplinary guidelines.

RULEMAKING AUTHORITY: 456.079, 456.47(7), 458.309,
458.331(5) FS.

LAW IMPLEMENTED: 456.072, 456.079, 456.47(7),
458.331(5), 458.347(4)(e)1., (7)(f) 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: Paul
Vazquez, J.D., Executive Director, Board of Medicine/MQA,
4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida
32399-3253, Paul.Vazquez@flhealth.gov

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:
64B15-6.011 Disciplinary Guidelines
PURPOSE AND EFFECT: The Board proposes the
development of a rule amendment to clarify disciplinary
guidelines.

SUBJECT AREA TO BE ADDRESSED: Clarifications to the
disciplinary guidelines.

RULEMAKING AUTHORITY: 456.079, 456.47(7),
459.015(5) FS.

LAW IMPLEMENTED: 456.072, 456.47(4), 456.079,
459.015(5), 459.022(4)(e)1., (7)(f) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE DEVELOPMENT AND A COPY OF
THE PRELIMINARY DRAFT, IF AVAILABLE, IS: : Kama
Monroe, Executive Director, Board of Osteopathic
Medicine/MQA, 4052 Bald Cypress Way, Bin #C06,
Tallahassee, Florida 32399-3256, or by email at
Kama.Monroe@flhealth.gov.

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.: RULE TITLES:
67-51.001 Definitions
67-51.002 Notice of Funding Availability
67-51.003 General Program Restrictions
67-51.004 Application Procedures
67-51.005 Terms and Conditions of Loans
67-51.006 Loan Processing
67-51.007 Fees

PURPOSE AND EFFECT: This rule chapter implements a
discontinued downpayment loan program and is being repealed.

SUBJECT AREA TO BE ADDRESSED: This rule chapter sets
forth procedures and requirements for the Homeownership
Assistance for Moderate Income Loan Program. This program
provided qualified low to moderate income borrowers up to
\$10,000 in the form of a 10 year amortizing second mortgage.
This program was discontinued in 2013, and therefore there is
no need for a rule implementing this program.

RULEMAKING AUTHORITY: 420.507(12) FS.

LAW IMPLEMENTED: 120.53, 420.507 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: David
Westcott, Florida Housing Finance Corporation, 227 N.
Bronough Street, Suite 5000. Tallahassee, FL 32301.

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

Section II Proposed Rules

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-2.002	Definitions
65C-2.005	Provider Requirements
65C-2.006	Provider Application Procedures
65C-2.007	Fee for Services

PURPOSE AND EFFECT: The rules were last amended in 1998. The Department intends to update the rules to comport with current practice and policy.

SUMMARY: The amendments accomplish the following: 1) Add definitions; 2) Specify community services; and 3) Incorporate a screening form for consideration for community-based programs. Additionally, Rule 65C-2.006, F.A.C., is repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to require legislative ratification.

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

RULEMAKING AUTHORITY: 410.606, F.S.

LAW IMPLEMENTED: 410.601-.606, F.S.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jodi Abramowitz. Jodi can be reached at (850)717-4470 or Jodi.abramowitz@myflfamilies.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-2.002 Definitions.

~~In addition to those terms defined in Section 410.603, F.S., the following definitions shall apply to this rule for purposes of clarification:~~

(1) “Adult Day Care” means a social program which provides a protective environment where preventive remedial and restorative services are provided to adults in need of such care.

(2) “Adult Day Health Care” means an organized day program of therapeutic, social, dietary and health activities and services provided to disabled adults for the purpose of restoring or maintaining optimal capacity for self care.

(3) “Case Management Service” means a client centered series of activities which includes planning, arranging for, and coordination of appropriate community-based services for an eligible Community Care for Disabled Adults client. Case management service is an approved service, even when delivered in the absence of other services. Case management service includes intake and referral, comprehensive assessment, development of a service plan, arranging for services and monitoring of client’s progress to assure the effective delivery of services and reassessment.

(4) “Chore Service” means the performance of house or yard tasks such as seasonal cleaning, yard work, lifting and moving, simple household repairs, and other tasks not performed by specialized staff for eligible persons who are unable to do these tasks.

(5) “Emergency Alert Response Service” means a community-based electronic surveillance service system established to monitor the safety of individuals in their own homes and which alerts ~~properly~~ qualified assistance to the client in need.

(6) “District” also means Department region.

~~(7)(6)~~ “Escort Service” means is the personal accompaniment of an individual to and from service providers, or personal assistance to enable clients to obtain other required services needed to implement the service plan.

~~(8)(7)~~ “Group Activity Therapy” means is a service provided by a professional staff person to three or more eligible clients and includes, the following activities: physical, recreational, educational, social interaction, and communication skill building through the use of groups. The purpose of this service is to prevent social isolation and to enhance social and interpersonal functioning.

(9) “Health maintenance services” means as defined in Section 410.603, F.S.

~~(10)(8)~~ “Home Delivered Meals Service” means a hot or other appropriate, nutritionally sound meal that meets one-third of the current daily recommended dietary allowances served in the home to a homebound disabled adult.

(11)(9) “Home Health Aide Service” means a health or medically-oriented task furnished to an individual in his residence by a trained home health aide. The home health aide must be employed by a licensed home health agency and supervised by a licensed health professional who is an employee or contractor of the home health agency.

(12)(10) “Homemaker Service” means the accomplishment of specific home management tasks including housekeeping, meal planning and preparation, shopping assistance, and routine household activities by a trained homemaker.

(13)(11) “Home Nursing Service” means part-time or intermittent nursing care administered to an individual by a licensed professional or practical nurse or advanced registered nurse practitioner, as defined in Chapter 464, F.S., in the place of residence used as the individual’s home, pursuant to a plan of care approved by a licensed physician.

(14)(12) “Interpreter Service” means assistance in communicating provided to a disabled adult client who has a speech or hearing impairment or a language barrier.

(15) “Medical Equipment or Supplies” means long-term or disposable devices or material to aide in diagnosis, treatment and rehabilitation of a disease or condition.

(16)(13) “Medical Therapeutic Service” Services means those corrective or rehabilitative services which are prescribed by a physician or nurse practitioner licensed in the State of Florida. Provided by a professionally licensed, registered or certified individual, these services are designed to assist the client to maintain or regain sufficient functional skills to live in his place of residence. Such therapies include physical, occupational, speech-language therapy, and respiratory therapy.

(17)(14) “Personal Care Service” means Services include such services as: individual assistance with or supervision of essential activities of daily living, such as bathing, dressing, ambulating, supervision of each self-administered medication, eating, and assistance with securing health care from appropriate sources. Personal care service services shall not be construed to mean the provision of medical, nursing, dental or mental health services by the personal care service staff.

(18) “Provider” or “Service Provider” means the entity contracted by the Department to operate a disabled adults program.

(19)(16) “Respite Care” means relief or rest for a caregiver from the constant supervision, companionship, therapeutic and personal care on behalf of a client for a specified period of time. The purpose of the service is to maintain the quality of care to the client for a sustained period of time through temporary, intermittent relief of the primary caregiver.

(20)(16) “Transportation Service” Services means the movement transport of a client to and from service providers or

community resources which are essential to the implementation of the care plan.

Rulemaking Authority 410.606 FS. Law Implemented 410.601-.606 FS. History—New 1-24-89, Amended 6-24-96, Formerly 10A-16.002, Amended 12-8-98. Amended _____

65C-2.005 Service Provider Requirements.

(1) Pursuant to Section 410.604(3), F.S., each community care for disabled adults program and service provider shall include case management service and at least one other community service. Community services include the following:

- (a) Adult day care;
- (b) Homemaker service;
- (c) Chore service;
- (d) Escort service;
- (e) Group activity therapy;
- (f) Health maintenance service;
- (g) Home delivered meal service;
- (h) Interpreter service;
- (i) Medical equipment or supplies;
- (j) Respite care;
- (k) Transportation service;
- (l) Adult day health care;
- (m) Emergency alert response service;
- (n) Home health aide service;
- (o) Home nursing service;
- (p) Medical therapeutic service; and
- (q) Personal care service.

(2)(4) The service provider contracting individual agency and direct service staff responsibilities include:

- (a) Coordinating services for physically or mentally disabled adults;
- (b) Utilizing services provided by recipients of services in lieu of fees and contributions;
- (c) Accepting contributions, gifts, and grants to implement and improve services;
- (d) Demonstrating innovative approaches to program management, staff training, and service delivery that impact cost avoidance, cost effectiveness, and program efficiency with prior approval from the contract manager; and
- (e) Providing for Following procedures established by the department for appeals regarding denial, reduction, or termination of services to clients and for appeals regarding contracts for services.

(2) No change.

(3) Providers shall administer services as specified in their contract with the Department and maintain current service records on project participants.

(4) Contracts between the district and service providers shall follow departmental contracting procedures.

~~(4)(5)~~ ~~Contracted~~ ~~P~~providers must furnish written documentation that their agency will provide a minimum of 10 percent of the funding necessary to support the program. Cash or in-kind resources may be used to meet this matching requirement.

~~(5)(6)~~ The ~~D~~epartment shall ensure that all ~~service~~ providers use volunteers to the fullest extent possible in the provision of services and in all aspects of program operations. Agencies utilizing volunteers shall provide training, supervision, and a negotiated liability insurance package.

~~(6)(7)~~ All agencies receiving Community Care for Disabled Adult funds shall maintain individual client fiscal and program records and provide reports as required by the ~~D~~epartment at least on a quarterly basis. Client records shall be maintained in a confidential manner.

~~(7)(8)~~ Any changes in program objectives, staffing, or other information as stipulated in the contract shall be presented, in writing, as provided in ~~to~~ the contract ~~manager~~ for Department approval prior to the implementation of the change. Whenever a change is contemplated which will affect the original budgeted amount of any cost category or individual salary, such contemplated changes shall require prior approval from the Department. ~~contract manager. The contract manager may approve modifications to the contract if the requested changes will not result in a detrimental effect on clients or the provision of services.~~

Rulemaking Authority 410.606 FS. Law Implemented 410.604-.605 FS. History—New 1-24-89, Amended 6-24-96, Formerly 10A-16.005, Amended 12-8-98. Amended

65C-2.006 Provider Application Procedures.

Rulemaking Authority 410.606 FS. Law Implemented 410.601-.606 FS. History—New 1-24-89, Formerly 10A-16.006, Amended 12-8-98. Repealed

65C-2.007 Fees ~~Fee~~ for Services.

(1) Priority for services is based on need for services combined with the income level of the prospective client. First, eligibility must be determined through the administration of the APS Screening for Consideration for Community-Based Programs, CF-AA 1022, 10/2009, incorporated by reference and available at xxx, ~~a functional assessment~~ and verification of the client's income. If the income is above the existing institutional care program eligibility standard, then a fee for services will be assessed based on the client's care plan. Once an applicant is deemed eligible and a priority candidate for services, a determination shall be made as to an ~~a dollar~~ amount that the applicant will be charged for those services based on an overall ability to pay. Partial payments may also be assessed.

(2) The case service manager shall request information from the applicant or his spouse, relative or guardian if needed, as follows:

(a) through (d) No change.

(3) In those situations where the applicant is currently receiving a service on a private pay basis and can continue to pay for the service, the applicant ~~he~~ shall not receive the service under state Community Care for Disabled Adult funds. If the service is available on a private pay basis from another agency and the client assessment has determined that the applicant can pay for the service, then the applicant shall be referred to the other agency for the services. However, if the applicant is able to pay for a service, but the service is not available from any other agency, ~~and he is in need of the service~~, then the Community Care for Disabled Adults provider shall provide the service, inform the applicant of the dollar amount or in-kind service, and require such fee toward the cost of the service. If the client is unwilling to pay the assessed fee or contribute the in-kind services of specific value, services shall be denied.

