

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

**RULE NO.:**       **RULE TITLE:**  
64B8-1.002       Other Board Business for Which  
                          Compensation is Allowed

**PURPOSE AND EFFECT:** The Board propose the rule amendment to update the rule text to remove Section 458.311, F.S., from number 8 of the rule language.

**SUBJECT AREA TO BE ADDRESSED:** Update rule text.

**RULEMAKING AUTHORITY:** 456.011(4) FS.

**LAW IMPLEMENTED:** 456.011(4) FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Paul Vazquez, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, Paul.Vazquez@flhealth.gov

**DEPARTMENT OF HEALTH**

**Board of Medicine**

**RULE NO.:**       **RULE TITLE:**  
64B8-13.005       Continuing Education for Biennial Renewal

**PURPOSE AND EFFECT:** The Board is required to review the information regarding the five most misdiagnosed conditions during the previous biennium to be included in the prevention of medical errors course.

**SUBJECT AREA TO BE ADDRESSED:** The five most misdiagnosed medical conditions for the purpose of medical errors continuing medical education.

**RULEMAKING AUTHORITY:** 456.013(6), (7), 456.031(2), 456.033, 458.309, 458.319 FS.

**LAW IMPLEMENTED:** 456.013(6), (7), 456.031(1)(a), 456.033, 458.319 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.**

**Section II**  
**Proposed Rules**

**DEPARTMENT OF HEALTH**

**Board of Medicine**

**RULE NO.:**       **RULE TITLE:**  
64B8-1.007       List of Approved Forms; Incorporation

**PURPOSE AND EFFECT:** The Board propose rule amendment to repeal the rule as it is no longer required.

**SUMMARY:** Repeal rule.

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

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

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

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

**RULEMAKING AUTHORITY:** 456.013, 458.3475 FS.

**LAW IMPLEMENTED:** 456.013, 458.3475 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: 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 FULL TEXT OF THE PROPOSED RULE IS:

**64B8-1.007 List of Approved Forms; Incorporation.**

Rulemaking Authority 456.013, 458.3475 FS. Law Implemented 456.013, 458.3475 FS. History—New 4-17-01, Amended 11-20-01, 8-13-02, 11-10-02, 3-19-03, 6-4-03, 11-17-03, 4-19-04, 1-31-05, 9-29-05, 6-29-06, 12-26-06, 4-2-07, 6-25-08, 1-18-09, 3-17-09, 5-20-09, 10-7-09, 1-7-10, 2-2-10, 12-6-10, 12-27-11, 2-28-12, 1-27-13, 8-5-13, 11-10-13, 1-9-14, 3-10-14, 7-15-14, 9-10-14, 12-2-14, 2-22-15, 3-17-15, 5-19-15, 9-28-15, 8-14-16, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules/Legislative Committee, Board of Medicine  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 6, 2023

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Family Safety and Preservation Program**

RULE NO.: RULE TITLE:

65C-28.021 Qualified Residential Treatment Programs

PURPOSE AND EFFECT: Amendments align with new statutory provisions regarding qualified evaluators pursuant to chapter law 2022-55 and with program requirements with the newly created Rule 65C-46.0211 to establish the licensing of qualified residential treatment programs that will be licensed solely by the Department.

SUMMARY: Amendments include: (1) removing duplicative language, (2) adds language to outline the two different paths to completing an assessment when a child is in need of placement in a QRTP licensed by DCF or a residential treatment center licensed by AHCA and credentialed by DCF, (3) updates aftercare requirements, (4) adds language regarding requesting reconsideration, and (5) cleans up the language.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

A SERC has not been prepared.

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: 39.0121, 409.175(5) F.S.

LAW IMPLEMENTED: 39.407, 409.175 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: Elizabeth Floyd. Elizabeth can be reached at Elizabeth.Floyd@myflfamilies.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

**65C-28.021 Qualified Residential Treatment Programs.**

This rule applies to qualified residential treatment programs (QRTP). A QRTP is a licensed child-caring agency that provides care for youth who have serious emotional or behavioral disorders or disturbances.

(1) Placement of a child in a qualified residential treatment program (QRTP) is for the specific purpose of addressing the child's emotional and behavioral health needs through observation, diagnosis, and treatment in a treatment setting. QRTPs ~~must shall~~ not be used for emergency placements or to provide secure shelter for the child. If the child is in acute psychiatric crisis, the child ~~must shall~~ be referred to a crisis stabilization unit for emergency screening and stabilization in accordance with Sections 394.463 and 394.467, F.S.

(2) The community-based care (CBC) lead agency ~~must shall~~ maintain documentation of a child's placement in a QRTP and is responsible for ensuring that each child receives an a suitability assessment prior to placement in the QRTP.

(3) For placement in a behavioral qualified residential treatment program (BQRTP) licensed pursuant to Rule 65C-46.0211, F.A.C. the assessment must be completed by the Qualified Individual (QI). A Qualified Individual is the child's treating licensed clinical professional, a Qualified Evaluator outlined in s. 39.407(6), F.S., or a Comprehensive Behavioral Health Assessor who meets the qualifications as required in the Agency for Health Care Administration, "Specialized Therapeutic Services Coverage and Limitations Handbook," March 2014, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>.

(a) A child may be placed in a BQ RTP based on the preliminary assessment recommendation from a QI. However, the final assessment by QI must be completed within 30 calendar days to continue placement in the setting.

(b) A preliminary assessment must include the following components:

1. A face-to-face attempt with the child,
2. Review of the Comprehensive Placement Assessment completed during the placement multidisciplinary team staffing pursuant to Rule 65C-30.023, F.A.C., and
3. The reasons that support the preliminary recommendation for placement.

(c) The final assessment must include the components set forth in paragraph (5).

(4) For placements in a QRTP credentialed pursuant to Rule 65C-46.021, F.A.C., the assessment must be completed by a Qualified Evaluator (QE) pursuant to s. 39.407(6), F.S. The assessment must include the components set forth in paragraph (5).

(5)(3) Each placement assessment must include the following components:

(a) A suitability assessment includes the development of Short short term and long term mental and behavioral health goals;

(b) If the child has a serious emotional or behavioral disorder or disturbance, and the use of the Child and Adolescent Needs and Strengths (CANS) Trauma Comprehension assessment tool, March 2013, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-13092>; by a qualified evaluator (QE) to make a determination of placement in a QRTP setting concerning a child who has a serious emotional or behavioral disorder or disturbance.

(4) The suitability assessment must be conducted by a QE who meets the following requirements:

(a) Is a psychiatrist or psychologist pursuant to Section 39.407(6), F.S.;

(b) Has at least 2 years' experience working with children or adolescents involved in the child welfare system of care;

(c) Has no actual or perceived conflict of interest with placement in a QRTP; and

(d) Has completed training pertaining to the population of children in the child welfare system. Training topics shall include, but are not limited to, trauma informed care and human trafficking.

(c)(5) The QE must conduct A a review of prior treatment records and consultation speak with relevant parties in the child's life, including, but not limited to, the guardian ad litem, case manager, current caregiver, the child's family, Department of Juvenile Justice staff worker, treating clinical professional, and the child's attorney; and the permanency team.

~~(a) The treating clinical profession shall be a member of the permanency team.~~

~~(d)(b) The QE shall consider The the recommendation of the child's treating clinical professional; and when conducting the assessment.~~

~~(e)(6) The QE must conduct An an interview with the child.~~

~~1.(a) While face to face contact is the preferred method for contact with the child, the QE may utilize telehealth may be utilized while abiding by the Agency for Health Care Administration (AHCA) telehealth guidelines when using a Medicaid service.~~

~~2.(b) If the child refuses to participate in the interview, the assessment must include When a child refuses to participate in the interview, the QE must make good faith efforts to engage the child. Good faith efforts are defined as documented efforts that demonstrate the assessor QE took all steps in light of the child's age, intelligence, emotional development and stability, and demeanor to enable the child to participate in a conversation with the QE that could aide or assist in obtaining information to determine whether the child needs QRTP placement, meets the criteria for needing placement in a qualified residential treatment program, even if those efforts were not fully successful. Marginal or token efforts to communicate with the child are not sufficient to constitute good faith efforts.~~

~~(7) The QE shall recommend one of the following placement options:~~

~~(a) Placement in a QRTP;~~

~~(b) Placement in a less restrictive setting with wraparound services; or~~

~~(c) Placement in a statewide inpatient psychiatric program.~~

(6) For a child placed in a BQ RTP, if the QI's final assessment does not recommend continued placement, the child welfare professional must request a reconsideration in the event the child has experienced a decompensation in mental, emotional, or behavioral health functioning.

