

AGENCY FOR HEALTH CARE ADMINISTRATION**Medicaid**

RULE NO.: RULE TITLE:
59G-6.010 Payment Methodology for Nursing Home Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-6.010, Florida Administrative Code, (F.A.C.), is to update the definition of "Direct Care Cost Component." The revision includes personal care attendant (PCA) services in the "Direct Care Cost Component" of the methodology.

SUBJECT AREA TO BE ADDRESSED: Payment Methodology for Nursing Home Services.

An additional area to be addressed during the workshop will be the potential regulatory impact Rule 59G-6.010, Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919, 409.9082 FS.

LAW IMPLEMENTED: 409.908, 409.9082, 409.913 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: March 5, 2024, from 10:00 a.m. to 10:30 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, Florida 32308-5407.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: MedicaidRuleComments@ahca.myflorida.com. Please note that a preliminary draft of the reference material, if available, will be posted prior to the workshop at <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

Official comments to be entered into the rule record will be received until 5:00 p.m., March 6, 2024, and may be emailed to MedicaidRuleComments@ahca.myflorida.com.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-6.010 Payment Methodology for Nursing Home Services.

(1) This rule applies to all nursing facility providers rendering Florida Medicaid nursing facility services in accordance with Rule 59G-4.200, F.A.C.

(2) Definitions.

(a) Adjusted Facility Sq Ft – Component of the Fair Rental Value System (FRVS) Calculation, the Minimum, Maximum, or Actual Sq. Ft per bed, defined in Section 409.908(2)(b)1.g., Florida Statutes (F.S.).

(b) Allowable Medicaid Costs – Are defined in CMS Publication 15-1 chapter 21 under reasonable costs and costs related and not related to patient care.

(c) Budget Neutrality Factor – Budget neutrality multipliers shall be incorporated into the Prospective Payment System (PPS) and exempt provider rate setting to ensure that total reimbursement is as required through the General Appropriations Act. Quality Incentive Payments, Direct Care Staffing and Ventilator add-ons, and the Nursing Facility Quality Assessment are excluded.

(d) Depreciation Factor – Component of the FRVS Calculation, referred to as Obsolescence Factor, defined in Section 409.908(2)(b)1.g., F.S.

(e) Direct Care Cost Component – The direct patient care component shall include the Medicaid allowable portion of salaries and benefits of direct care staff providing nursing services including registered nurses (RN), licensed practical nurses (LPN), ~~and~~ certified nursing assistants (CNA), and personal care attendants (PCA) who deliver care directly to residents in the nursing facility, allowable therapy costs, and dietary costs adjusted for inflation. PCA shall be reported under Direct Care with Nurse Aide expenses. Direct care staff does not include nursing administration, Minimum Data Set (MDS) and care plan coordinators, staff development, infection control preventionist, risk managers, and staffing coordinators. There shall be no costs directly or indirectly allocated to the direct care component from a home office or management company for staff who do not deliver care directly to residents in the nursing facility.

(f) Equipment Cost – Component of the FRVS Calculation, referred to as moveable equipment allowance, defined in Section 409.908(2)(b)1.g., F.S.

(g) Exempt Providers – Pediatric, facilities operated by the Florida Department of Veterans Affairs, and government-operated facilities are exempt from reimbursement under the prospective payment methodology and shall be reimbursed on a cost-based prospective payment system, in accordance with Section 409.908(2)(b)8., Florida Statutes (F.S.). Reimbursement of direct care, indirect care, and operating costs are subject to reimbursement ceilings and targets.

(h) Fair Rental Rate – Component of the FRVS Calculation defined in Section 409.908(2)(b)1.g., F.S.

(i) Floors – Floors are calculated for the direct care and indirect care cost components for each peer group and are equal to the price times the floor percentage as defined in Section 409.908(2)(b)1.c., F.S.

(j) Floor Reduction – The difference between the floor and the provider’s inflated per day cost component, if a provider’s cost is below the floor.