(4) Clients shall have the opportunity to perform volunteer services in lieu of making payments, ~~in accordance with departmental procedures~~.

(5) At the time the ability to pay is determined, the applicant shall attest to the truthfulness of the ~~his~~ financial status submittal by signing a sworn written statement.

(6) Client payments shall be directed to the provider agency and may be used to expand the Community Care for Disabled Adults program.

(7) No change.

Rulemaking Authority 410.606 FS. Law Implemented 410.604 FS. History—New 1-24-89, Amended 6-24-96, Formerly 10A-16.007, Amended 12-8-98. Amended

NAME OF PERSON ORIGINATING PROPOSED RULE:

Roy Carr

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Shevaun L. Harris

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: May 24, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: June 2, 2021

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-16.001	Definitions
65C-16.002	Adoptive Family Selection
65C-16.003	Case Reviews
65C-16.004	Recruitment, Screening and Application Process/Adoptive Applicants
65C-16.005	Evaluation of Applicants
65C-16.007	Abuse Hotline and Registry and Criminal Records Checks
65C-16.009	Adoption Placement
65C-16.010	Adoption Placement - Post-Placement Services
65C-16.013	Determination of Maintenance Subsidy Payments
65C-16.0131	Determination of Extension of Maintenance Subsidy Payments
65C-16.014	Post Adoption Services
65C-16.016	Access to Closed Adoption Records
65C-16.017	Florida Adoption Reunion Registry
65C-16.019	Intervention in Dependency Cases

PURPOSE AND EFFECT: The Department intends to update Rule Chapter 65C-16 to conform to current statute and practice.

SUMMARY: The amendments accomplish the following: (1) Adds a definition for “Adoptive Home Application” and updates the form; (2) Updates the Memorandum of Agreement form; (3) Requires members of a sibling separation staffing to have completed adoption competency training and adds to what must be considered at the staffing; (4) Removes an unnecessary form; (5) Changes the requirement for match staffings from every 60 days to every 45 days; (6) Sets forth required components of adoptive parent training programs; (7) Sets forth requirements that must be met prior to initiating an adoption home study; (8) Requires background screening of household members in caregiving roles; (9) Updates the “Acknowledgement of Firearms Safety Requirements” form; (10) Requires adoption staff to conduct a minimum of two in-home visits with the prospective adoptive parents; (11) Increases the number of references that can be obtained from a relative when updating an adoption home study toward placement of an additional child; (12) Increases the number of members of an Adoption Applicant Review Committee who must have completed the Department adoption competency training, and requires a Department representative who has knowledge of the applicant’s national and state criminal history and child abuse and neglect history to be a member of the committee; (13) Requires the adoption placement process to include a transition plan; (14) Clarifies continued adoption assistance eligibility requirements when adoption has been dissolved by termination of parental rights or by the death of the adoptive parents; (15) Requires the adoption case manager to provide information to the birth and adoptive parents

informing them of their rights to consent to the release of adoption records within 30 days of adoption finalization; (16) Codifies the purpose of medical assistance; (17) Permits identifying information from closed adoption records to be released pursuant to statutory conditions, rather than court order; (18) Updates the “Application for Adoption Registry Services”; (19) Requires the Department to use the “Intervention Best Interest Checklist” to evaluate the intervention preliminary home study of the adoption entity’s prospective adoptive parent to determine whether the placement will be in the child’s best interest; and (20) Updates statutory references.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to require legislative ratification.

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

RULEMAKING AUTHORITY: 39.012, 39.0121, 39.0137, 63.233, 409.166(8), 409.167(6), 409.988(2)(e), FS.

LAW IMPLEMENTED: 39.00145, 39.0137, 39.0138, 39.521, 39.621, 39.701, 39.811, 39.812, 63.039, 63.042, 63.0425, 63.0427, 63.082, 63.085, 63.092, 63.125, 63.162, 63.165, 409.166, 409.167, 409.175, 409.986, 409.988, FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jodi Abramowitz. Jodi can be reached at (850)717-4470 or Jodi.abramowitz@myflfamilies.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

- 65C-16.001 Definitions.
- (1) through (3) No change.

(4) “Adoptive Home Application” means a Department-approved application that captures information needed to complete a general or child specific adoption home study.

(5)(4) “Adoption Home Study” or “Preliminary Home Study” means a written evaluation of the adoptive parents’ capacity for adoptive parenthood. The study assesses the applicants’ home and living environment, their marriage, if any, family and social history, relationships, and criminal history, if any.

(5) through (8) are renumbered (6) through (9) No change.

(10)(9) “At-Risk Adoptive Placement” means a placement of a minor in the home of an approved adoptive parent prior to the termination of the minors’ parents’ parental rights.

(10) through (18) are renumbered (11) through (19) No change.

Rulemaking Authority 63.233, 409.166(8), 409.167(6) FS. Law Implemented 63.092, 63.165, 409.166, 409.167 FS. History—New 4-28-92, Amended 4-19-94, Formerly 10M-8.0013, Amended 12-4-97, 8-19-03, 11-30-08, 7-7-16, 12-16-18. Amended

65C-16.002 Adoptive Family Selection.

(1) No change.

(2) Adoption placements must be made consistent with the best interest of the child. The assessment of the best interest of the child must include the current and projected future needs of the child, consideration of the birth family’s medical and mental health history and the strengths of the potential adoptive family to meet the child’s needs. The adoptive placement decision must be shaped by the following considerations:

(a) through (b) No change.

(c) Relatives and nonrelatives with whom child has a relationship. Persons known to the child, but who do not have custody of the child, may wish to be considered for adoption. If such persons apply to adopt the child prior to a Memorandum of Agreement to Adopt being signed, the application must be evaluated through an adoptive home study. The depth of the relationship existing between the child and the applicant must be assessed and included in the home study. The “Memorandum of Agreement,” CF-FSP 5072, (insert date) October 2010, is incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX06973>.

(d) No change.

(3) Siblings.

(a) No change.

(b) In situations where consideration is being given to separating siblings who are in an open dependency case, placing sibling in different adoptive families, or making recommendations for post adoption sibling contact, a sibling separation staffing shall be held. The staffing shall consist of at least five ~~three (3)~~ members to include the adoption case manager, dependency case manager, and licensing specialist, if

applicable. At least five members of the staffing must have completed the Department adoption competency training and must be familiar with Chapter 63 and Section 409.166, F.S., Rule Chapter 65C-16, F.A.C., and the Department’s Operating Procedure 170-12. ~~with adoption experience.~~ The members must consider the emotional ties existing between and among the siblings and the long-term degree of harm which each child is likely to experience as a result of separation. The members must also consider the potential of siblings to develop a relationship when a sibling is added to an open dependency case, when siblings are separated due to placement limitations, or when the child has siblings who are not involved in the child welfare case. The positives and negatives of keeping the children together must be thoroughly explored, and at least one (1) member must be assigned the role of defending the position of placing the children together. In particularly difficult cases, professionals who have expertise in sibling bonding and adoptions may be consulted.

(c) The decision to separate siblings who are in an open dependency case must be approved in writing and documented in the Florida Safe Families Network (FSFN) by the community-based care (CBC) or subcontractor staff charged with this responsibility. The CBC or subcontractor staff shall prepare a memorandum describing efforts made to keep the siblings together and an assessment of the short term and long-term ~~range~~ effects of separation on the children. The memorandum must also include a description of the plan for post-adoption communication or contact, as described in rule 65C-16.020, F.A.C., between the children if separation is approved. The final memorandum must be uploaded to the adoption file cabinet of the child in FSFN.

(d) through (e) No change.

(4) No change.

(5) The following factors must be considered in determining the best interest of the child when selecting an adoptive family and when multiple families apply to adopt the same child.

(a) No change.

(b) Siblings. Consideration must be given to whether the potential caregiver is willing to adopt all members of a sibling group or whether the potential caregiver is willing to promote sibling relationships when adoption of all members of the sibling group is not feasible.

(c) through (d) No change.

(e) Post communication or contact. The willingness and capacity of the prospective adoptive parent to:

1. Establish and promote the child’s relationship with his or her siblings, when appropriate; and

2. Agree to ~~with~~ post-adoption communication or contact ~~with~~ between the child and his or her siblings or a significant

adult ~~when it has been that is~~ determined to be in the best interest of the child ~~must be determined.~~

(6) through (7) No change.

(8) A copy of the child study shall be provided to the adoptive parents prior to the adoptive placement. The identity of the birth family shall be protected when providing the child study to the family. ~~The information must be shared either using the "Disclosure Information to Adoptive Parents" form CF FSP 5328, December 2010, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06975>, or a form developed by the CBC provider. If the CBC provider chooses to use its own form, that form must contain all of the elements of CF FSP 5328, February 2016.~~

Rulemaking Authority 63.233 FS. Law Implemented 63.039(1), 63.0425, 63.0427, 63.085 FS. History—New 2-14-84, Formerly 10M-8.02, Amended 5-20-91, 4-28-92, 4-19-94, 8-17-94, 1-8-95, Formerly 10M-8.002, Amended 12-4-97, 12-23-97, 8-19-03, 11-30-08, 7-7-16. Amended

65C-16.003 Case Reviews.

(1) No change.

(2) The case review requirements for children in adoption planning consist of two (2) types of reviews:

(a) Match Staffings. Staff responsible for case planning for children who are permanently committed to the Department with a goal of adoption shall meet every ~~45~~ 60 days to discuss and assess the strengths and needs of children without an identified adoptive family with the goal of matching them with approved prospective adoptive families. The available families for the waiting children will be sought from ~~but not limited to~~ the FSFN, ~~the~~ community-based care (CBC) agencies, AdoptUSKids, and Children Awaiting Parents (CAP).

1. through 4. No change.

(b) No change.

Rulemaking Authority 39.0121 FS. Law Implemented 39.621, 39.701, 39.811(8), (9), 39.812 FS. History—New 4-28-92, Amended 4-19-94, Formerly 10M-8.0023, Amended 12-4-97, 8-19-03, 11-30-08, 7-7-16. Amended

65C-16.004 Recruitment, Screening and Application Process/Adoptive Applicants.

(1) through (4) No change.

(5) ~~The prospective adoptive parents' initial inquiry to the Department or to the CBC or subcontractor staff, whether written or verbal, shall be documented in the statewide CCWIS system. receive a written response or a telephone call within seven (7) business days.~~ Prospective adoptive parents who indicate an interest in adopting children must be referred to a Department-approved adoptive parent training program, ~~as prescribed in Rule 65C-13.024, F.A.C.~~ The Department shall approve adoptive parent training programs that meet the requirements set forth in subsection (6) of this rule.

(6) Adoptive parent training must be a minimum of 21 hours and must include, but is not limited to:

(a) Orientation regarding agency purpose, objectives, resources, policies, and services;

(b) Effects of abuse and neglect in adoption;

(c) Impact of trauma (grief, loss trauma, attachment, and behavioral managements);

(d) Management of difficult child behavior that can be intensified by placement, by prior abuse or neglect, and by prior placement disruptions;

(e) Care of children at various developmental levels, including appropriate discipline;

(f) Transition of a child into and out of foster care, including issues of separation, loss, and attachment;

(g) Prevention of placement disruptions;

(h) Psychotropic medication. The training must include the administration of psychotropic medication, including the use of psychotropic medications to treat children, the proper dosage of medications, and the importance of monitoring for possible side effects and adverse reactions. Training on psychotropic medications shall also include an overview of Section 39.407, F.S., and Rule Chapter 65C-35, F.A.C., which govern the administration of psychotropic medication; and

(i) Adoptive parent's role in supporting and promoting the educational progress of the child.