(7) If the reconsideration by the QI does not result in a recommendation to continue placement in a BQ RTP, the child welfare professional must:

(a) Make arrangements to have the child moved from the program within 30 calendar days of the recommendation.

(b) Request a multidisciplinary team staffing pursuant to s. 39.4022, F.S., to determine placement.

(8) If the QE assessor does not recommend initial QRTP placement, the child welfare professional must request a reconsideration in the event the child has experienced a decompensation in mental, emotional, or behavioral health functioning.

~~(8) If the QE was not provided with all components of the clinical record prior to the assessment or the child has experienced a decompensation in mental or behavioral health~~

functioning since the assessment, the assigned child welfare professional may request a reconsideration.

(9) If the QE determines the child does not meet criteria for placement in a QRTP, the child's multidisciplinary team shall offer to assist in developing a plan for necessary treatment and support services for the child in the community.

(10) When the suitability assessment does not recommend placement in a QRTP, the child welfare professional must make arrangements to have the child moved from the program within 30 calendar days of the recommendation.

(9)(11) When the assessor recommends placement in a QRTP, within Within 60 calendar days after initial placement in a QRTP, the Department must shall request the court to approve or disapprove the placement based on the and to consider the suitability assessment, determination, and documentation made by the assessor qualified evaluator. If placement in the QRTP is approved by the court the child welfare professional must request the following if the child remains placed in a QRTP:

(a) A court review every 90 days after the initial 60 day-review, and

(b) An independent assessment which must be completed prior to each 90-day review by the court.

(10) If the assessor does not recommend initial or continued placement in a QRTP, but the court orders the child to be placed in a QRTP ~~after the QE does not recommend placement~~, the assigned child welfare professional must shall request a reconsideration ~~the QE consider doing a new assessment~~.

(12) If placement in the QRTP is approved by the initial 60 day court review, the QE must conduct an independent suitability assessment review at least every 90 days after the child's initial placement so long as the child remains placed in a qualified residential treatment program. It is the child welfare professional's responsibility to request a 90 day review from the QE.

(11)(13) If at any time the court denies the motion to place the child into a QRTP or orders the placement of the child into a less restrictive setting during a review hearing, the child welfare professional will follow local protocol to coordinate the referral and placement of the child into the least restrictive setting that is best suited to meet the child's needs. If the child is already in a QRTP, the The child welfare professional must make arrangements to have the child moved from the QRTP program within 30 calendar days of the determination.

(12)(14) Upon immediate placement of a child in a QRTP, a copy of the assessment must be provided to all parties pursuant to s. 39.407(6)(d) F.S. A copy of the suitability assessment must be provided to the Department, community-based care agency or case management agency, the guardian ad litem, parents, child's attorney, and the court having jurisdiction

~~over the child, all of whom must be provided with the opportunity to discuss the findings with the evaluator.~~

(a) ~~The initial suitability assessment shall include, at minimum, the outcome of the interview with the child, review of prior treatment records, contact with relevant parties, whether or not the QE recommends placement in a QRTP, and attachment of the Department approved evidenced based functional assessment tool.~~

(b) ~~The 90 day independent assessment review may be an addendum to the initial assessment and shall include, at minimum, the outcome of a new interview with the child, review of new treatment records, attachment of the Department approved evidenced based functional assessment tool, documentation of any psychosocial changes, and whether or not the QE recommends continued placement in a QRTP.~~

(13)(15) A a child may not be placed in a QRTP for more than 12 consecutive months or 18 nonconsecutive months, or in the case of a child who has not attained age 13, for more than six 6 consecutive or non-consecutive months, without approval of the Department's ~~Regional Managing Director (RMD) or DCF designee~~. Requests for approval must shall be made using the Qualified Residential Treatment Program (QRTP) Extended Placement Request Form, CF-FSP 5450, Apr 2021, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-13075>. The Department RMD or DCF designee must shall consider the recommendations of the multidisciplinary team staffing conducted within the last 90 calendar days and the most recent suitability assessment recommendation in deciding making a decision whether to approve the continued placement. ~~The RMD or DCF designee shall consult with a Department of Substance Abuse and Mental Health (SAMH) clinical professional regarding their decision to approve.~~ A copy of the signed approval must shall be attached to the child's case plan. The ~~RMD or Department designee~~ must shall provide a determination within seven (7) business days from receipt of the request from the CBC.

(14)(16) Discharge and Aftercare Support.

(a) The child welfare professional must participate in discharge Discharge planning and aftercare support ~~shall be developed~~ to meet the needs of the child with intent for the child to reside in the most appropriate, least restrictive setting. Planning must shall include input from the child, child's parent or guardian, caregiver, ~~the child's case management team, child's attorney, and guardian ad litem.~~

(b) ~~Aftercare support must be offered to all children who were placed and have a suitability assessment and court order recommending placement in a QRTP setting. Aftercare support is not required for youth who discharge to another QRTP setting or higher level of care such as a Statewide In Patient Psychiatric Program (SIPP).~~

~~(b)(e)~~ Aftercare support must be provided for a minimum of ~~six~~ 6 months post discharge. Aftercare support is not required for youth who discharge to another QRTP setting or higher level of care such as a residential treatment program, also known as Statewide In-Patient Psychiatric Program (SIPP), or therapeutic group home which are defined in s. 39.407(6), F.S.

1. The BQRTP must provide after care support to all children discharged if placed within a 50-mile radius of the BQRTP. The child-welfare professional is responsible for aftercare support when a youth is discharged to a placement setting outside a 50-mile radius of the BQRTP.

2. All youth discharged from a QRTP credentialed pursuant to Rule 65C-46.021, F.A.C., will receive after care support from the QRTP credentialed provider.

~~(c)(d)~~ The child welfare professional must ensure written ~~Written~~ aftercare progress reports provided ~~to the child welfare professional~~ by the QRTP ~~are shall be~~ uploaded into the state’s official system of record and the child welfare professional ~~must shall~~ notify the court of the child’s progress during a judicial review.

~~(15)(17)~~ A child who elopes or is admitted to a higher level of care for crisis services, such as a Baker Act, from a QRTP may be readmitted into the same or newly identified QRTP without an additional assessment ~~as so~~ long as the child was not discharged from the QRTP.

~~(16)(18)~~ If a child transfers from one QRTP to another without a lapse in placement, a new assessment is not required. The CBC must coordinate a multidisciplinary staffing with both QRTP providers to complete a transition plan pursuant to s. 39.4023, F.S. discuss the child’s identified needs and sharing of records to allow for adequate continuation of services and treatment.

Rulemaking Authority 39.0121 F.S., 409.175(5), FS. Law Implemented 409.175, 39.407 FS. History–New 5-23-21. 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: November 9, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 28, 2023

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Family Safety and Preservation Program**

RULE NO.: RULE TITLE:  
65C-46.0211 Standards for Licensed Behavioral Qualified Residential Treatment Programs

PURPOSE AND EFFECT: Creates new rule to establish the licensing requirements of qualified residential treatment

programs (QRTP) that will be licensed solely by the Department.

SUMMARY: New rule sets forth licensing requirements for QRTP’s licensed by the Department.

**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.

A SERC has not been prepared.

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

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

RULEMAKING AUTHORITY: 409.175(5) FS.

LAW IMPLEMENTED: 409.175

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: Elizabeth Floyd. Elizabeth can be reached at Elizabeth.Floyd@myflfamilies.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

**65C-46.0211 Standards for Licensed Behavioral Qualified Residential Treatment Programs**

(1) Each behavioral qualified residential treatment program (BQRTP) providing services for youth who have serious emotional or behavioral disorders or disturbances must meet the licensing requirements set forth in rules 65C-46.001 through 65C-46.014, F.A.C., in addition to the program standards in this rule.

(2) File Requirements. Each BQRTP shall obtain a copy of all of the child’s assessments completed as outlined in 65C-28.021, F.A.C., and place it in the child’s file. Each BQRTP serving non-dependency youth shall obtain a

copy of an independent assessment confirming the child meets criteria to receive services in a BQ RTP.

(3) Each BQ RTP shall work in conjunction with the qualified individual, as defined in Rule 65C-28.021, F.A.C., conducting all assessments.

(4) Training.