(k) Fair Rental Value System (FRVS) Rate – A FRVS is used to reimburse providers for their facility related capital costs. A provider must submit an FRVS survey to the Agency for Health Care Administration (AHCA) using the electronic form and instructions on the Florida Nursing Home: Fair Rental Value Survey web page. The survey information is used to compute an adjusted age for each provider, based on the most recent survey received by April 30 of each year for the subsequent rate period. The nursing facility provider’s FRVS survey will be used to calculate the rate for a future rate period

(l) High Medicaid Utilization and High Direct Patient Care Add-On – Providers who meet the minimum Medicaid utilization and staffing criteria outlined in Section 409.908(2)(b)6., F.S. and have a prospective payment per diem rate that is lower than their per diem rate effective September 1, 2016, shall receive the lesser of a \$20 per diem increase or a per diem increase sufficient to set their rate equal to their September 1, 2016 rate.

(m) Indirect Care Cost Component – All other allowable Medicaid patient care costs, that are not listed in the operating or direct care components, are adjusted for inflation and shall be included in the indirect patient care component.

(n) Land Allocation Percentage – Component of the FRVS Calculation, referred to as Land Valuation, defined in Section 409.908(2)(b)1.g., F.S.

(o) Medians – The mid-points of the inflated per diems for direct care, indirect care, and operating cost components of all included providers in a peer group. Beginning October 1, 2018 separate medians shall be calculated for operating, direct, and indirect cost components based on the most recent cost reports received for the September 2016 rate setting by the rate setting acceptance cut-off date, per Section 409.908(2)(b)1.b., F.S. Beginning October 1, 2021 medians shall be calculated based on the most recently finalized, audited cost report, every 4th year.

(p) Medicaid Adjustment Rate (MAR) – An add-on to the direct care and indirect care cost components of exempt providers with greater than 50 percent Medicaid utilization.

(q) Medicaid Bad Debt – Amounts considered to be uncollectible from accounts and notes receivable which are created or acquired in providing services per CMS publication 15-1 chapter 3 section 302.1.

(r) Nursing Facility Quality Assessment (NFQA) – An assessment imposed on each nursing facility provider used to obtain Federal financial participation through the Medicaid program and partially fund the quality incentive payment program for nursing facilities that exceed quality benchmarks.

The per diem Florida Medicaid share of the NFQA is calculated as follows:

1. Total patient days minus Medicare days (exclusive of Medicare Part A resident days) is equal to total non-Medicare days.

2. The product of total non-Medicare days, NFQA rate and Florida Medicaid days as a percentage of total days is equal to the total NFQA Florida Medicaid share.

3. Total NFQA Florida Medicaid share divided by Florida Medicaid days is equal to the per diem Florida Medicaid Share of the NFQA.

(s) Occupancy Percentage – Component of the Fair Rental Value System (FRVS) Calculation, the Minimum Occupancy, defined in Section 409.908(2)(b)1.g., F.S.

(t) Offense – Full Quality Assessment Payment not received by the 20th day of the next succeeding calendar month.

(u) Operating Cost Component – The operating component shall include the costs for medical records, plant operation, housekeeping, administration, Medicaid bad debt and laundry and linen.

(v) Quality Assessment Payment – Timely submission of one month’s total number of resident days and rendering of Quality Assessment Fee Payment equal to the assessment rate times the reported number of days.

(w) Peer Group – Providers are divided into two peer groups defined in section 409.908(2)(b)1.a., F.S.

(x) Price – The standardized rate for each peer group that is calculated for the direct care, indirect care and operating cost components as the median times the price percentage as defined in Section 409.908(2)(b)1.b., F.S.

(y) Quality Incentive Payment – A provider is awarded points for process, outcome, structural and credentialing measures using most recently reported data on May 31 of the rate period year. To qualify for a quality incentive payment, a provider must meet the minimum threshold defined in Section 409.908(2)(b)1.f., F.S. The Quality Incentive budget is defined in Section 409.908(2)(b)1.e., F.S.

1. Process Measures – Includes Flu Vaccine, Antipsychotic Medication, and Restraint quality metrics. For each rate period, data to calculate these quality metrics is from the Medicare Nursing Home Compare datasets using the most recent four quarter average available on May 31 of the rate period year. Providers are ranked based on the percentage of residents who have, or do not have, a particular condition. Providers whose fourth quarter measure score is at or above the 90th percentile for a particular measure will be awarded 3 points, those scoring from the 75th up to 90th percentiles will be awarded 2 points, and those scoring from the 50th up to 75th percentiles will receive 1 point. Providers who score below the 50th percentile and achieve a 20 percent improvement from the previous year will receive 0.5 points. The quality measure percentiles that are

used to award the points will be recalculated during rebase years starting October 2021 and every subsequent 4th year. During non rebase years the quality measure percentiles will be frozen.