(7) If space is limited in scheduled classes, slots in the classes will be assigned in the following priority order:

(a) through (c) No change.

~~(8)(6)~~ No change.

~~(9)(7)~~ Any prospective ~~protective~~ adoptive parent, who has completed the approved adoptive parent training program, and does not fall into the categories under paragraphs ~~(8)(6)~~(a)-(c), may be referred to the Adoption Information Center. Pursuant to section 63.092(3), F.S., the Department is required to perform the preliminary home study only if there is no licensed child-placing agency, child-caring agency registered under section 409.176, F.S., licensed professional, or agency described in section 61.20(2), F.S., in the county where the prospective adoptive parent resides.

(10) The adoption case manager shall ensure the initiation and completion dates of the adoption home study are documented on the demographic tab of the unified study in FSFN.

(a) The date of adoption home study was initiated shall be documented once all of the following have occurred:

1. The prospective adoptive parent(s) is applying for a specific child who has been permanently committed to the Department.

2. The prospective adoptive parent(s) has completed the approved adoptive parent training as prescribed in rule 65C-16.005(6), F.A.C.

3. The prospective adoptive parent(s) and all household members have completed all required background screenings outlined in rule 65C-16.007, F.A.C., with a favorable outcome.

4. An application to adopt a specific child has been made on the “Adoptive Home Application” form, CF-FSP 5071, (insert date), which is incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>.

(b) The adoption home study completion date shall be the date the adoption case manager submits the home study to his or her supervisor for review.

~~(8) An application to adopt must be made on the “Adoptive Home Application” form CF FSP 5071, October 2014, which is incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06972>, or a form developed by the CBC provider. If a CBC provider chooses to use its own form, that form must contain all of the elements of CF-FSP 5071, October 2014.~~

Rulemaking Authority 39.012, 39.0121, 39.0137, 63.233, 409.175(5)(a), 409.988(2)(e) FS. Law Implemented 39.0137, 39.811(8)-(9), 39.812(1), (4)-(5), 63.092, 409.175(5)(a), 409.167, 409.986(2), 409.988(2) FS. History—New 7-18-95, Formerly 10M-8.0042, Amended 8-19-03, 11-30-08, 7-7-16. Amended _____

65C-16.005 Evaluation of Applicants.

(1) through (2) No change.

(3) In determining which home studies and applications for adoption will be approved, all of the following criteria, not listed in any order of priority, must be considered:

(a) through (m) No change.

(n) Department, community-based-care (CBC); or Sub-Contractor Employees, Guardian ad Litem Employees, or Guardian ad Litem volunteers. Employees of the Department, the Guardian ad Litem program, and the CBC, including subcontractor staff, and Guardian ad Litem volunteers, may will be considered as adoptive applicants. In situations where the employee or volunteer has a close working relationship with the foster care or adoption staff in his or her local area, or had such a relationship within the past two (2) years, completion of the applicant’s home study process shall be conducted by a licensed child-placing adoption agency outside the local area. The CBC agency must be notified within 72 hours when an application to adopt is received from a Department, CBC agency employee. The CBC agency will make a decision regarding whether the adoption home study for the employee will be completed by the CBC agency or if the services of another agency will be sought. If the decision is to have the employee’s adoption home study and subsequent placement handled by another agency, the CBC agency shall make the necessary arrangements with the chosen agency. When an adoptive applicant is a member of a board or group which has actual or perceived authority over the Department, its CBC agency, its staff or operations, such

applicant will be referred to another circuit or a local licensed child placing agency for handling;

(o) No Change

(p) Background Screening. All adoptive applicants and household members must complete the requirements for background screening as outlined in rule 65C-16.007, F.A.C.;

(q) References. A minimum of five (5) written references shall be required. Only one ~~(4)~~ reference may be obtained from an employer and only two one (1) of the references may be obtained from a relative. All other references must be obtained from persons who either: 1) have observed the applicants in situations that give some indication for their capacity for parenthood, or 2) who as the result of their relationship to the applicant, possess documentation or knowledge of the applicant’s capacity for parenthood. All references shall be provided directly to the agency person conducting the home study by the person providing the reference; and-

(r) The “Acknowledgement of Firearms Safety Requirements” form CF-FSP 5343, July 2017 February 2015, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06976>, ~~or a form developed by the CBC provider,~~ must be signed and dated by the adoptive applicants as a part of the home study process. A copy of the signed form must be retained as a part of the approved home study and a signed copy must be provided to the prospective adoptive parents. ~~If a CBC provider chooses to use its own form, that form must contain all of the elements of CF FSP 5343, February 2015.~~

(4) Family Preparation and Study Process.

(a) Adoption staff must conduct a minimum of two (2) in-home visits with the prospective adoptive parent. The adoption staff must adhere to the requirements as outlined in section 63.093, F.S., regarding the family’s preparation and home study process. ~~shall explain to applicants what to expect during the preparation and study process. Adoption staff must also help to establish a relationship with adoptive applicants which will make it possible for adoptive applicants to ask for and receive help during the presentation, pre-placement, placement and the post-placement adjustment period.~~

(b) ~~The Department approved adoptive parent training must be provided to and successfully completed by all prospective adoptive parents except licensed foster parents and relative and non relative caregivers who previously attended the training within the last five (5) years, as prescribed in rule 65C-13.024, F.A.C., or have the child currently placed in their home for six (6) months or longer and been determined to understand the challenges and parenting skills needed to successfully parent the children available for adoption from foster care.~~ The staff person conducting the home study must clearly document in the adoptive parent home study the reasons

why the relative or non-relative caregiver will not be required to complete adoptive parent training.

(c) No change.

(5) No change.

(6) Families Who Adopt Again. Prior approval of a family to adopt does not automatically deem the family appropriate to adopt again. Consideration of any family for placement of a subsequent child requires an updating of the previous adoptive parent home study. The update shall include an assessment of the following:

(a) through (h) No change.

(i) Updated References. A minimum of five (5) references shall be obtained when updating an adoption home study toward placement of an additional child. References shall address how the family seems to have managed with the previously adopted child and how they believe the family will cope with additional children. References must be obtained from persons who either: 1) have observed the applicants in situations that give some indication for their capacity for parenthood, or 2) who as the result of their relationship to the applicant, possess documentation or knowledge of the applicant's capacity for parenthood. The case manager shall attempt to obtain a reference from an adult child of the applicant, if applicable. Only two (2) ~~one (1)~~ of the references may be obtained from a relative;

(j) through (k) No change.

(7) No change.

(8) At the conclusion of the preparation and study process, the counselor and supervisor will make a decision about the family's appropriateness to adopt. The decision to approve or not to approve will be reflected in the final recommendation included in the home study. If the recommendation is for approval, the home study will be submitted to the CBC or subcontractor agency for approval. If the counselor and supervisor do not recommend approval for a child specific home study, the case will be reviewed by an Adoption Applicant Review Committee according to the directions provided in subsection 65C-16.005(9), F.A.C.

(9) Adoption Applicant Review Committee. Each CBC agency responsible for providing adoption services for children in the Department's custody must establish an Adoption Applicant Review Committee.

(a) The committee must consist of at least five (5) ~~three (3)~~ people who have completed the Department adoption competency training. A Department representative who has knowledge of the applicant's national and state criminal history and child abuse and neglect history must be a member of the committee. ~~When the request for committee review is due to a recommended denial of a home study or a Department staff person has knowledge of national criminal results, state sealed or expunged criminal results or child abuse and neglect history~~

~~results that are unknown to the CBC agency, one (1) member of the committee shall be a Department staff person, preferably with adoption expertise, who has knowledge of the applicant's national and state criminal history and child abuse and neglect history.~~ The CBC agency will select a committee member to serve as the committee chair.

(b)(~~a~~) The committee will provide consultation and assistance to the adoption counselor on any child-specific adoptive home study in which the counselor and supervisor are recommending denial, or adoption case situations which present challenging issues. Requests for committee review may be made by the adoption counselor, the Department or the CBC agency. Requests for committee review must be made in writing and forwarded to the CBC agency. While the committee is available to review any challenging case, all cases with the following issues ~~whether child specific or non child specific~~, except as set forth below, must be referred to the committee.

1. through 3. No change.

4. Criminal History. In cases in which the required criminal history checks pursuant to sections 39.0138 and 39.521, F.S., reveal that the applicant(s) or other household members have been convicted of crimes specified in section 39.0138(3) ~~39.0138(2)~~, F.S., their application must be denied. When the applicant or any other adult household member was named as caregiver responsible in a report verified for sexual abuse, this shall be an automatic disqualifier for an adoption applicant. A referral to the Adoption Applicant Review Committee will not be required. The applicant must be advised that he or she cannot be approved. If the criminal history check reveals that the applicant or other household member was convicted of a law violation listed in section 39.0138(4) ~~39.0138(3)~~, F.S., within the last five (5) years, the applicant cannot be considered for approval, until five (5) years after the date of conviction. After five (5) years have passed, the applicant shall be referred to the Adoption Applicant Review Committee if the applicant submits a new Adoptive Home Application, CF-FSP 5071, incorporated in rule subsection 65C-16.004(6), F.A.C.

5. Cases in which the applicant is a current or former foster parent and the review of the foster parent file reveals that there have been care and supervision concerns or a violation of licensing standards.

(c)(~~b~~) The review committee chairperson will convene the committee within 15 ~~30~~ days of receipt of the request and provide all necessary written documents to the committee members prior to the committee convening. A written recommendation will be submitted to the regional Family Safety Program Office and the CBC agency within 10 business days of the committee's decision. Following input from the regional Family Safety Program Office and the CBC agency, the chairperson will prepare a written report within ten (10) business days summarizing consensus of the committee and the

recommendation from regional Family Safety Program Office and the CBC agency. The recommendation to approve the applicant will be submitted to the CBC agency or a designee. The recommendation to deny the applicant will be submitted to the regional managing director ~~or designated Department staff person~~ and the CBC agency or a designee.

~~(d)~~(e) The CBC agency will provide the applicant with written notification of the decision to approve within 10 business days of the decision. The regional managing director ~~or designated Department staff person~~ shall provide the applicant with written notification of the decision to deny the application, within 10 business days of the decision. The written notice must include the reason for the denial, and must advise the applicant of his or her option for review of the denial pursuant to chapter 120, F.S.

~~(e)~~(d) No change.

Rulemaking Authority 39.012, 63.233 FS. Law Implemented 39.0138, 63.042, 63.092, 63.207 FS. History—New 2-14-84, Formerly 10M-8.05, Amended 4-28-92, 4-19-94, 8-17-94, 1-8-95, 7-18-95, Formerly 10M-8.005, Amended 12-23-97, 8-19-03, 11-30-08, 7-7-16. Amended

65C-16.007 Abuse Hotline and Registry and Criminal Records Checks.

(1) Abuse and neglect history checks must be conducted on all adoptive applicants and other household members 12 years of age and older, pursuant to sections 39.0138 and 39.521, F.S. The applicants must be informed of this requirement early in the home study process and must provide written consent for the checks to be completed. Abuse and neglect history checks must be current within 30 calendar days of placement of an adoptive child in the home.

(a) When the adoptive applicant or other adult household member has lived in another state within five (5) years of the request for a home study, a child abuse and neglect registry check of the other state must be requested. In states that do not use a centralized intake or state automated child welfare system (~~CCWIS~~) (~~SACWIS~~), the Florida child welfare professional is required to contact the county administered child protection program to complete the record check. If the other state does not have a local or county child abuse and neglect registry, the counselor must determine whether to approve the applicant based on all other information required by rules 65C-16.002, 65C-16.004, and 65C-16.005, F.A.C.