(a) Each BQ RTP shall ensure all direct care staff complete pre-service training requirements in Rule 65C-46.011(9)(c), F.A.C., and receive an additional 24 hours of specialized training specific to the treatment of serious emotional or behavioral disorders or disturbances. Topics shall include the following:

1. Emotional disturbances in children and common behavioral problems exhibited;
2. Behavior management, theory, and skills;
3. Discipline, limit-setting, logical consequences, problem-solving, and relationship building skills;
4. Crisis intervention and emergency procedures;
5. Behaviors and emotional issues of children who have been sexually abused, are sexually reactive, or have developmental disabilities;
6. Working with biological or adoptive families;
7. Motivational Interviewing; and
8. Understanding the impact of trauma.

(b) Of the 40 hours of annual in-service training required in rule 65C-46.011(9)(d), F.A.C., eight (8) hours shall focus on the treatment of serious emotional or behavioral disorders or disturbances.

(5) Staffing.

(a) Each BQ RTP shall have staff experienced in addressing maladaptive behaviors, registered or licensed nursing staff, and other licensed clinical staff who are:

1. On-site as outlined in the BQ RTP's trauma-informed treatment model;
2. Available 24-hours a day, seven (7) days a week for response; and
3. May be contracted providers.

(b) Each BQ RTP may utilize a shift care staffing model or house parent model.

(6) Accreditation. Each BQ RTP must be accredited by one of the following organizations:

- (a) Commission on Accreditation of Rehabilitation Facilities (CARF);
- (b) The Joint Commission;
- (c) Council on Accreditation (COA); or
- (d) Any other not-for-profit accrediting agency approved by the Department.

(7) Admission.

(a) Each BQ RTP shall develop an admission plan that outlines the intake procedures and identifies exclusionary criteria.

(b) Children requiring services and treatment for acute emotional or behavioral disorders or disturbances outlined in s. 394.492(5) and (6), F.S., should be referred to a residential treatment center licensed under 65E-9, F.A.C.

(8) Basic Service Requirements.

(a) Each BQ RTP shall develop a policy outlining the program's trauma-informed treatment model that addresses the clinical needs of children with emotional or behavioral disorders or disturbances and is able to implement the treatment identified for the child. The policy shall address the staffing requirements needed to implement the trauma-informed model.

(b) Each BQ RTP must provide time-limited, high-quality, supportive services for youth including:

1. Substance abuse and mental health screening and treatment, if applicable;
2. Family/group/individual therapy;
3. Behavioral management;
4. Psychiatric services;
5. Support groups;
6. Specialized intervention services;
7. Social & rehabilitative services; and
8. Psycho-educational services.

(c) Each BQ RTP shall develop a policy outlining the requirement to facilitate participation of family members in the child's treatment program including:

1. Inclusion in family therapy;
2. Outreach to family members, including siblings;
3. Documenting how family members are integrated into the treatment process for the child, including post-discharge; and
4. Documenting how sibling connections are maintained.

(d) Each BQ RTP shall ensure that emotional safety and recovery are assessed, and precautions are taken in regard to the safety of other children in the same setting.

(9) Each BQ RTP is responsible for the development of treatment plans as outlined in Rule 65C-46.012(13), F.A.C. Any BQ RTP enrolled as a Medicaid provider, must complete treatment plans in accordance with Medicaid policy requirements.

(10) Discharge and Aftercare Plans.

(a) The provider shall have, and use on an ongoing basis, a written procedure on discharge planning and aftercare supports that specifies the availability of services and the persons responsible for implementation of the aftercare supports.

(b) Each BQ RTP shall provide discharge planning and family-based aftercare support for at least six (6) months post-discharge.

(c) Discharge planning shall include input from the child, the child's parent or guardian, foster parents, caregiver, Department, and guardian ad litem, and a copy shall be provided to the child welfare professional.

(d) The child’s diagnosis(es) shall be considered during discharge planning and development.

(e) Aftercare support plans shall be developed at least one month prior to discharge.

(f) Aftercare support shall be developed to meet the needs of a child with intent for the child to reside in the most appropriate, least restrictive setting.

(g) Aftercare Support Eligibility for Dependency Youth. Aftercare support must be offered to all children placed in a BQ RTP setting. Aftercare support is not required for youth who discharge to another BQ RTP setting or higher level of care to include residential treatment programs, also known as Statewide Inpatient Psychiatric Program (SIPP), or a therapeutic group home which are defined in s. 39.407(6), F.S.

(h) Aftercare Supports. Each BQ RTP shall provide the following aftercare supports:

1. Community service coordination for the youth and their family/caregiver;

2. Ensure all service referrals are linked and barriers to access services are eliminated;

3. Provide a minimum of two (2) contacts per month, with at least one face to face contact, with the youth and family/caregiver;

4. Provide written progress reports every 30 calendar days to the youth’s child welfare professional, if in foster care.

(i) When a youth is discharged to a placement setting outside a 50-mile radius of the provider, the BQ RTP must coordinate aftercare support with the community-based care lead agency having jurisdiction of the youth. The community-based care lead agency shall resume responsibility for the aftercare support services provided to the dependency youth.

(j) Each BQ RTP may contract/sub-contract with a community provider qualified to provide aftercare services. Rulemaking Authority 409.175(5) FS. Law Implemented 409.175 FS. History–New.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Vanessa Snoddy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 28, 2023

Section III

Notice of Changes, Corrections and Withdrawals

NONE

Section IV  
Emergency Rules

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: 65CER22-1  
RULE TITLE: Standards for Unaccompanied Alien Children and Unaccompanied Refugee Minor Programs

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: On September 28, 2021, the Governor of the State of Florida signed Executive Order 21-223, declaring that the Biden administration’s refusal to faithfully enforce federal immigration laws has led to an unprecedented surge of illegal border crossings at the southwest border of the United States. In July 2021 alone, over 213,000 persons attempted to illegally enter the United States at the southwest border, the highest number in more than 20 years, and another 209,840 persons attempted to illegally enter in August. Note 1. For the entire federal fiscal year of 2021, over 1.7 million foreign nationals were encountered at the southwest border attempting to enter the country illegally. Note 2. In the first quarter of this federal fiscal year, the reported number of such encounters stands at more than 518,000. Note 3. By contrast, in the last full federal fiscal year of the previous administration (federal fiscal year 2020), there were fewer than 460,000 such encounters, and in the fiscal year before that (federal fiscal year 2019), there were fewer than 980,000 encounters. Note 4.

The Biden administration has taken numerous actions to cause and further exacerbate this border crisis. It terminated the previous administration’s Migrant Protection Protocol (MPP) program (also known as the “Remain in Mexico” policy), reinstated a “catch and release” policy, ended further construction of a border wall, and declined to detain and remove certain categories of illegal aliens who had been convicted of committing crimes. The administration’s unlawful termination of MPP was successfully challenged in court, see Texas v. Biden, No. 21-10806 (5th Cir. Dec. 21, 2021), but the Biden administration is currently working to reimplement the program. Its other actions, however, remain in effect.

Notwithstanding that federal immigration law generally requires that aliens entering the United States without a clear right to be admitted (including applicants for asylum) must be detained pending further proceedings, see 8 U.S.C. § 1225(b)(2)(A), id. § 1225(b)(1)(B), the Biden administration has instead been releasing into the interior of the United States large numbers of illegal aliens apprehended at the southwest border. The U.S. Border Patrol released 60,559 illegal aliens from the southwest border in July 2021 alone and another

44,122 in August 2021, a massive increase from the 17 illegal aliens released in December 2020, the last full month of the previous administration. Note 5. During federal fiscal year 2021, the Border Patrol released in total more than 248,000 aliens apprehended at the southwest border, almost all of which occurred after January 2021. Note 6. This number does not reflect additional releases by other elements of the U.S. Department of Homeland Security (DHS). In an October 20, 2021 letter, DHS confirmed that at least 5,900 single illegal alien adults who were released at the southwest border have reported to an Immigration and Customs Enforcement (ICE) field office in Florida. This number likely vastly underreports the number of released illegal aliens from the southwest border who have resettled in Florida because approximately 80% of aliens who are released at the border and are directed to report to an ICE office within 60 days reportedly fail to do so. Note 7. Because the Federal Government does not actively coordinate or consult with the State of Florida concerning the illegal aliens that it releases from the southwest border into the interior of the United States, the State of Florida has no knowledge about the backgrounds, criminal history, immigration status, or the status of removal proceedings for the aliens who have resettled in Florida. The State of Florida has brought a legal challenge to the Biden administration's unlawful "catch and release" policy, which is now pending in the U.S. District Court for the Northern District of Florida. See First Amended Complaint for Declaratory and Injunctive Relief, *State of Florida v. United States*, No. 3:21-cv-01066-TKW-EMT (N.D. Fla. Feb. 1, 2022) (articulating harms to the State of Florida because of the Biden administration's "catch and release" policy).