(b) through (c) No change.

(2) Local, statewide, and national criminal records checks and juvenile records checks must be conducted on all adoptive applicants and other household members 18 years of age and older. Local, statewide, and juvenile records checks must be conducted on all household members 12 through 17 years of age.

(a) If the criminal records checks reveal that the applicant or household member has been convicted of a crime specified in section ~~39.0138(3)~~ ~~39-0138(2)~~, F.S., the application must be denied.

(b) If the criminal records checks reveal that the applicant or household member has been convicted of a crime specified in section ~~39.0138(4)~~ ~~39-0138(3)~~, F.S., the applicant can not be considered for adoption until five (5) years after the date of conviction. After five (5) years have passed, the applicant shall be referred to the Adoption Applicant Review Committee if the applicant submits a new Adoptive Home Application, CF-FSP 5071, incorporated in ~~rule subsection~~ 65C-16.004~~(6)~~, F.A.C.

(c) If the criminal records checks reveal that the applicant or household member has been found guilty or entered a plea of guilty or nolo contendere for crimes other than those listed in section ~~39.0138(3)~~ ~~or (4)~~ ~~39-0138(2)~~ ~~or (3)~~, F.S., the applicant shall be evaluated as to the extent of his or her rehabilitation. Factors to be considered will include the severity of the action resulting in the record, how much time has elapsed since the offense, circumstances surrounding the incident, and whether records indicate single or repeated offenses. Referral of these applicants to the Adoption Applicant Review Committee is not required but they must be submitted to the appropriate entity in the community-based-care (CBC) agency or designee for approval.

(d) No change.

(3) through (4) No change.

Rulemaking Authority 39.012, 39.0121, 63.233 FS. Law Implemented 39.0138, 39.521(1)(b)1., 39.701, 39.811(8), (9), 63.092(3), 63.125 FS. History—New 5-20-91, Formerly 10M-8.00513, Amended 4-28-92, 4-19-94, 8-17-94, 1-8-95, Formerly 10M-8.0053, Amended 12-23-97, 8-19-03, 11-30-08, 7-7-16. Amended

65C-16.009 Adoption Placement.

(1) The effective date of the adoption placement is the date the child is placed in the physical custody of the adoptive parent or the date the Memorandum of Agreement, CF-FSP 5072, incorporated by reference in paragraph 65C-16.002(2)(c), F.A.C., is signed.

(2) The adoption placement process incorporates the following:

(a) through (b) No change.

(c) All known information must be shared with the approved adoptive parent using the “Disclosure Information to Adoptive Parents” form, CF-FSP 5328, December 2010, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>, no later than the point of adoptive placement but can occur at the time of a family being matched to a child.

~~(d)~~(e) First supervised meeting shall occur with a family who has an approved home study, or with a family who is known to the child, is in the process of having a home study

completed, and has cleared all required background checks. The first visit at minimum must be observed by the assigned adoption case manager.

(e) A transition plan must be developed by the adoption case manager, current caregiver, when appropriate, new caregivers, and all providers who have on-going involvement with the child no later than 14 days prior to transition. The transition plan must respect the child’s developmental stage and psychological needs.

- (d) through (f) redesignated as (f) through (h) No change.
- (3) through (7) No change.

Rulemaking Authority 39.0121 ~~39.0212~~, 63.233 FS. Law Implemented 39.521, 63.092 FS. History—New 4-28-92, Formerly 10M-8.0058, Amended 8-19-03, 11-30-08, 7-7-16. Amended

65C-16.010 Adoption Placement – Post-Placement Services.

- (1) through (4) No change.

(5) At the end of the supervisory period, the case manager or adoption supervisor and the adoption counselor, or the community-based-care (CBC) agency, must make a final assessment of the placement. Before the final adoption hearing, or within 90 days after the adoption petition is filed with the court by the adoptive family, whichever occurs first, a final home investigation evaluation must be completed as directed in section 63.125, F.S., and a written report on the findings, including a recommendation on the granting of the adoption petition, must be filed with the court. In addition to the requirements of section 63.125, F.S., the following must be addressed in the written report to the court:

- (a) through (b) No change.
- (6) No change.

Rulemaking Authority 39.0121, 63.233 FS. Law Implemented 39.812, 63.125 FS. History—New 2-14-84, Formerly 10M-8.06, Amended 4-28-92, 4-14-94, 1-8-95, Formerly 10M-8.006, Amended 12-4-97, 8-19-03, 11-30-08, 7-7-16. Amended

65C-16.013 Determination of Maintenance Subsidy Payments.

- (1) through (6) No change.

(7) Initial Maintenance Subsidy. The initial determination of the monthly maintenance subsidy shall be based on the needs of the child at the time of the negotiation and the projected long-term future needs of the child based on the family, and medical and mental and behavioral health history of the child and birth family or, for adoptions finalized on or after July 1, 2007, as stated in Section 409.166, F.S. Negotiations for the initial maintenance subsidy shall begin at \$417 monthly.

(8) A maintenance subsidy may be negotiated up to 100% of the statewide Level II – Level V foster care board rate. A subsidy may exceed 100% of the statewide Level II – Level V foster care board rate when an exception is granted by the

Department’s regional managing director or designee and documented on the “Maintenance Adoption Subsidy Approval” form CF-FSP 5077, ~~July 2016~~, incorporated by reference in rule 65C-16.0131, F.A.C. and available at http://www.flrules.org/Gateway/reference.asp?No=Ref_07485. Requests for exceptions must be in writing. In determining whether to grant an exception, the regional managing director or designee shall consider the medical, behavioral, and therapeutic needs of the child at the time of the negotiation, as well as the projected long-term future needs of the child based on the family and medical history of the child and birth family. In no case shall the subsidy exceed the foster care maintenance payment for which the child is or would be eligible if the child had been in placed in a family foster home. Maintenance subsidy is not intended to cover services which can be obtained through family insurance, Medicaid, Children’s Medical Services, medical subsidy, or through special education plans provided by the public school district.

- (9) No change.

(10) An initial “Adoption Assistance Agreement” with the approved applicant shall not be executed when a denied adoption applicant has requested a review of the denial pursuant to a Chapter 120, F. S.

(10) through (11) are renumbered (11) through (12) No change.

~~(13)(12)~~ Adoptive parents may request an increase in the maintenance subsidy after the initial subsidy agreement was approved due to increased needs related to conditions of the child that were identified as current or future needs of the child prior to the adoptive placement or the circumstances of the family have changed in order to meet the increased needs of the child.

(a) The negotiation of this increase shall be based on the Level II -Level V family foster, therapeutic foster or medical foster home board rate at the time of the request. Requests for increases must be provided in writing by the adoptive parents and approval shall be based on the merit of each case.

- (b) through (c) No change.

~~(14)(13)~~ No change.

~~(15)(14)~~ Any child who has been determined eligible for adoption subsidy whose adoption has been dissolved by termination of parental rights or by the death of the adoptive parents must continue to meet the definition of special needs in the subsequent adoption in order to be eligible for adoption assistance. will retain his or her original subsidy eligibility if subsequently placed for adoption.

- (16)~~(15)~~ No change.

Rulemaking Authority 409.166(8) FS. Law Implemented 409.166(4) FS. History—New 2-14-84, Formerly 10M-8.20, Amended 5-20-91, 4-19-94, Formerly 10M-8.020, Amended 12-23-97, 8-19-03, 11-30-08, 7-7-16, 10-30-16, 12-18-16, 9-25-17, 2-5-18, 12-16-18. Amended

65C-16.0131 Determination of Extension of Maintenance Subsidy Payments.

(1) through (6) No change.

(7) An Extension of Maintenance Adoption Subsidy may be negotiated up to 100% of the statewide Level II -Level V foster care board rate. A subsidy may exceed 100% of the statewide Level II -Level V foster care board rate only when an exception is granted by the Department's regional managing director or designee and documented on the "Maintenance Adoption Subsidy Approval" form CF-FSP 5077, August 2018, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10102>. Requests for exceptions must be in writing. In determining whether to grant an exception, the regional managing director or designee shall consider the medical, behavioral, and therapeutic needs of the young adult at the time of the negotiation, as well as the projected long-term future needs of the young adult based on the mental health, substance use and/or misuse, and medical history of the young adult and birth family. In no case shall the subsidy exceed the foster care maintenance payment for which the young adult is or would be eligible if the young adult had been placed in a Level II -Level V family foster home. The Extension of Maintenance Adoption Subsidy is not intended to cover services which can be obtained through family insurance, Medicaid, Children's Medical Services, medical subsidy, or through special education plans provided by the public school district.

(8) through (12) No change.

(13) Adoptive parents may request an increase in the maintenance adoption subsidy after the Extension of Maintenance Adoption Assistance Agreement was approved due to increased needs of the young adult or a change in the family's ability to meet the needs of the young adult.

(a) The negotiation of this increase shall be based on the Level II -Level V family foster, therapeutic foster, or medical foster home board rate at the time of the request. Requests for increases must be submitted in writing by the adoptive parents to the CBC that issues the subsidy payment and approval shall be based on the merit of each case.

(b) through (c) No change.

(d) If the young adult is no longer participating in one of the qualified activities pursuant to subparagraphs 409.166(4)(a)-(d), F.S., the designated Department staff shall send a denial letter with notification of the adoptive parents' right to appeal the denial pursuant to chapter 120, F.S.

(14) No change.

Rulemaking Authority 409.166(8) FS. Law Implemented 409.166(4) FS. History--New 12-16-18. Amended

65C-16.014 Post Adoption Services.

(1) The adoption case manager will provide information, in writing, to the birth and adoptive parents informing them of their rights to consent to the release of adoption records pursuant to sections 63.162 and 63.165, F.S., within 30 days of adoption finalization.

(2) After finalization, the adoptive family may require temporary case management support, information and referral assistance and related post adoption services. Each community-based-care (CBC) agency shall provide post adoption services that include the following:

(a) through (c) No change.

(3)~~(2)~~ The need for medical assistance, formerly known as medical subsidy, must be established prior to the adoption placement, although the service might not actually be needed until a later date. Medical assistance is established to cover short-term medical or mental health needs of the child that are not covered through Medicaid, Children's Medical Services, or Children's Mental Health Services. The type of service and estimated cost must be documented on the signed initial Adoption Assistance Agreement prior to adoption finalization and approved by the designated Department staff, pursuant to the conditions set forth in subsection 409.166(4), F.S. When this need is not established prior to the placement and the adoptive parents feel they have been wrongly denied a service on behalf of an adopted child, they have the right to appeal the denial pursuant to Chapter 120, F.S. If it is found the service was wrongfully denied, the effective date of the service will be the date the family officially requested the service. Retroactive payment dating back to the date of placement will not be approved.

(3) through (6) are renumbered (4) through (7) No change. Rulemaking Authority 409.166(8) FS. Law Implemented 409.166 FS. History--New 2-14-84, Formerly 10M-8.21, 10M-8.021, Amended 12-23-97, 8-19-03, 11-30-08, 7-7-16, 1-22-18. Amended

65C-16.016 Access to Closed Adoption Records.

(1) The confidentiality of adoption records, original birth records, and adoption court files is protected by sealing them upon adoption finalization. Persons seeking information from those records will be referred to the Office of Child Welfare, Florida Adoption Reunion Registry for assistance.

(a) No change.

(b) Identifying information

1. Identifying information shall only be released pursuant to sections 63.162 and 63.165, F.S. a court order.

2. No change.

(2) through (6) No change.

Rulemaking Authority 63.233 FS. Law Implemented 39.00145(1), (2), 63.162(2)-(4), (6) FS. History--New 5-20-91, Amended 4-28-92, 4-19-94, Formerly 10M-8.024, Amended 8-19-03, 11-30-08, 7-7-16. Amended

65C-16.017 Florida Adoption Reunion Registry.

(1) No change.

(2) Any person may register by completing and submitting the “Application for Adoption Registry Services,” CF 1490, (insert date) ~~January 2017~~, hereby incorporated by reference, and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX08064>, indicating to whom they consent to release identifying information about themselves.

(3) through (5) No change.

(6) Updating of Registry Information.

(a) Any registrant may change the name, address or telephone number associated with their registration, may limit or restrict their consent to release information, or may completely withdraw from the registry at any time using the “Application for Adoption Registry Services ~~to Update Information on File with Adoption Registry~~,” CF 1490. 1491, ~~January 2017, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-08062>. A copy of the form is also available upon request by contacting the Adoption Information Center.~~

(b) No change.

(7) No change.

Rulemaking Authority 63.233 FS. Law Implemented 63.165 FS. History—New 8-19-03, Amended 11-30-08, 7-7-16, 4-20-17, 7-20-17. Amended

65C-16.019 Intervention in Dependency Cases.

(1) through (3) No change.

(4) The Department shall evaluate the intervention preliminary home study of the adoption entity’s prospective adoptive parent and any other relevant information available to the Department to determine whether the placement will be in the child’s best interest using the “Intervention Best Interest Checklist” form, CF-FSP xxx, (insert date), incorporated and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>, based on the following factors:

(a) Each parent’s compliance with the case plan at the time of consent;

(b) Any concerns about the parent’s reason for executing the consent;

(c) Any reservations about the mental capacity of the parent who executed the consent;

(d) The status of notification of relatives that adoption is the new permanency goal;

(e) The status of notification of the adoptive parents of siblings that adoption is the new permanency goal;

(f) The quality and length of the child’s relationship with the child’s current caregiver;

(g) The quality and length of the child’s relationship with any prospective adoptive parents;

(h) The current placement and status of other siblings;

(i) The wishes of the child, if the child is of the appropriate age and maturity to express a preference;

(j) The length of time the child has been in his or her current placement;

(k) All special needs of the child, including the child’s physical health, mental health, educational needs, and attachment concerns;

(l) The Department or community-based care agency (CBC) shall check the child abuse and neglect registries of all states where the prospective adoptive parents and other adults living in the prospective adoptive home resided in the previous five (5) years.

(5) The Intervention Best Interest Checklist must be uploaded into FSN and shared with Children’s Legal Services within 48 hours of completion by the adoption case manager.

(5) through (17) are renumbered (6) through (18) No change.

Rulemaking Authority 63.233 FS. Law Implemented 63.082(6), 63.092 FS. History—New 7-7-16. Amended

NAME OF PERSON ORIGINATING PROPOSED RULE:
Valerie Proctor

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Shevaun L. Harris

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 24, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 2, 2021

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: 65C-28.011
RULE TITLE: Criminal, Delinquency and Abuse/Neglect History Checks for Release to a Parent, Placement with a Relative and Non-Relative and Approval of Informal Safety Management Providers

PURPOSE AND EFFECT: The Department intends to amend rule 65C-28.011, F.A.C., to align background screening requirements for parents, relatives, and nonrelatives with requirements for out-of-home caregivers.

SUMMARY: The amendment provides the following: When the applicant or any other household member was named as caregiver responsible in a report verified for sexual abuse, this shall be an automatic disqualifier for placement.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to require legislative ratification.

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

RULEMAKING AUTHORITY: 39.012, 39.0121(1), 39.0138(1) FS.

LAW IMPLEMENTED: 39.0138, 39.401(3), 39.521(2)(o)2. FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jodi Abramowitz. Jodi can be reached at (850)717-4470 or Jodi.abramowitz@myflfamilies.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-28.011 Criminal, Delinquency and Abuse/Neglect History Checks for Release to a Parent, Placement with a Relative and Non-Relative and Approval of Informal Safety Management Providers.

(1) The following criminal, delinquency and abuse/neglect history checks shall be performed when a child is initially placed or remains with a relative or non-relative:

(a) For all household members age 12 or older, an abuse/neglect records check through the Department’s information system containing statewide abuse/neglect records. When the applicant or any other household member is designated as the “caregiver responsible” in a report verified for sexual abuse, the applicant shall be automatically disqualified for placement.

(b) through (f) No change.

(g) For household members age 18 or older who are known to have resided in another state in the preceding five (5) years, a request shall be made to the other state for an abuse and neglect history check. When the applicant or any other

household member is designated as the “caregiver responsible” in a report verified for sexual abuse, the applicant shall be automatically disqualified for placement.

(h) through (j) No change.

(2) through (9) No change.

Rulemaking Authority 39.012, 39.0121(1), 39.0138(1) FS. Law Implemented 39.0138, 39.401(3), 39.521(2)(o)2. FS. History—New 5-4-06, Amended 5-8-16, 2-5-18, 11-25-20. Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica Johnson

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Shevaun L. Harris

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 24, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 2, 2021

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:

68A-12.003 Protection of Certain Deer and Turkey; Tagging of Deer, Bear, and Turkey; Deer Harvest Reporting; Evidence of Sex Required

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to clarify regulations regarding deer carcass labeling requirements when transferring to another party. The intended effect is improved understanding and compliance of deer carcass labeling requirements.

SUMMARY: Clarify regulations regarding deer carcass labeling requirements when transferring to another party such that deer being transferred shall be labeled by the harvester with their first and last name and harvest reporting confirmation number. Require labeling to remain on the carcass until final processing or until stored at the domicile of its possessor. Allow meat processors to utilize a log book and tracking system in lieu of labeling requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has 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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE 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: the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: George Warthen, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-12.003 Protection of Certain Deer and Turkey; Tagging of Deer, Bear, and Turkey; Deer Harvest Reporting; Evidence of Sex Required.

(1) No change.

(2) Deer:

(a) through (b) No change.

(c) Harvest reporting requirements shall apply to any person that harvests a deer, except for the following: non-native deer, deer harvested out of state, deer killed by a motor vehicle, deer harvested under permits issued pursuant to chapter 68A-9, F.A.C., and deer harvested on a licensed Game Farm or Licensed Private Hunting Preserve.

1. through 4. No change.

5. Once a harvested deer is reported through the Commission's harvest reporting system and prior to that deer being transferred to another party, all the deer, or portions or parts thereof, shall be labeled by the harvester with their first and last name and the harvest reporting confirmation number. Such labeling shall remain on the deer, or portions or parts thereof, until final processing or until stored at the domicile of its possessor. As an alternative to labeling, a processor may use a log book and numbering or other tracking system. The log

book shall contain the same information required of the aforementioned label. The log book shall be kept on the processor's premises for inspection by Law Enforcement Officers of the Commission.~~have written information attached thereto containing the information recorded in the harvest log and the harvest reporting confirmation number prior to being transferred from the person who harvested it to another party.~~

(3) No change.

Proposed Effective Date: July 1, 2021

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-1-05, Amended 7-1-2021.

BE ADVISED THAT THIS PROPOSED RULE MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH IT IS CONSIDERED IF THE RULE IS NOT CHANGED. IF CHANGED, THE RULE MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: George Warthen, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 12, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 18, 2021

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE NOS.: RULE TITLES:

5B-65.001 Purpose

5B-65.002 Definitions

5B-65.003 Wood Boring Pests and Wood Inhabiting Pests that are Harmful to Florida Agriculture, Landscape Plants and Native Plants

5B-65.004 Plant Disease Pathogens Infecting Firewood and Unprocessed Wood Products

5B-65.005 Movement of Regulated Articles

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 47 No. 87, May 5, 2021 issue

of the Florida Administrative Register. SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS (SERC) AND LEGISLATIVE RATIFICATION

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’s economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. As part of this analysis, the Department relied upon the fact that there is no fee schedule associated with these proposed changes. Additionally, no interested party submitted additional information regarding the economic impact.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: RULE TITLE:
69A-37.065 Programs of Study and Vocational Courses
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 45 No. 141, July 22, 2019 issue of the Florida Administrative Register.

The following changes to Rule 69A-37.065 include changes that were published in the Notice of Change in the Vol. 47, No. 39, February 26, 2021, issue of the Florida Administrative Register to amend the Florida Urban Search and Rescue Program in subsection (6).

The following changes are in response to comments by the Joint Administrative Procedures Committee in a letter dated March 25, 2021.

69A-37.065 Programs of Study and Vocational Courses

The following programs of study are developed and revised by the Florida State Fire College, pursuant to sections 633.128, 633.406, 633.408, 633.418, and 633.508, F.S.:

- (1) through (5) No change.
- (6) No change.
- (a) No change.
- (b) No change.
- 1. No change.
- 2. Approved Courses. The courses must be approved by the Bureau and meet the curriculum requirements of the program. The courses must be delivered by the Bureau, an education or training provider, a fire service provider, or a regionally or nationally accredited college or university as outlined in subsections 69A-37.084(5) and (6), F.A.C. These providers

must deliver these courses using the Syllabus for FLUSAR Vehicle and Machinery Rescue Technician ~~Level II~~ (Rev. 11/19), which is hereby incorporated by reference and can be found at this link: <insert new DOS website address>; or on the Bureau’s website: <http://www.myfloridacfo.com/Division/SFM/BFST/Training/FLUSAR.htm>. Providers shall have access to use all equipment, FLUSAR Vehicle and Machinery Rescue Operations and Technician Equipment List (Eff. 05/16), <http://www.flrules.org/Gateway/reference.asp?No=Ref-07238>, hereby incorporated by reference, listed at this link: <http://www.myfloridacfo.com/Division/SFM/BFST/Training/documents/FLUSARVehicleMachineryRescueOperationsandTechnicianEquipmentList.pdf>, to deliver these courses.

- a. through e. No change.
- 3. through 4. No change.
- (c) through (f) No change.

(g) FLUSAR Trench and Excavation Rescue Operations. The Bureau will record completion of training in the Bureau’s database when the individual meets the program requirements of this paragraph (6)(g), and the qualifications for FLUSAR Trench and Excavation Rescue Operations set forth by the Bureau herein.

- 1. through 4. No change.

(h) FLUSAR Trench and Excavation Rescue Technician. The Bureau will record completion of training in the Bureau’s database when the individual meets the program requirements of this paragraph (6)(h), and the qualifications for FLUSAR Trench and Excavation Rescue Technician set forth by the Bureau herein.

- 1. through 4. No change.
- (i) through (k) No change.
- (7) through (10) No change.

The Department has made the following revisions to the syllabi listed below in response to comments from the Joint Administrative Procedures Committee.

The Syllabus for FLUSAR Vehicle and Machinery Rescue Operations was amended to conform the Instructor Qualifications in Section V with the instructor qualifications in subparagraph 69A-37.065(6)(a)3., F.A.C.; and delete the asterisks in Section VI, Job Performance Requirements.

The Syllabus for FLUSAR Vehicle and Machinery Rescue Technician was amended to correct the title of the syllabus; conform the Instructor Qualifications in Section V with the instructor qualifications in subparagraph 69A-37.065(6)(b)3., F.A.C.; and delete the asterisks in Section VI, Job Performance Requirements.

The Syllabus for FLUSAR Rope Rescue Operations was amended to conform the Instructor Qualifications in Section V with the instructor qualifications in subparagraph 69A-37.065(6)(c)3., F.A.C.; and delete the asterisks in Section VI, Job Performance Requirements.

The Syllabus for FLUSAR Rope Rescue Technician was amended to conform the Instructor Qualifications in Section V with the instructor qualifications in subparagraph 69A-37.065(6)(d)3., F.A.C.; and delete the asterisks in Section VI, Job Performance Requirements.