The surge of foreign nationals attempting to enter illegally at the southwest border has included a large number of Unaccompanied Alien Children (UAC), defined by federal law as a child who has no lawful immigration status; has not attained 18 years of age; and, with respect to whom, there is no parent or legal guardian in the United States, or no parent or legal guardian in the United States available to provide physical custody and care, see 6 U.S.C. § 279(g)(2). Over 146,000 encounters at the southwest border for federal fiscal year 2021 involved UAC or single minors, compared to approximately 33,000 in fiscal year 2020 and 80,000 in fiscal year 2019. Note 8. For federal fiscal year 2022, the number of such encounters has already reached more than 85,000. Note 9. Under existing federal law, the U.S. Department of Health and Human Services (HHS) must take custody of these UAC and attempt to place them with sponsors in the United States until the UAC's immigration proceedings are completed. While the UAC await placement with a sponsor, HHS will often house the UAC in group home facilities or foster homes that are operated by private entities or individuals under contract with HHS and licensed by the states where the facilities or homes are located.

It is estimated that at least 4,284 UAC were housed in group home facilities or foster homes in Florida over the last year. During federal fiscal year 2021, 11,145 UAC were placed with sponsors in Florida, more than the 10,773 UAC placed in California, a substantially larger state. Note 10. So far during federal fiscal year 2022, 6,659 UAC have already been placed in Florida. Note 11.

Neither DHS nor HHS actively coordinates or consults with the State of Florida, including the Department, on the UAC that are resettled in Florida. The State does not receive meaningful, if any, advance notice when UAC are transported to Florida and is not meaningfully consulted on the number of UAC that the State's child-caring resources and capacity could feasibly support without adversely affecting children already present in Florida and under the State's protection and care. Recently, the State of Florida discovered that, between May and October 2021, there were 78 flights that arrived in Florida likely transporting UAC. This occurred without advance notice to the Department and without the State's consent. The State is given no opportunity to object to the transportation or resettlement of UAC in Florida.

Moreover, the State receives no information on the background, criminal history, immigration status, status of removal proceedings, or the sponsors of the UAC brought to Florida. See, e.g., Letter from Governor Ron DeSantis to DHS Secretary Alejandro Mayorkas, Resettlement of Illegal Aliens in Florida, Aug. 26, 2021; Letter from Acting ICE Director Tae Johnson to Governor Ron DeSantis, Oct. 20, 2021; Letter from DHS Secretary Alejandro Mayorkas to Governor Ron DeSantis, Nov. 24, 2021. UAC are regularly placed with sponsors without adequate follow-up by HHS or the placement entities to ensure the safety and welfare of the UAC. According to a recent report, between January and May 2021, federal contractors responsible for placing UAC with sponsors across the United States were unable to reach the minor or the sponsor in roughly one of every three attempts. Note 12. Nor does the State have any assurance that the UAC are, in fact, minors. As a result of the chaos at the southwest boarder, there is a significant risk of insufficient and inaccurate vetting of people claiming protection as UAC. Many UAC are male teenagers nearing adulthood, and some are gang members when they arrive or later become gang members. Note 13. Recently, a 24-year-old Honduran national was charged with murder in Florida after having falsely represented his age and having been released into the United States as a UAC. Note 14. In short, the Federal Government has failed to provide the State of Florida with sufficient answers to its requests for information on the resettlement of illegal aliens, including UAC, so that their safety and the safety and welfare of Florida's citizens, including children already present in Florida, can be secured. The Federal Government's failure to enforce federal immigration law and secure the border, as well as the absence



of meaningful coordination and consultation concerning the resettlement of UAC in Florida, are an immediate danger to the safety and welfare of Floridians, including its most vulnerable children, as well as recently arrived UAC. (The Federal Government's conduct with respect to the resettlement of UAC in Florida stands in stark contrast to the Federal Government's conduct with respect to the resettlement of Unaccompanied Refugee Minors (URM), where the Federal Government has a cooperative agreement in place with the State of Florida.)

To date, the Department has generally granted licenses to facilities that sought to house UAC brought to Florida by HHS. In light of the crisis described above, Section 8 of Executive Order 21-223 directed the Department to "determine whether the resettlement of unaccompanied alien children in Florida from outside of the state constitutes 'evidence of need' under section 409.175(5)(b)(1), Florida Statutes, sufficient to justify the award of a license under Florida law to family foster homes, residential child-caring agencies, or child-placing agencies that seek to provide services for unaccompanied alien children." "To the extent that such resettlement of unaccompanied alien children in Florida is determined not to constitute 'evidence of need' under Florida law," the executive order directed the Department to "amend, if necessary, Florida Administrative Code Rule 65C-46.022, 'Standards for Unaccompanied Alien Children (UAC) Homes and Unaccompanied Refugee Minor Programs,' in accordance with state law, to reflect the Department's determination." In this Emergency Rule, the Department determines that an application for issuance or renewal of a license to house UAC or URM, who are being resettled in Florida from outside of the state, does not constitute "evidence of need," § 409.175(5)(b)1, Florida Statutes, "to protect the health, safety, and well-being of all children in the state" cared for by residential child-caring agencies, § 409.175(1)(a), Florida Statutes, in the absence of a cooperative agreement between the State of Florida and the Federal Government in which the State of Florida is entitled, at a minimum, to advance notice and meaningful consultation before the resettlement of such UAC or URM in Florida. The Emergency Rule also prohibits existing licensees from adding to their existing UAC population and imposes additional requirements to ensure that such licensees protect the safety and welfare of UAC that they place with sponsors in the state.

Given the ongoing crisis at the border, including the Federal Government's failure to enforce federal immigration law and to secure the border, the resettlement of UAC in Florida, its ongoing refusal to provide meaningful coordination and consultation, its failure to provide adequate protection for and supervision of UAC once they are placed with sponsors in the state, and its failure to adequately screen purported UAC (as evidenced by the recent murder charge brought against an adult foreign national who misrepresented his age to gain entry to the

United States), emergency rulemaking is justified and necessary.

Note 1: Rebecca Beitsch, US-Mexico July Border Crossings Hit 20 Year High, *The Hill* (Aug. 12, 2021), <https://thehill.com/policy/national-security/567647-us-mexico-july-border-crossings-near-20-year-high>; see U.S. Customs & Border Prot., Southwest Land Border Encounters, <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters> (last updated May 3, 2022) (showing 213,593 for July and 209,840 for August).

Note 2: U.S. Customs & Border Prot., Southwest Land Border Encounters, *supra* note 1.

Note 3: *Id.*

Note 4: *Id.*

Note 5: See U.S. Customs & Border Prot., Custody and Transfer Statistics FY2021, <https://www.cbp.gov/newsroom/stats/custody-and-transfer-statistics-fy2021> (last accessed May 23, 2023).

Note 6: See *id.*

Note 7: See Mark Krikorian, Immigration Enforcement on the Honor System, <https://www.nationalreview.com/corner/immigration-enforcement-on-the-honor-system/> (July 16, 2021). In addition, between federal fiscal year 2008 and 2019, "32 percent of aliens referred to [immigration courts] absconded into the United States" and did not report to their hearings. See Memorandum Opinion and Order, *Texas v. Biden*, No. 2:21-CV-067-Z, 2021 WL 3603341, at \*4 (N.D. Tex. Aug. 13, 2021).

Note 8: See U.S. Customs & Border Prot., Southwest Land Border Encounters, *supra* note 1.

Note 9: See *id.*

Note 10: See Office of Refugee Resettlement, Unaccompanied Children Released to Sponsors by State (June 24, 2021), <https://www.acf.hhs.gov/orr/grant-funding/unaccompanied-children-released-sponsors-state>.

Note 11: See *id.*

Note 12: See Stef W. Knight, Exclusive: Government Can't Reach One-in-Three Released Migrant Kids (Sept. 1, 2021), <https://www.axios.com/migrant-children-biden-administration-a597fd98-03a7-415c-9826-9d0b5aaba081.html>.

Note 13: See Camilo Montoya-Galvez, U.S. Shelters Received a Record 122,000 Unaccompanied Migrant Children in 2021, *CBS News* (Dec. 23, 2021), <https://www.cbsnews.com/news/immigration-122000-unaccompanied-migrant-children-us-shelters-2021/> (stating that nearly three-quarters of unaccompanied minors encountered at the border during the 2021 fiscal year were believed to be ages 15 to 17 and roughly two-thirds of the total were males); Kerry J. Byrne, The Number of Adult Migrants Posing as Children at Border Surging, *N.Y. Post* (Nov. 13,

2021), <https://nypost.com/2021/11/13/the-number-of-adult-migrants-posing-as-children-at-border-surgings/> (reporting that about “30% of the MS-13 members arrested in recent years by ICE originally entered the U.S. as unaccompanied minors”); see also Written testimony of CBP U.S. Border Patrol Acting Chief of Carla Provost for a Senate Committee on the Judiciary hearing titled “The MS-13 Problem: Investigating Gang Membership As Well As Its Nexus to Illegal Immigration, and Assessing Federal Efforts to End the Threat”, Department of Homeland Security (June 21, 2017), <https://www.dhs.gov/news/2017/06/21/written-testimony-cbp-senate-committee-judiciary-hearing-titled-ms-13-problem#fn3>; Unaccompanied child immigration loophole releases MS-13 gang members, AP News (Jan. 13, 2019), <https://apnews.com/article/5d2784fb7c909b43791d6aea63339a6c>.

Note 14: See Adam Shaw, Honduran Illegal Immigrant Charged with Murder Entered US Falsely Claiming to be Unaccompanied Minor: Report (Nov. 4, 2021), <https://www.foxnews.com/politics/honduran-illegal-immigrant-charged-murder-entered-us-unaccompanied-minor>.

**REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES:** The procedure is fair under the circumstances because the Emergency Rule ends the State’s practice of facilitating the Federal Government’s UAC resettlement program without terminating existing licenses or otherwise permanently foreclosing the issuance of licenses for UAC in the future. Instead, going forward, the State will require a meaningful cooperative agreement with the Federal Government, including a commitment to resume full enforcement of the immigration laws and to secure the border, before issuing or renewing licenses for housing UAC. (The same principle will apply for licenses to house URM, but there is a cooperative agreement with the Federal Government already in place.) In the meantime, existing licensees will not be permitted to add to their existing UAC population and will be subject to additional obligations to ensure the welfare and safety of the UAC whom they place with sponsors in Florida, but their existing licenses will not be cancelled.

**SUMMARY:** The Emergency Rule addresses licensing requirements for any residential child-caring agency, child-placing agency, or family foster home seeking to provide services for UAC or URM. The Department has adopted Rule 65C-9.004, F.A.C., but it is awaiting legislative ratification. This rule provides that the resettlement of UAC or URM by the Office of Refugee Resettlement (ORR) into Florida does not constitute “evidence of need” under section 409.175(5)(b)1, Florida Statutes, “to protect the health, safety, and well-being of all children in the state” cared for by residential child-caring agencies, § 409.175(1)(a), in the absence of a cooperative agreement between the State of Florida and the Federal

Government. The Emergency Rule also prohibits existing licensees from adding to their UAC population and requires such licensees to conduct welfare checks of the UAC whom they place with sponsors in Florida.

**THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS:** Elizabeth Floyd at [Elizabeth.Floyd@myflfamilies.com](mailto:Elizabeth.Floyd@myflfamilies.com)

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

**65CER22-1 Standards for Unaccompanied Alien Children and Unaccompanied Refugee Minor Programs (Renewal).**

(1) Any residential child-caring agency, child-placing agency, or family foster home, as those terms are defined in 409.175(2), F.S., seeking to provide services for Unaccompanied Alien Children (UAC) and Unaccompanied Refugee Minors (URM) must meet licensing requirements herein in addition to the program standards for the type of license sought.

(2) For purposes of section 409.175(5)(b)1, F.S., which requires “evidence of need” to obtain a license, and section 409.175(1)(a), F.S., which provides that the purpose of the licensure requirement is to “protect the health, safety, and well-being of all children in the state” who are cared for by residential child-caring agencies or family foster homes, or placed by child-placing agencies, the planned and organized resettlement of UAC or URM by the Office of Refugee Resettlement (ORR) of the U.S. Department of Health and Human Services does not constitute evidence of need as required for issuance or renewal of a license for a residential child-caring agency, child-placing agency, or family foster home that seeks to provide services to such UAC or URM, unless such resettlement is governed by a cooperative agreement between the State of Florida and the United States Government. In the absence of such cooperative agreement, no license will be issued or renewed with respect to any residential child-caring agency, child-placing agency, or family foster home that applies to provide services for UAC or URM resettling to Florida, and any residential child-caring agency, child-placing agency, or family foster home providing such services under a current license to UAC or URM who have already resettled in Florida may not further place or take placement of any additional UAC or URM until a cooperative agreement is entered. For purposes of this rule, the term “resettlement” means the transportation of persons to Florida for the purpose of temporarily or permanently residing in Florida. The Department has no obligation to enter or renew a cooperative agreement with the United States Government for the resettlement of UAC or URM to Florida, and the

Department may revoke or decline to enter or renew such agreement.

(3) The child-placing agency or residential child-caring agency, whichever is applicable, must ensure a contractual or grant agreement was executed between ORR and the child-placing agency or residential child-caring agency in order to provide care and services to UAC.

(4) The child-placing agency or residential child-caring agency, whichever is applicable, must ensure a contractual or grant agreement was executed between the U.S. Government and the State of Florida in order to provide care and services to URM.

(5) Care and supervision of UAC, URM, and dependent youth may not be provided in the same home or under the same license. The child-placing agency must ensure foster parents comply with this requirement.

(6) For a residential child-caring agency, the director and direct care staff must sign and comply with the plan applicable to the licensed setting. For a foster home, the child-placing agency must ensure the foster parents sign and comply with the plan applicable to the licensed setting. Residential child-caring agencies, child-placing agencies, or foster homes that provide services for UAC must use the "Plan for Unaccompanied Alien Children" Form, CF-FSP 5488, February 2022, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-14108>. Residential child-caring agencies, child-placing agencies, or foster homes that provide services for URM must use the "Partnership Plan for Unaccompanied Refugee Minors," Form CF-FSP 5487, February 2022, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-14107>.

(7) The residential child-caring agency or child-placing agency, whichever is applicable, must conduct in-person welfare checks of any UAC that it places, or assists in placing, with a sponsor after the effective date of this rule to ensure each child's safety and well-being.

(a) The welfare checks must be completed a minimum of once every six months until one of the following occurs:

1. The child reaches the age of 18;
2. The child permanently leaves Florida;
3. The child is removed from the United States;
4. The child is granted lawful immigration status; or
5. The residential child-caring agency or child-placing agency closes or is no longer licensed.

(b) The welfare checks must include:

1. Verifying the identity of the child through previously submitted photographs obtained by the child-placing or residential child-caring agency;
2. Taking a photograph of the child;

3. Looking for any unusual marks on visible parts of the body;

4. Speaking with the child about any issues he or she may be experiencing; and

5. Speaking with the caregiver about the child's well-being and basic needs.

(c) The child-caring or child-placing agency must report the results of the welfare checks to the Department or, if applicable, the Florida Abuse Hotline as follows:

1. Suspected incidents of child abuse and neglect must be immediately reported to the Florida Abuse Hotline in accordance with Chapter 39, F.S.

2. If the welfare check does not reveal any of the incidents described in (7)(c)1. of this rule, then the report must be made no later than the fifth (5th) day of the month following the date the welfare check was conducted, e.g., if a welfare check is completed on January 15, then the report must be made no later than February 5. The report must include the following:

- a. Name of the child and date of birth.
- b. Date the welfare check was conducted.
- c. Name of the child's caregiver.
- d. Location of the in-person welfare check.
- e. Statement affirming that there were no presenting issues or concerns.
- f. Any indication that the child is no longer residing in or is temporarily relocated from the sponsor's home, to include that the child has been determined to be missing or the child's whereabouts are unknown.

(8) Any child-placing agency or residential child-caring agency that provides care to URM must adhere to all contractual and federal case management requirements when conducting in-person child welfare checks.

(9) The residential child-caring agency must ensure all direct care staff complete training hours on immigration in child welfare, cultural awareness, and human trafficking related topics, as outlined in section 4.3.6. of the Office of Refugee and Resettlement UAC Program Policy, March 11, 2019, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-13072>. The child-placing agency must ensure foster parents complete training hours outlined in 65C-45.002, F.A.C.