The Syllabus for FLUSAR Confined Space Rescue Operations was amended to conform the Instructor Qualification in Section V with the instructor qualifications in subparagraph 69A-37.065(6)(e)3., F.A.C.; and delete the asterisks in Section VI, Job Performance Requirements.

The Syllabus for FLUSAR Confined Space Rescue Technician was amended to correct the title of the syllabus; conform the Instructor Qualifications in Section V with the instructor qualifications in subparagraph 69A-37.065(6)(f)3., F.A.C.; and delete the asterisks in Section VI, Job Performance Requirements.

The Syllabus for FLUSAR Trench and Excavation Rescue Operations was amended to conform the Instructor Qualifications in Section V with the instructor qualifications in subparagraph 69A-37.065(6)(g)3., F.A.C.; and delete the asterisks in Section IV, Course Materials, and in Section VI, Job Performance Requirements.

The Syllabus for FLUSAR Trench and Excavation Rescue Technician was amended to conform the Instructor Qualifications in Section V with the instructor qualifications in subparagraph 69A-37.065(6)(h)3., F.A.C.; and delete the asterisks in Section VI, Job Performance Requirements.

The Syllabus for FLUSAR Structural Collapse Rescue Operations was amended to conform the Instructor Qualifications in Section V with the instructor qualifications in subparagraph 69A-37.065(6)(i)3., F.A.C.; and delete the asterisks in Section VI, Job Performance Requirements.

The Syllabus for FLUSAR Structural Collapse Rescue Technician was amended to correct the title of the syllabus; conform the Instructor Qualifications in Section V with the instructor qualifications in subparagraph 69A-37.065(6)(j)3., F.A.C.; and delete the asterisks in Section VI, Job Performance Requirements.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

The Southwest Florida Water Management District hereby gives notice:

that on June 2, 2021, the Southwest Florida Water Management District has issued an order granting a variance.

Petitioner's Name: Bullfrog Creek Mitigation Bank, LLC – File Tracking No. 2021021

Date Petition Filed: March 11, 2021

Rule No.: 62-342.700

Nature of the rule for which variance or waiver was sought:

Financial Responsibility for Mitigation Banks

Date Petition Published in the Florida Administrative Register: March 15, 2021

General Basis for Agency Decision: Petitioner demonstrated substantial economic hardship and proposed an alternative means of achieving the purpose of the underlying statute implemented by the rule.

A copy of the Order or additional information may be obtained by contacting: Adrienne Vining, 7601 US Highway 301 North, Tampa, Florida 33637-6759, 1(813)985-7481 Ext. 4668, or Adrienne.Vining@swfwmd.state.fl.us.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: RULE TITLE:

61G4-16.005 Duration of Validity

NOTICE IS HEREBY GIVEN that on May 24, 2021, the Construction Industry Licensing Board, received a petition for for variance or waiver filed by Axi Rodriguez is seeking a variance or waiver of Rule 61G4-16.005, Florida Administrative Code, that states for the purpose of certification, a passing grade shall be valid only for a period of four (4) years from the date of the most recently passed portion of the exam. Comments on this petition should be filed with the Construction Industry Licensing Board within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daniel Biggins, Executive Director,

Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-1039 or telephone: (850)487-1395, or by electronic mail to Donald.Shaw@myfloridalicense.com.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

NOTICE IS HEREBY GIVEN that on June 02, 2021, the Board of Optometry, received a petition for variance or waiver filed by Matthew Thornton. Petitioner is seeking a variance or waiver of Rule 64B13-4.001(1)(d)2. and 3., F.A.C., which states in part that the licensure examination authorized in section 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Christina McGinnis, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257. Christina.McGinnis@myfloridahealth.gov. Comments on this petition should be filed with the Board of Optometry within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

NOTICE IS HEREBY GIVEN that on June 02, 2021, the Board of Optometry, received a petition for variance or waiver filed by Anisa Patail. Petitioner is seeking a variance or waiver of Rule 64B13-4.001(1)(d)2. and 3., F.A.C., which states in part that the licensure examination authorized in section 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Christina McGinnis, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee,

FL 32399-3257. Christina.McGinnis@myfloridahealth.gov. Comments on this petition should be filed with the Board of Optometry within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

NOTICE IS HEREBY GIVEN that on June 02, 2021, the Board of Optometry, received a petition for variance or waiver filed by Samantha Kessler. Petitioner is seeking a variance or waiver of Rule 64B13-4.001(1)(d)2. and 3., F.A.C., which states in part that the licensure examination authorized in section 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Christina McGinnis, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257. Christina.McGinnis@myfloridahealth.gov. Comments on this petition should be filed with the Board of Optometry within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

NOTICE IS HEREBY GIVEN that on June 02, 2021, the Board of Optometry, received a petition for variance or waiver filed by Erik Kelly. Petitioner is seeking a variance or waiver of Rule 64B13-4.001(1)(d)2. and 3., F.A.C., which states in part that the licensure examination authorized in section 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Christina McGinnis, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee,

FL 32399-3257. Christina.McGinnis@myfloridahealth.gov. Comments on this petition should be filed with the Board of Optometry within 14 days of publication of this notice.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.004 Selection Procedures for Developments

NOTICE IS HEREBY GIVEN that on June 01, 2021, the Florida Housing Finance Corporation, received a petition for waiver of Rules 67-48.002(96) F.A.C. and the 2018 QAP from The Village of Casa Familia, Ltd. allowing the requested tax credit exchange to be approved before the fourth calendar quarter of 2022.

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.004 Selection Procedures for Developments

NOTICE IS HEREBY GIVEN that on June 02, 2021, the Florida Housing Finance Corporation, received a petition for waiver of Rules 67-48.004(3)(g) and 67-21.003(8)(g) F.A.C. from CORE MHP Collier, Ltd. granting the amendment of 'Development Type' in the Application to a 'Mid-Rise 5-6 stories'.

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.0072 Credit Underwriting and Loan Procedures

NOTICE IS HEREBY GIVEN that on June 02, 2021, the Florida Housing Finance Corporation, received a petition for waiver of Rule 67-48.0072(26) F.A.C. (2018) and RFA 2019-109 Exhibit C, Part 3(d) from Paces Gateway Manor, LLC to extend the deadline to close the loan from July Closing Date to October 6, 2021.

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.0072 Credit Underwriting and Loan Procedures

NOTICE IS HEREBY GIVEN that on June 02, 2021, the Florida Housing Finance Corporation, received a petition for waiver of Rule 67-48.0072(21)(b) F.A.C. (2018) from Tupelo Park, LP to extend the deadline to secure a firm loan commitment from June 28, 2021 to December 28, 2021.

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

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Licensing

The Private Investigation, Recovery and Security Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 13, 2021, 9:00 a.m.

PLACE: Hyatt Regency Grand Cypress, Windsong Ballroom, One Grand Cypress Blvd., Orlando, FL 32836 Phone: (407)239-1234.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Council pursuant to the requirement of subsection 493.6104(4), Florida Statutes. The Council will conduct a general business meeting.

A copy of the agenda may be obtained by contacting: Stefannie.Corbett@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 5 days before the workshop/meeting by contacting: Stefannie Corbett, Division of Licensing, P.O. Box 5647, Tallahassee, Florida 32314, Phone: (850)245-5443, Email: Stefannie.Corbett@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: Stefannie.Corbett@FDACS.gov.

DEPARTMENT OF EDUCATION

State Board of Education

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

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

PLACE: Florida State College at Jacksonville, Advanced Technology Center, 401 West State Street, Room T140/141, Jacksonville, Florida 32202.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting agenda will consist of the approval of the March 17, 2021 meeting minutes. Updates by President Avendano on behalf of the Council of Presidents, and Superintendent Greene on behalf of the Florida Association of District School Superintendents. Additional items for consideration include action relating to the following: Request for Approval of Revised Turnaround Option Plan and Annual External Operator Contract for Escambia County Public Schools; Request for

Approval of Closure Turnaround Option Plan for Marion County Public Schools; Request for Approval of Annual External Operator Contract for Hillsborough County Public Schools; Amendment to Rule 6A-1.094124, F.A.C., Required Instruction Planning and Reporting; New Rule 6A-1.0018, F.A.C., School Safety Requirements and Monitoring; New Rule 6A-14.0582, F.A.C., Florida College System Intercollegiate Student-Athlete Compensation and Rights; Amendment to Rule 6A-1.0943, F.A.C., Statewide Assessment for Students with Disabilities; Amendment to Rule 6A-1.09963, F.A.C., High School Graduation Requirements for Students with Disabilities; Amendment to Rule 6A-6.03311, F.A.C., Procedural Safeguards and Due Process Procedures for Parents and Students with Disabilities; New Rule 6A-6.0575, F.A.C., Clock Hour Dual Enrollment for School and District Accountability; Amendment to Rule 6A-4.002, F.A.C., General Provisions; Amendment to Rule 6A-1.0014, F.A.C., Comprehensive Management Information System; Amendment to Rule 6A-6.0571, F.A.C., Career and Technical Education and Adult General Education Standards and Industry-Driven Benchmarks; Amendment to Rule 6A-1.09981, F.A.C., School and District Accountability; Amendment to Rule 6A-6.0573, F.A.C., Industry Certification Process; Amendment to Rule 6A-10.0401, F.A.C., Gold Standard Career Pathways Articulation Agreements; Amendment to Rule 6N-1.005, F.A.C., Annual Fees for In-State Institutions to Participate in Florida's Reciprocity Agreement; Appointment to the Education Practices Commission (EPC); and Amendment #6 of Contract between the State Board of Education and SEED School of Miami, Inc.

A copy of the agenda may be obtained by contacting: Chris Emerson at 850-245-9601 or Christian.Emerson@fldoe.org or by visiting the Department's website at <http://www.fldoe.org/policy/state-board-of-edu/meetings>.

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 five days before the workshop/meeting by contacting: Chris Emerson at 850-245-9601 or Christian.Emerson@fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Chris Emerson at 850-245-9601 or Christian.Emerson@fldoe.org.

FLORIDA PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces its regularly scheduled Commission Conference, to which all interested persons are invited.

DATE AND TIME: Tuesday, June 15, 2021, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida. Participation may be in person or by telephone. Any interested person who would like to participate telephonically on any item on the Conference agenda should contact the Office of General Counsel at 850-413-6199 no later than 12:00 p.m. on June 14, 2021. As always, the public may view a live stream of the Conference online using the link available at: <http://www.floridapsc.com/Conferences/AudioVideoEventCoverage>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366, and 367, F.S. Persons who may be affected by Commission action on certain items on the Conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C. The Commission Conference Notice, Agenda, related documents, and FPSC contact information are available at: www.floridapsc.com.

SPECIAL COVID-19 CONSIDERATIONS: Due to the COVID-19 Pandemic, the Commission may limit public attendance in Room 148. Interested persons may also file written comments with the Agency Clerk in the applicable docket file for all matters to be taken up by the Commission, except any posthearing recommendation. Any written comments must be filed no later than 12:00 p.m. on June 14, 2021.

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 five days prior to the conference 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 CONFERENCE: If a named storm or some other state of emergency requires cancellation of the Conference, Commission staff will attempt to give timely notice. Notice of cancellation will be provided on the Commission’s website (www.floridapsc.com) under the Hot Topics link on the home page. Cancellation can also be confirmed by calling the Office of Commission Clerk at 850-413-6770.

FLORIDA PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces its Internal Affairs Meeting, to which all interested persons are invited.

DATE AND TIME: Tuesday, June 15, 2021 immediately following the Commission Conference which commences at 9:30 a.m. in Joseph P. Cresse Hearing Room 148.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters affecting Commission operations. Internal Affairs Agendas and FPSC contact information is available at: www.floridapsc.com.

SPECIAL COVID-19 CONSIDERATIONS: Due to the COVID-19 Pandemic, the Commission may limit public attendance in Room 148. As always, the public may view a live stream of the meeting online using the link available at: <http://www.floridapsc.com/Conferences/AudioVideoEventCoverage>. Any interested person who would like to participate telephonically on any item on the agenda should contact the Office of the Executive Director at 850-413-6053 no later than 12:00 p.m. on June 14, 2021.

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 five days prior to the conference 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 a named storm or some other state of emergency requires cancellation of the meeting, Commission staff will attempt to give timely notice. Notice of cancellation will be provided on the Commission’s website (www.floridapsc.com) under the Hot Topics link on the home page.

Cancellation can also be confirmed by calling the Office of Commission Clerk at 850-413-6770.

REGIONAL PLANNING COUNCILS

West Florida Regional Planning Council

The Florida-Alabama Transportation Planning Organization announces a public meeting to which all persons are invited.

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

PLACE: Bayview Community Center, 2001 East Llyod St., Pensacola, Fla.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida-Alabama Transportation Planning Organization (TPO) will hold a public meeting at 9:00 a.m., Wednesday, June 9, at the Bayview Community Center, 2001 East Llyod St., Pensacola, Fla.

The advisory committees will meet on Monday, June 7, at the Emerald Coast Regional Council, 4081 E. Olive Rd., Ste. A

Pensacola, Fla. The Technical Coordinating Committee will meet at 10:00 a.m. and the Citizen Advisory Committee will meet at 5:30 p.m.

The TPO and advisory committee meetings will be held in-person at the above locations, however, for the convenience of our community members, the meeting can be accessed online via YouTube live stream or by phone. All in-person participants are encouraged to comply with CDC Covid19 guidelines and social distancing recommendations.

The public can view the meeting and submit comments live on YouTube: www.ecrc.org/YouTube.

The public can dial in by phone: United States: (669)224-3412, Access Code: 115-187-253

The TPO will consider:

- Membership Certification for the Escambia County and Santa Rosa County Transportation Disadvantaged Coordinating Boards
- Adopting the FY 2021 – FY 2022 Unified Planning Work Program (UPWP) Year 2 (FY 2022) Amendments, Authorizing the TPO Chairman to Sign the Certifications and Assurances and Authorizing TPO Staff to Apply for and Execute a Federal Transit Administration FTA Section 5305 Grant for Use
- Adopting the Congestion Management Process Plan (CMPP) Minor Update for the 2019 Level of Service (LOS) Tables
- Changing the Alabama Revenue Vehicle Target from 10% To 5%
- Adopting the Florida-Alabama TPO FY 2022-2026 Transportation Improvement Program (TIP)
- Adopting the FL-AL FY 2023-2027 Project Priorities
- Election of Chairs and Vice-Chairs for Fiscal Year (FY) 2022 (July 1, 2021, through June 30, 2022) *NOMINATING COMMITTEES ARE TO MEET 15 MINUTES BEFORE THE REGULAR MEETING TIME

A full agenda can be viewed by scanning the QR Code in the event cover photo or at www.ecrc.org/FLALTPOMeetings. Public input is valuable to the TPO, we encourage our communities to submit input through a variety of avenues. Comments for the public forum can be submitted via eComment Card, email, or phone, learn how at www.ecrc.org/FLALPublicForum. All comments submitted will be disseminated to the board. Please email publicinvolvement@ecrc.org with additional questions or concerns.

In compliance with the Americans with Disabilities Act, reasonable accommodations to access meetings and limited English proficiency are available upon request. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services should contact Public Involvement toll-free at 1(800)226-8914 or TTY 711, at least 48 hours in advance. Para informacion en espanol, puede llamar a Ada Clark al (850)332-7976, ext. 278

o TTY 711. Si necesita acomodaciones especiales, por favor llame 48 horas de antemano.

Participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who believe they have been discriminated against on these conditions may file a complaint with the Title VI Coordinator, (850)332-7976, ext. 220.

The Florida-Alabama TPO is staffed by the Emerald Coast Regional Council, a regional entity providing professional technical assistance, planning, coordinating, and advisory services to local governments, state and federal agencies, and the public to preserve and enhance the quality of life in northwest Florida.

A copy of the agenda may be obtained by contacting: Public Involvement, publicinvolvement@ecrc.org or (850)332-7976.

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: Title VI Coordinator, publicinvolvement@ecrc.org or (850)332-7976. 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: Public Involvement, publicinvolvement@ecrc.org or (850)332-7976.

REGIONAL PLANNING COUNCILS

Northeast Florida Regional Planning Council

The Northeast Florida Regional Council announces a public meeting to which all persons are invited.

DATE AND TIME: June 17, 2021, 2:30 p.m. Northeast Florida Economic Resilience Taskforce.

PLACE: Virtual Meeting via Zoom. Visit www.nefrc.org for joining information.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Economic Resiliency

A copy of the agenda may be obtained by contacting: Sean Lahav at slahav@nefrc.org.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Office of the Secretary
 The Recreational Trails Program announces a public meeting to which all persons are invited.
 DATE AND TIME: June 10, 2021, 9:00 a.m.
 PLACE: Interested parties may participate via GoToMeeting at: <https://register.gotowebinar.com/register/4673220601810849808>

After registering, you will receive a confirmation email from customercare@gotowebinar.com containing information about joining the webinar.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Recreational Trails Program will conduct a Recreational Trails Program Advisory Committee meeting to review the annual Priority List from applications received during the 2021-2022 application cycle. The Committee will also discuss available funding, new committee members and any other business deemed necessary.

A copy of the agenda may be obtained by contacting: Tara Reynolds, Florida Department of Environmental Protection, Division of State Lands, Land and Recreation Grants Program, 3900 Commonwealth Blvd., Mail Station 585, Tallahassee, Florida 32399, (850)245-2065, Tara.V.Reynolds@FloridaDEP.gov, or at <https://floridadep.gov/lands/land-and-recreation-grants/content/rtp-assistance>

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Tara Reynolds using the contact information provided above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Office of the Secretary
 The Florida Greenways and Trails Council announces a public meeting to which all persons are invited.
 DATE AND TIME: June 23, 2021, 10:00 a.m.
 PLACE: Zoom Meeting. For access: <https://zoom.us/j/92237886964>
 Meeting ID: 922 3788 6964

One tap mobile
 +1 646 876 9923 US (New York)
 +1 301 715 8592 US (Washington DC)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will meet to conduct general business. The Council will also consider the designations of Camp/Abel parcels for the Florida Trail and Allen Broussard Conservancy for the Florida Trail.

A copy of the agenda may be obtained by contacting: Katie Bernier, Office of Greenways and Trails, Division of Recreation and Parks, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 795, Tallahassee, Florida 32399-3000, Katherine.bernier@floridadep.gov, (863) 314-8439.

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: Katie Bernier, Office of Greenways and Trails, Division of Recreation and Parks, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 795, Tallahassee, Florida 32399-3000, Katherine.bernier@floridadep.gov, (863) 314-8439. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH
 Board of Chiropractic Medicine
 The Department of Health announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 22, 2021, 2:00 p.m.
 PLACE: (888) 585-9008, 136-103-141 participant code
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: . 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: Jacqueline.Clahar@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Dentistry

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

DATE AND TIME: July 9, 2021, 9:00 a.m., ET

PLACE: 1(888)585-9008 when prompted, enter conference room number 599196982#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel will be holding the meeting to conduct public disciplinary cases.

A copy of the agenda may be obtained by contacting: www.floridasdentistry.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: (850) 245-4474. 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: (850) 245-4474.

DEPARTMENT OF HEALTH

Board of Dentistry

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

DATE AND TIME: June 11, 2021, 9:00 a.m., ET

PLACE: 1(888)585-9008 when prompted, enter conference room number 599196982#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel will be holding the meeting to conduct public disciplinary cases.

A copy of the agenda may be obtained by contacting: www.floridasdentistry.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: (850) 245-4474. 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: (850) 245-4474.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

The Board of Osteopathic Medicine announces a public meeting to which all persons are invited.

DATE AND TIME: August 13, 2021, 9:00 a.m., ET

PLACE: Hyatt Regency Grand Cypress, One Grand Boulevard, Orlando, Florida 32836 (407) 239-1239.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board.

A copy of the agenda may be obtained by contacting: www.floridasosteopathicmedicine.gov/meeting-information

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Christa Peace, Regulatory Specialist III, at (850) 245-4161 or christa.peace@flhealth.gov or 4052 Bald Cypress Way, #C-06, Tallahassee, FL 32399. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

The Board of Osteopathic Medicine announces a public meeting to which all persons are invited.

DATE AND TIME: November 5, 2021, 9:00 a.m., ET

PLACE: Holiday Inn Tallahassee East Capital-Universities, 2003 Apalachee Parkway, Tallahassee, Florida 32301 (850)792-8300.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board.

A copy of the agenda may be obtained by contacting: www.floridasosteopathicmedicine.gov/meeting-information

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Christa Peace, Regulatory Specialist III, at (850) 245-4161 or christa.peace@flhealth.gov or 4052 Bald Cypress Way, #C-06, Tallahassee, FL 32399. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

The Department of Children and Families, Statewide Office for Suicide Prevention announces a public meeting to which all persons are invited.

DATE AND TIME: June 10, 2021, 1:00 p.m. – 3:00 p.m.

PLACE: (in-person) Department of Children and Families Centre of Tallahassee Auditorium Room C100 2415 North Monroe Street Tallahassee, FL 32308-4190

(virtual) Zoom Meeting ID: 934 3937 7900 Meeting Link: <https://fsu-hipaa.zoom.us/j/93439377900>

Phone numbers (by location): +1 312 626 6799 US (Chicago), +1 929 205 6099 US (New York), +1 301 715 8592 US (Washington DC), +1 346 248 7799 US (Houston), +1 669 900 6833 US (San Jose), +1 253 215 8782 US (Tacoma)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Suicide Prevention Coordinating Council. The purpose of this meeting of the Suicide Prevention Coordinating Council is to provide an update on suicide prevention efforts and continue working on strategies for suicide prevention within Florida.

A copy of the agenda may be obtained by contacting: Anna Gai at anna.gai@myflfamilies.com or (850) 717-4794.

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: Anna Gai at anna.gai@myflfamilies.com or (850) 717-4794. 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: Anna Gai at anna.gai@myflfamilies.com or (850) 717-4794.

CAREERSOURCE FLORIDA

The CareerSource Florida Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: June 9, 2021, 9:00 a.m.

PLACE: Sawgrass Marriott, 1000 Tournament Players Club Blvd, Ponte Vedra Beach, FL 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss workforce issues.

A copy of the agenda may be obtained by contacting: Lisa Cramer.

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: Lisa Cramer. 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: Lisa Cramer at 850-692-6887.

FLORIDA INDEPENDENT LIVING COUNCIL

The Florida Independent Living Council, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 29, 2021, 9:00 a.m. until completion of agenda

MEETING: Full Council

PLACE:

<https://zoom.us/j/95155650212?pwd=NWdrdThrUUU4S3F0TG9RcGh3M2RyQT09>

Meeting ID: 951 5565 0212

Passcode: 633493

One tap mobile

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+19292056099,,95155650212#,,,,*633493# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 951 5565 0212

Passcode: 633493

Find your local number: <https://zoom.us/j/95155650212?pwd=NWdrdThrUUU4S3F0TG9RcGh3M2RyQT09>

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business of the Committees or Business of the Council.