(10) The child-placing agency or residential child-caring agency must provide a copy of its education plan outlining how education will be provided.

(11) The child-placing agency or residential child-caring agency must develop policies and procedures on the administration and management of medication. A licensed health care provider must write or verbally order all nonprescription medications. Verbal orders must be documented in the child's file. The residential child-caring

agency or child-placing agency must align all health and safety policies with ORR guidelines.

(12) The child-placing agency or residential child-caring agency must notify the Department of any changes in the contract/grant agreement with ORR, and submit an updated copy, to include ORR’s decision to no longer utilize the facility.

(13) For purposes of this rule, the term “Unaccompanied Alien Child” has the same meaning as in 6 U.S.C. § 279(g)(2), and the term “Unaccompanied Refugee Minor” means an unaccompanied minor, as defined in 45 C.F.R. §400.111, who has met the federal eligibility standards for placement into the Unaccompanied Refugee Minor Program.

(14) This Emergency Rule will expire on February 27, 2024.

PROPOSED EFFECTIVE DATE: November 29, 2023.  
Rulemaking Authority 409.175(5) FS. Law Implemented 409.175 FS.

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

EFFECTIVE DATE: November 29, 2023

### Section V

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on November 28, 2023, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for An Emergency Variance for Subparagraph 3-305.11(A)(2), 2017 FDA Food Code, Section 3-305.14, 2017 FDA Food Code, Section 6-202.15, 2017 FDA Food Code, Section 6-202.16, 2017 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from Sunland Catering LLC located in Panama City Beach. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle. The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Lee@myfloridalicense.com, Division of

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

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: RULE TITLE:

64B12-16.003 Apprenticeship Requirements and Training Program

NOTICE IS HEREBY GIVEN that on November 27, 2023, the Board of Opticianry, received a petition for variance and waiver filed by Niran Kartanowicz. Petitioner seeks a variance or waiver of Rule 64B12-16.003, F.A.C., which requires any persons seeking Apprenticeship Requirements and Training Program. Comments on this petition should be filed with the Board of Opticianry, 4052 Bald Cypress Way, Bin C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ashleigh Irving, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin C08, Tallahassee, Florida 32399-3258.

### Section VI

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

DEPARTMENT OF LAW ENFORCEMENT

Public Safety Division

The Monitoring of Children in Out-of-Home Care Task Force - Meeting announces a public meeting to which all persons are invited.

DATE AND TIME: December 15, 2023, 10:00 a.m.

PLACE: Microsoft Teams Meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: The above meeting is held to convene members of the Task Force on the Monitoring of Children in Out-of-Home Care.

A copy of the agenda may be obtained by contacting: Wendy Prince at (850)410-7001.

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: Wendy Prince at (850)410-7001. 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: Wendy Prince at (850)410-7001.

**DEPARTMENT OF TRANSPORTATION**

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

**DATES AND TIMES:** December 5, 6, & 7, 2023, 5:30 p.m. - 7:30 p.m.

**PLACES:** December 5: Taft Community Center, 9450 S. Orange Avenue, Orlando, FL 32824; December 6: Holiday Inn, 10771 International Drive, Orlando, FL 32821; December 7: Delta Hotels by Marriott, 12490 S. Apopka Vineland Road, Orlando, FL 32836

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of this project is to evaluate options for the expansion of SunRail commuter rail service from the existing SunRail corridor to the Orlando International Airport (MCO) and to the Orange County Convention Center and South International Drive areas. Additional details are available in the project information handout. The public meetings are being held to present information and receive community feedback.

A copy of the agenda may be obtained by contacting: All meeting materials, including the presentation, will be available on the project website at <https://www.cflroads.com/project/451404-1> prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Catherine Koval, Michael Baker International, by phone at (904)380-2523 or by email at [Catherine.Koval@mbakerintl.com](mailto:Catherine.Koval@mbakerintl.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: FDOT Project Manager David Cooke by phone at (386)943-5107, by email at [David.Cooke@dot.state.fl.us](mailto:David.Cooke@dot.state.fl.us), or by U.S. mail at Florida Department of Transportation, 719 S. Woodland Blvd., MS 530, DeLand, FL 32720

**DEPARTMENT OF TRANSPORTATION**

Florida Seaport Transportation and Economic Development Council

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

**DATE AND TIME:** Wednesday, December 13, 2023, 2:30 p.m.

**PLACE:** Microsoft Teams meeting

Call-in Number: (323)694-0110

Conference ID#: 276339822#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business.

A copy of the agenda may be obtained by contacting: Emily Fisher in the Florida Ports Council offices at (850)222-8028 or email [emily.fisher@flaports.org](mailto:emily.fisher@flaports.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Emily Fisher in the Florida Ports Council offices at (850)222-8028 or email [emily.fisher@flaports.org](mailto:emily.fisher@flaports.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Emily Fisher in the Florida Ports Council offices at (850)222-8028 or email [emily.fisher@flaports.org](mailto:emily.fisher@flaports.org).

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

The Florida Department of Environmental Protection's Office of Resilience and Coastal Protection announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, December 13, 2023, 6:00 p.m.

**PLACE:** Guana Tolomato Matanzas National Estuarine Research Reserve (GTMNERR), Marineland Field Office, 9741 Ocean Shore Blvd., St. Augustine, Florida, 32080

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Management Advisory Group for GTMNERR will hold a meeting to provide advisory input for the management of GTMNERR.

A copy of the agenda may be obtained by contacting: Kirstin Thompson by email: [Kirstin.T.Thompson@FloridaDEP.gov](mailto:Kirstin.T.Thompson@FloridaDEP.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: Kirstin Thompson at (904)380-8600. 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 Nursing Home Administrators

The Board of Nursing Home Administrator announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, January 12, 2024, 9:00 a.m.

**PLACE:** The Westshore Grand 4860 W. Kennedy Blvd, Tampa, FL 33609

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

General board business, to include licensure and discipline.

A copy of the agenda may be obtained by contacting:  
<https://floridasnursinghomeadmin.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: [MQA.NursingHomeAdmin@flhealth.gov](mailto:MQA.NursingHomeAdmin@flhealth.gov). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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:  
[MQA.NursingHomeAdmin@flhealth.gov](mailto:MQA.NursingHomeAdmin@flhealth.gov).

**DEPARTMENT OF HEALTH****Board of Opticianry**

The Board of Opticianry, Optical Establishments announces a public Probable Cause Panel Meeting with Reconsiderations to which all persons are invited. announces a public meeting to which all persons are invited.

DATE AND TIME: December 14, 2023, 2:00 p.m., EST

PLACE: Please join my meeting from your computer, tablet or smartphone using Microsoft Teams at [Click here to join the meeting](#) or by phone at (850)792-1375 using Access Code: 718-679-983#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
Probable Cause Panel Meeting with Reconsiderations.

A copy of the agenda may be obtained by contacting: the board office at (850)245-4292 or by visiting our website at <https://floridasopticianry.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 7 days before the workshop/meeting by contacting: the board office at (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: the board office at (850)245-4292.

**DEPARTMENT OF HEALTH****Division of Children's Medical Services**

The State Child Abuse Death Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: December 15, 2023, 9:00 a.m. – 4:00 p.m.

PLACE: Hilton Orlando, 6001 Destination Parkway, Orlando, FL 32819

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To provide data analysis updates, case review status updates, review State Committee recommendations, prevention initiatives and action planning, share CADR related resources and opportunities.

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

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

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

**DEPARTMENT OF HEALTH****Division of Emergency Preparedness and Community Support**

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

DATES AND TIMES: Tuesday, January 9, 2024, 8:30 a.m. – 5:30 p.m.; Wednesday, January 10, 2024, 8:00 a.m. – 5:30 p.m.; Thursday, January 11, 2024, 8:00 a.m. – 5:30 p.m.; Friday January 12, 2024, 9:00 a.m. – 12:00 noon, EST

PLACE: Orange County Convention Center West Concourse, Orlando, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The EMS Advisory Council is meeting to conduct the general business of the council in accordance with Florida Statute 401.245

A copy of the agenda may be obtained by contacting: Amy Lefstead by email: [Amy.Lefstead@flhealth.gov](mailto:Amy.Lefstead@flhealth.gov), or by phone: (850)558-9544.