Persons who want to be notified of such meetings may submit a request by contacting the Florida Independent Living Council, Inc., 1882 Capital Circle NE, Suite 202, Tallahassee, Florida 32308 (850)488-5624 or Toll Free 1(877)822-1993 or email info@floridasilc.org.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council.

Pursuant to the Americans with Disabilities Act, accommodations for persons with disabilities are available upon request. If you have a disability and require a reasonable accommodation to fully participate in this event, please contact Beth Meyer, PA, ADA at beth@floridasilc.org, or 850-488-5624 to discuss your accessibility needs. Please allow five business days' notification to process: last minute requests will be accepted, but may not be possible to fulfill.

WALTON COUNTY HEALTH DEPARTMENT

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

DATE AND TIME: June 17, 2021, 11:30 a.m.

PLACE: Walton County Health Dept.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Various Board Information.

A copy of the agenda may be obtained by contacting: Tabatha Walters 850-892-8015, ext. 6237

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: Tabatha Walters 850-892-8015, ext. 6237. 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: Tabatha Walters 850-892-8015, ext. 6237.

Section VII

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida has received the petition for declaratory statement from Jean Messler, In Re: Isla Merita Homeowners Condominium Association II, Inc., Docket No.2021-001560The petition seeks the agency's opinion as to the applicability of 718.112(2)(d)(2) as it applies to the petitioner.

1. Whether candidates not issued a written receipt by the association for notice of intent that has been timely submitted are eligible as candidates for election. 2. When the election is rescheduled for a later date does the initial deadline still stand or can self-nomination be reopened for additional owners to submit notices of intent after the deadline. 3. Whether notices of intent submitted prior to the initial deadline that have never been withdrawn are still valid for the rescheduled election or

must new notices of intent be submitted each time an election is postponed and rescheduled.

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

Please refer all comments to: James Richardson, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from by Kevin T. Wells, Esq., In Re: Riverside at Tidewater Preserve Condominium Association, Inc., Docket No. 2021-011065The petition seeks the agency's opinion as to the applicability of 718.112(2)(f) as it applies to the petitioner.

1. Whether Petitioner is required by section 718.112(2)(f), Florida Statutes, or by rule 61B-22.005(1), Florida Administrative Code, to create statutory reserve accounts for the replacement of fire control systems.

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

Please refer all comments to: James Richardson, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida has received the petition for declaratory statement from Mary L. Sneed, Esq., In Re: Waterside at Cranes Roost Condominium Association, Inc., Docket No. 2021-015188. The petition seeks the agency's opinion as to the applicability of 718.111(5)(a) 718.115(1)(a) as it applies to the petitioner.

1. Whether section 718.111(5)(a), Florida Statutes grant the irrevocable right of access to individual condominium units by an association in order to install and maintain working smoking alarms in the individual condominium units to prevent damage to the unit, adjacent units, units in the same building, and the common elements. 2. Whether single station or multi-station smoke alarms are "fire safety equipment: and/or devices "...required by any federal, state, or local government entity to be installed, maintained, or supplied to the condominium property" as specified in in Section 718.115(1)(a), Florida Statutes, and therefore, considered common area elements?

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

Please refer all comments to: James Richardson, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

NOTICE IS HEREBY GIVEN that Florida Real Estate Commission has received the petition for declaratory statement from Nadine L. Frees. The petition seeks the agency's opinion as to the applicability of Section 475.22(1), Florida Statutes, as it applies to the petitioner.

Petitioner's petition, filed on May 25, 2021, asks, "What is the minimum size "enclosed room" office required in cited statute and may the enclosed rooms be shared with other brokers/business if secured lockers are provided to each separate broker/business for storage of business records?"

Except for good cause shown, motions for leave to intervene must be filed within 21 days after the publication of this notice. A copy of the Petition for Declaratory Statement may be obtained by contacting: Giuvanna Corona, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, FL 32801, Giuvanna.Corona@myfloridalicense.com.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has issued an order disposing of the petition for declaratory statement filed by BMW Financial Services NA LLC. on April 07, 2021. The following is a summary of the agency's disposition of the petition:

On June 1, 2021, a Final Order on the Petition was issued. The petition sought a declaratory statement from the Office on whether Chapter 520, Florida Statutes permits a Sales Finance Company licensee to maintain a portion of its workforce working remotely without the need to obtain branch licenses for their remote locations. The Office determined that under the specific set of facts set forth in the Petition, Petitioner is not required to obtain licensure under chapter 520, Florida Statutes, for the activities described in its Petition for Declaratory Statement. . *****The original petition was published April 9, 2021 in the Florida Administrative Register Volume 47, Number 69.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850) 410-9889, Agency.Clerk@flofr.gov.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850) 410-9889, Agency.Clerk@flofr.gov.

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:

NORTH FLORIDA UTILITY COORDINATING GROUP, CLAY COUNTY UTILITY AUTHORITY, JEA AND GAINESVILLE REGIONAL UTILITIES, Petitioners vs. ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, Respondent.; CASE NO.: 21-1731RP; RULE NO.: 40C-8.021, 40C-8.031

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

NONE

Section XII
Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Thursday, May 27, 2021 and 3:00 p.m., Tuesday, June 1, 2021.

Rule No.	File Date	Effective Date
53ER21-34	5/27/2021	6/1/2021
5JER21-4	5/29/2021	6/1/2021
61-35.003	5/28/2021	6/17/2021
62-210.300	5/27/2021	6/16/2021
64B18-11.001	5/28/2021	6/17/2021
64B18-11.002	6/1/2021	6/20/2021
64B19-11.012	6/1/2021	6/20/2021

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	**/**/****
62-41.300	5/10/2021	**/**/****
62-41.301	5/10/2021	**/**/****
62-41.302	5/10/2021	**/**/****
62-41.303	5/10/2021	**/**/****
62-41.304	5/10/2021	**/**/****
62-41.305	5/10/2021	**/**/****
64B8-10.003	12/9/2015	**/**/****

DEPARTMENT OF FINANCIAL SERVICES
FSC - Financial Institution Regulation
Division of Financial Institutions

NOTICE OF FILINGS
Financial Services Commission
Office of Financial Regulation
June 3, 2021

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile OR
 Agency Clerk
 Office of Financial Regulation
 P.O. Box 8050
 Tallahassee, Florida 32314-8050
 Phone: (850) 410-9889
 Fax: (850) 410-9663

By Hand Delivery
 Agency Clerk
 Office of Financial Regulation
 General Counsel's Office
 The Fletcher Building, Suite 118
 101 East Gaines Street
 Tallahassee, Florida 32399-0379
 Phone: (850) 410-9889

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact the Agency Clerk no later than seven (7) days prior to the filing deadline or proceeding, at the Office of Financial Regulation, The Fletcher Building, Suite 118, 101 East Gaines Street, Tallahassee, Florida 32399-0379, Phone: (850) 410-9889, or by Email: agency.clerk@flofr.com.

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 P.M., June 24, 2021):

APPLICATION FOR A NEW FINANCIAL INSTITUTION
 Applicant and Proposed Location: Gulf Coast Business Bank, Ft. Myers, Lee County, Florida

Correspondent: Mr. A. George Igler, Igler|Pearlman P.A., 2457 Care Drive, Tallahassee, Florida, 32308

Received: June 1, 2021

Distribution: (Publication Not Required)

Federal Deposit Insurance Corporation, Atlanta, GA

Federal Reserve Bank of Atlanta, Atlanta, GA

Comptroller of the Currency, Atlanta, GA

Florida Bankers Association, Tallahassee, Florida

A. George Igler

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

DEO Final Order No. DEO-21-021

In re: A LAND DEVELOPMENT REGULATION
 ADOPTED BY CITY OF APALACHICOLA,
 ORDINANCE NO. 2021-01

FINAL ORDER
APPROVING APALACHICOLA ORDINANCE NO.
2021-01

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to subsection 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Apalachicola (“City”), Ordinance No. 2021-01 (the “Ordinance”).

FINDINGS OF FACT

1. The Apalachicola Bay Area is designated by Section 380.0555, Florida Statutes, as an area of critical state concern. The City is within the Apalachicola Bay Area.
2. The Ordinance was adopted by the City on April 6, 2021 and rendered to the Department on May 21, 2021.
3. The Ordinance revises Chapter XI of the Land Development Code to clarify permit, application, zoning, and

administrative regulations relating to mobile food operations within the City.

4. The Ordinance replaces the term “mobile food truck” with the terms “mobile food vehicle” or “mobile food dispensing vendor.”

5. The Ordinance amends Section 2 under *Mobile Food Vendor Permit Requirements* to require mobile food dispensing permits to be obtained from the Department of Business and Professional Regulation (DBPR), in accordance with Sections 509.241 and 509.102 of the Florida Statutes.

6. Section 3, *Permit Application and Administrative Rules and Regulations*, is removed and Section 9, *Penalty*, is revised to allow the City to petition DBPR for the suspension or revocation of a mobile food dispensing operation license upon a mobile food dispensing vendor’s third offense within a twelve-month period.

CONCLUSIONS OF LAW

7. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. *See* subsection 380.05(6), Florida Statutes.

8. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Subsection 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

9. The Ordinance is consistent with the City’s Comprehensive Plan as required by subsection 163.3177(1), Florida Statutes, generally, and is specifically consistent with Future Land Use Element Policy 5.2 and Future Land Use Element Objective 6.

10. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. *See* Section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Apalachicola Bay Area of Critical State Concern are set forth in subsection 380.0555(7), Florida Statutes.

11. The Ordinance is consistent with the Principles for Guiding Development in subsection 380.0555(7), Florida Statutes, as a whole, and is specifically consistent with the following Principles:

(a) Land development shall be guided so that the basic functions and productivity of the Apalachicola Bay Area’s natural land and water systems will be conserved to reduce or avoid health, safety, and economic problems for present and future residents of the Apalachicola Bay Area.

(b) Land development shall be consistent with a safe environment, adequate community facilities, a superior quality of life, and a desire to minimize environmental hazards.

(c) Growth and diversification of the local economy shall be fostered only if it is consistent with protecting the natural resources of the Apalachicola Bay Area through appropriate management of the land and water systems.

WHEREFORE, IT IS ORDERED that the Department finds that the City of Apalachicola Ordinance No. 2021-01 is consistent with the City of Apalachicola’s Comprehensive Plan and the Principles for Guiding Development for the Apalachicola Bay Area of Critical State Concern and is hereby APPROVED.

This Final Order becomes final 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/James D. Stansbury, James D. Stansbury, Bureau Chief, Bureau of Community Planning and Growth, Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS FINAL ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO SUBSECTIONS 28-106.104(2), 28-106.201(2), AND SECTION 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTION 120.569 AND SUBSECTION 120.57(1), FLORIDA STATUTES, OR SECTION 120.569 AND SUBSECTION 120.57(2), FLORIDA STATUTES.

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY: AGENCY CLERK, DEPARTMENT OF ECONOMIC OPPORTUNITY, OFFICE OF THE GENERAL COUNSEL, 107 EAST MADISON ST., MSC 110, TALLAHASSEE, FLORIDA 32399-4128, FAX: (850)921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 1st day of June, 2021.

/s/Janay Lovett, Janay Lovett, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128

By U.S. Mail:

The Honorable Kevin Begos, Mayor, Apalachicola City Hall, 192 Coach Wagoner Boulevard, Suite 1, Apalachicola, Florida 32320

Deborah Guillotte, City Clerk, Apalachicola City Hall, 192 Coach Wagoner Boulevard, Suite 1, Apalachicola, Florida 32320

Travis Wade, City Manager, Apalachicola City Hall, 192 Coach Wagoner Boulevard, Suite 1, Apalachicola, Florida 32320

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.