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: Amy Lefstead by email: [Amy.Lefstead@flhealth.gov](mailto:Amy.Lefstead@flhealth.gov), or by phone: (850)558-9544. 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: Amy Lefstead by email: Amy.Lefstead@flhealth.gov, or by phone: (850)558-9544.

**DEPARTMENT OF CHILDREN AND FAMILIES**

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

DATE AND TIME: January 4, 2024, 3:00 p.m.

PLACE: Virtual Meeting via computer, tablet or smartphone: <https://meet.goto.com/SolicitationAdministration> or phone: (Toll Free) 1(866)899-4679, or 1(571)317-3116, Access Code: 687-621-357

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Response Opening is to open vendor responses to DCF ITN 2223 037. The Department encourages all prospective Vendors to participate in the Response Opening DCF ITN 2223 037 – FSH Environmental Housekeeping and Facilities Maintenance. The solicitation advertisement can be accessed on the Vendor Information Portal (VIP): <https://vendor.myfloridamarketplace.com/>

The Department will post notice of any changes or additional meetings within VIP. Agenda for the meeting is as follows:

- I. Introductions
- II. Public Comments
- III. Opening of Responses
- IV. Adjournment

A copy of the agenda may be obtained by contacting: Alicia.Reifinger@myflfamilies.com

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Alicia.Reifinger@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Alicia.Reifinger@myflfamilies.com

**DEPARTMENT OF MILITARY AFFAIRS**

The Florida National Guard Foundation announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 15, 2023, 6:30 p.m.

PLACE: Zoom Meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: Current finances

Discuss possible Fundraising.

Bring new members to the Board

A copy of the agenda may be obtained by contacting: [flngfoundation@gmail.com](mailto:flngfoundation@gmail.com)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: [flngfoundation@gmail.com](mailto:flngfoundation@gmail.com), (904)501-3478. 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: Debra A. Cox, Executive Director, [flngfoundation@gmail.com](mailto:flngfoundation@gmail.com).

**FLORIDA INSURANCE GUARANTY ASSOC., INC.**

The FIGA Board of Directors' announces a public meeting to which all persons are invited.

DATE AND TIME: December 11, 2023, 9:00 a.m.

PLACE: Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to discuss general business of the Association. The agenda will include but not limited to: Financial, Claims and Operations Reports.

A copy of the agenda may be obtained by contacting: Susan Ferguson, (850)386-9200.

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: Susan Ferguson, (850)386-9200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**FLORIDA SPORTS FOUNDATION**

The Florida Sports Foundation Grant Committee announces a public meeting to which all persons are invited.

DATE AND TIME: November 30, 2023. 10:00 a.m.

PLACE: 1(888)585-9008

password 898-746-460 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly grant meeting

A copy of the agenda may be obtained by contacting: Joe Piotrowski, [jp Piotrowski@playinflorida.com](mailto:jp Piotrowski@playinflorida.com)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Joe Piotrowski, jpiotrowski@playinflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Joe Piotrowski, jpiotrowski@playinflorida.com.

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

**DEPARTMENT OF HEALTH**

Board of Pharmacy

RULE NO.: RULE TITLE:

64B16-28.301 Destruction of Controlled Substances - Institutional Class I Pharmacies (Nursing Homes)

NOTICE IS HEREBY GIVEN that the Board of Pharmacy has received the petition for declaratory statement from Michael Gennett, on behalf of Classic Residence Management Limited Partnership d/b/a Vi, filed on November 15, 2023. The petition seeks the agency's opinion as to the applicability of Rule 64B16-28.301, F.A.C., as it applies to the petitioner.

Petitioner asks the Board to issue a Declaratory Statement regarding whether the interpretation of the above rule, in compliance with federal and state statutes, would permit a long-term facility to dispose of controlled substances in Schedules I, II, III, IV, and V on behalf of an ultimate user who resides, or has resided, at such long-term facility, by transferring those controlled substances (for the purpose of destruction) into an authorized collection receptacle located at that long-term care facility and maintained by an authorized retail pharmacy. 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: Allison Dudley, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C08, Tallahassee, Florida 32399-3258 or by email at info@floridaspharmacy.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:

**NONE**

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

**NONE**

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

**NONE**

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

**NONE**

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DEP ITB 2024005 Specialty Gases (Cylinder, Micro-Bulk, and Bulk)

The Florida Department of Environmental Protection is requesting Bids for Specialty Gases (Cylinder, Micro-Bulk, and Bulk). The Department will post notice of any changes or additional meeting(s) on the Vendor Information Portal (VIP) in accordance with section 287.042(3), Florida Statutes, and will not re-advertise any notice in the Florida Administrative Register (FAR). Access the VIP at: <https://vendor.myfloridamarketplace.com/>

DEPARTMENT OF FINANCIAL SERVICES  
2324-06 RFP OIR - Residential Wind-Loss Mitigation Study  
Notice of Request for Proposals  
Office of Insurance Regulation



2324-06 RFP OIR

Residential Wind-Loss Mitigation Study

The Florida Office of Insurance Regulation (Office), an agency of the State of Florida (State), is issuing this Request for Proposals (RFP) to establish a contract for the provision of a residential wind-loss mitigation study as authorized by the Florida Legislature in section 5, Ch. 2023-175, Laws of Florida. The solicitation will be administered through the Vendor Information Portal (VIP). The solicitation will be administered through the Vendor Information Portal (VIP). The submitted Proposal must comply with the terms and conditions stated in the RFP.

Point of Contact/Procurement Officer: The assigned Procurement Officer is Edward Nabong: DFSPurchasing@myfloridacfo.com.

Proposal Due Date: Proposals are due on January 12, 2024 by 1:00 p.m., ET, and must be submitted to the attention of the Procurement Officer identified above, at the following address: Department of Financial Services, Larson Bldg., Suite 146 – Office of Purchasing and Contractual Services, 200 East Gaines Street, Tallahassee, Florida 32399-0347

Proposals will be opened at 1:15 p.m., ET on January 12, 2024. Vendors may attend this public opening of Proposals in person at the address below or via conference line at (888)585-9008 (Conference No.: 819-252-704).

Office of Insurance Regulation, 200 E. Gaines Street, Larson Building-Room 116, Tallahassee, FL, 32399

The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to any public meeting identified within the solicitation. The Department will post notice of any changes regarding this solicitation or additional meetings within the VIP in accordance with Section 287.042(3), Florida Statutes, and will not re-advertise the notice in the Florida Administrative Register (FAR). To access the VIP go to the following web address: <https://vendor.myfloridamarketplace.com/>.

ADA Requirements: Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in any meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Procurement Officer – see 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).

MID-FLORIDA AREA AGENCY ON AGING

Notice of Request for Proposal (RFP)/Bidders Conference

Competitive proposals for the designation of Community Care for the Elderly Lead Agencies will be received by the Mid-Florida Area Agency on Aging dba Elder Options until 4:00 p.m. on January 31, 2024. The Community Care for the Elderly Lead Agency designation includes the provision of an array of

home and community based services to frail older persons. A Community Care for the Elderly Lead Agency will be designated for each county in Planning and Service Area 3. These counties are: Alachua, Bradford, Citrus, Columbia, Dixie, Gilchrist, Hamilton, Hernando, Lafayette, Lake, Levy, Marion, Putnam, Sumter, Suwannee, and Union. The Community Care for the Elderly program is administered pursuant to provisions of Chapter 430, F.S. Contracts are awarded contingent upon the availability of funds.

Details for the RFP are available on the Elder Options website ([www.agingresources.org](http://www.agingresources.org)) under the “NEWS” section beginning November 29, 2023. Elder Options reserves the right to reject any and all proposals.

A Bidders Conference will be conducted concerning this Request for Proposal at 1:00 p.m. on December 14, 2023 at the office of Elder Options, located at 100 SW 75 Street, Suite 301, Gainesville, Florida 32607 and via Zoom.

A Notice of Intent must be submitted, per instructions in the RFP, by 5:00 p.m. on December 21, 2023 by each entity that intends to submit an RFP. In the event less than two Notices of Intent are received per county, per Ch. 287, F.S., the Area Agency on Aging will institute the Exceptional Purchase provisions for a single source contract.

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., Wednesday, November 22, 2023 and 3:00 p.m., Tuesday, November 28, 2023.

Rule No.	File Date	Effective Date
60GG-2.008	11/28/2023	12/18/2023
61G15-22.006	11/28/2023	12/18/2023
64B12-9.0015	11/28/2023	12/18/2023
64B12-15.001	11/28/2023	12/18/2023
64B12-15.008	11/28/2023	12/18/2023
64B16-28.120	11/28/2023	12/18/2023
64B33-3.001	11/28/2023	12/18/2023
65ER22-1 (renewal)	11/27/2023	11/29/2023
68B-13.0015	11/28/2023	12/18/2023
68B-13.008	11/28/2023	12/18/2023

<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
40C-4.091	3/31/2023	**/**/****
40C-41.043	3/31/2023	**/**/****
40E-4.091	6/26/2023	**/**/****
60FF1-5.009	7/21/2016	**/**/****
62-330.010	4/28/2023	**/**/****
62-330.050	4/28/2023	**/**/****
62-330.055	4/28/2023	**/**/****
62-330.301	4/28/2023	**/**/****
62-330.310	4/28/2023	**/**/****
62-330.311	4/28/2023	**/**/****
62-330.350	4/28/2023	**/**/****
62-330.405	4/28/2023	**/**/****
64B8-10.003	12/9/2015	**/**/****
65C-9.004	3/31/2022	**/**/****

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Division of Motor Vehicles

Relocation of CVL, LLC, dba Kisselback Ford

Notice of Publication for the Relocation of a Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to section 320.642, Florida Statutes, notice is given that Ford Motor Company, intends to allow the relocation of CVL, LLC, dba Kisselback Ford as a dealership for the sale of automobiles manufactured by Ford Motor Company (line-make FORD) from its present location at 1118 13th Street, Saint Cloud, (Osceola County), Florida 34769, to a proposed location at TWIN LAKES RANCHETTES PB 1 PG 406 BLK A LOTS 4 & 5 LESS COM AT NE COR OF SEC, S 1550.09 FT TO C/L SR 500, N 81 DEG W 733.75 FT, N 09 DEG E 33.00 FT TO POB, N 88.14 FT TO PT ON NON TAN CURVE, CONC NELLY RAD 22788.31 FT, TAN BRG N 83 DEG W, NWLY 487.10 FT, S 71.68 FT, S 81 DEG E 489.24 FT TO POB E Irlo Bronson Memorial Highway, Saint Cloud, (Osceola County), Florida 34771, on or after December 29, 2023.

The name and address of the dealer operator(s) and principal investor(s) of CVL, LLC are dealer operator(s): CVL Automotive Group, Inc, 300 South Orange Avenue, Ste 1000, Orlando, Florida 32801, principal investor(s): Robert Kisselback, 2500 Tyron Place, Windermere, Florida 34786.

The notice indicates intent to relocate the franchise in a county of more than 300,000 population, according to the latest

population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

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

A copy of such petition or complaint must also be sent by US Mail to: Joe Ryan, Ford Motor Company, One American Road, Dearborn, Michigan 48126.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Division of Motor Vehicles

Establishment of Love Motorsports of Ocoee Inc., line-make APRI

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to section 320.642, Florida Statutes, notice is given that Piaggio Group Americas, Inc., intends to allow the establishment of Love Motorsports of Ocoee Inc., as a dealership for the sale of motorcycles manufactured by Piaggio Group Americas, Inc., (line-make APRI) at 11953 West Colonial Drive, Ocoee, (Orange County), Florida 34761, on or after December 29, 2023.

The name and address of the dealer operator(s) and principal investor(s) of Love Motorsports of Ocoee Inc. are dealer operator(s): Chad Halleen, 11953 Colonial Drive, Ocoee, Florida 34761; principal investor(s): Chad Halleen, 11953 Colonial Drive, Ocoee, Florida 34761.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30

days of the date of publication of this notice and must be submitted to: Sondra L. Howard, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Brian Skutt, Piaggio Group Americas, Inc., 257 Park Avenue South, 4th Floor, New York, New York 10010.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary

#### NOTICE OF GRANT SUBMISSION PERIOD FOR RECREATIONAL TRAILS PROGRAM

The Department of Environmental Protection (Department) will accept Fiscal Year 2024-2025 grant applications for the Federal Recreational Trails Program (RTP) as follows:

**APPLICATION SUBMISSION PERIOD:** The Department is accepting applications from February 1 through March 1, 2024. Completed applications must be postmarked on or before March 1, 2024.

**ELIGIBLE APPLICANTS:** Eligible applicants include all local governmental entities and state or federal agencies, federally or state recognized Indian tribal governments that have the legal responsibility for the provision of outdoor recreational sites and facilities for the use and benefit of the public, and active Florida nonprofit corporations that have an agreement with a governmental agency to develop public lands.

**INELIGIBLE APPLICANTS:** A grantee with two incomplete RTP projects by the closing date of the application submission period is not eligible to apply.

**APPLICATION LIMIT PER SUBMISSION CYCLE:** The maximum number of applications an applicant may submit is as follows: local governments may submit one; consolidated city-county government may submit two; nonprofit corporations may submit one; state and federal agencies may submit one per district.

**ELIGIBLE PROJECT SITES:** The site of a proposed RTP project must be on public lands. The site must be owned by the applicant or government on or before the closing date of the application submission period. A site not owned by the applicant or government must be under the applicant's or government's control by a 99-year lease or similar control, such that the applicant has the legal ability to dedicate and manage the site for public recreational trail use pursuant to subsections 62S-2.076(1) and (2), F.A.C. School board property used

primarily for educational or school related purposes is not eligible. In addition, nonprofit corporations must provide a letter from the landowner or managing agency stating that it supports the project and will abide by the compliance requirements of this rule, and the Recreational Trails Program Interim Guidance issued by the Federal Highway Administration.

**ELIGIBLE PROJECT TYPES:** The primary purpose of the project must be providing recreational trails for the public and may include motorized trail, nonmotorized trail, and mixed-use trail projects that facilitate recreational trail use. A recreational trail is a thoroughfare or track across land or water, used for recreational purposes such as bicycling, day hiking, equestrian activities, jogging or similar fitness activities, trail biking, overnight and long distance backpacking, roller skating, in-line skating, running, aquatic or water activity, and vehicular travel by motorcycle, four-wheel drive, all terrain off-road vehicles, or dune buggies per subsection 62S-2.070(39), F.A.C. Projects may include facilities such as boat launches, docks, and related facilities to create or enhance recreational trail opportunities.

**PERMISSIBLE USES OF RTP GRANT FUNDS:** Maintenance or renovation of existing trails; development or renovation of trailside or trailhead facilities or trail linkages; purchase of trail construction or maintenance equipment; construction of new trails on local and state lands; construction of new trails crossing federal lands; operation of educational programs to promote safety and environmental protection that specifically relate to the uses of recreational trails, to the extent the Department has not chosen to use the educational funds in whole or in part, to further a statewide goal of the Greenways and Trails Plan.

**MAXIMUM GRANT REQUEST:** The maximum grant amount per project type is as follows: nonmotorized, single-use trail: \$350,000; nonmotorized, diverse-use (mixed) trail: \$450,000; motorized trail: \$2,000,000. Grant awards are distributed on a reimbursement basis and are contingent upon an apportionment from the Federal Highway Administration and expenditure authorization by the Florida Legislature.

**MATCH REQUIREMENTS:** The RTP grant is provided on a 50:50, 60:40, or 80:20 matching ratio (program: grantee).

**APPLICATION PACKETS AND ADDITIONAL DETAILS:** RTP grant application packets and additional grant details may be obtained electronically at <https://floridadep.gov/lands/land-and-recreation-grants/content/recreational-trails-program> or contacting RTP staff via email [Lauren.Cruz@floridadep.gov](mailto:Lauren.Cruz@floridadep.gov), by phone (850)245-2681 or U.S. Mail at Department of Environmental Protection, Land and Recreation Grants Section, 3900 Commonwealth Boulevard, Mail Station 585, Tallahassee, Florida 32399. See also, Fla. Stat. § 260.016, and F.A.C. Rule 62S-2 for specific application requirements, processing, and evaluation criteria.

APPLICATION WEBINAR: RTP staff will host a webinar to assist potential grant applicants in understanding the application processes for both development and acquisition projects.

DATE and TIME: January 17, 2024, at 10:00 a.m.

PLACE: Interested parties may participate via GoToWebinar: Please register in advance at <https://attendee.gotowebinar.com/register/1526244618038617945>.

After registering, you will receive a confirmation email from [customercare@gotowebinar.com](mailto:customercare@gotowebinar.com) containing information about joining the webinar.

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: Linda Reeves, (850)245-2501. 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).

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### Section XIII

#### Index to Rules Filed During Preceding Week

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

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