2. Outcome Measures – Includes Urinary Tract Infections, Pressure Ulcers, Falls, Incontinence, and Decline in Activities of Daily Living quality metrics. Outcome Measures are scored and percentiles are calculated using the same methodology as Process Measures. Data to calculate these metrics is from the Medicare Nursing Home Compare datasets.

3. Structure Measures – Includes Direct Care Staffing from the Medicaid cost report received by the rate setting cutoff date and Social Work and Activity Staff as reported on CMS Facility Staffing Payroll-Based Journal data for the four most recent quarters as of May 31 of the year in which the rate period begins. Structure Measures are scored and percentiles are calculated using the same methodology as Process Measures and Outcome Measures. Structure Measure percentiles are recalculated annually.

4. Credentialing Measures – Includes CMS Overall 5-Star, Florida Gold Seal, Joint Commission Accreditation, and American Health Care Association National Quality Award. Facilities assigned a rating of 3, 4, or 5 stars in the CMS 5-Star program will receive 1, 3, or 5 points, respectively. For each rate period, the CMS 5-Star Rating Measure will be calculated using the most recent overall rating from the Star Ratings dataset from the Nursing Home Compare datasets provided by CMS as of May 31 of the year in which the rate period begins. Facilities that have either a Florida Gold Seal, Joint Commission Accreditation, or the silver or gold American Health Care Association National Quality Award on May 31 of the current year will be awarded 5 points. Recipients of the Florida Gold Seal Award can be viewed on Florida Health Finder website, recipients of the Joint Commission Accreditation can be viewed on the Joint Commission website, and recipients of the American Health Care Association National Quality Award can be viewed on the American Health Care Association website.

(z) Rate Period – October 1 – September 30.

(aa) Rate Setting Acceptance Cost Report Cutoff Date – The cost report cutoff date is April 30, or the next business day if April 30 falls on a weekend or State of Florida observed holiday, of the year in which the rate period begins. A link to the Cost Report template Web site can be found at http://ahca.myflorida.com/Medicaid/cost_reim/ecr.shtml.

(bb) Rebase Rate Semester – Direct care, indirect care, and operating cost components will be rebased beginning October 1, 2021 and every subsequent fourth year by using the most recently finalized, audited cost report available by the rate setting acceptance cut-off date.

(cc) Reimbursement Ceiling – The upper rate limits, calculated based on all Medicaid Nursing Facility providers, for

operating, direct care, and indirect care components applicable to exempt nursing facility providers in a peer group.

(dd) Reimbursement Targets – Provider specific per diem limitations, for the operating and indirect care cost components for exempt providers.

(ee) RSMMeans Data – The industry-standard for materials, labor, and equipment cost information database used by contractors and other professionals to accurately estimate construction project costs.

(ff) Subsequent Offense – any offense within a period of five years preceding the most recent quality assessment due date.

(gg) Unit Cost Rate Increase – Effective July 1, 2020, a unit cost increase was established as an equal percentage for each nursing home. For the period beginning on October 1, 2020, and ending on September 30, 2021, providers are reimbursed the greater of their September 2016 cost-based rate plus the July 1, 2020, unit cost increase or their prospective payment rate plus the July 1, 2020, unit cost increase.

(hh) Ventilator Supplemental Payment – Effective October 1, 2019, claims and encounter data with diagnosis code Z99.11, dependence on respirator (ventilator) status, with dates of service in the prior calendar year will be used to calculate the ventilator supplemental payment. The sum of claims and encounters with diagnosis code Z99.11 for the facility will be divided by annualized Medicaid days from the most recently submitted cost report received by the Rate Setting Acceptance Cost Report Cutoff Date, then multiplied by \$200.00. The result will be added to the rate setting per diem.

(3) Reimbursement. Effective each October 1 the AHCA will reimburse for Florida Medicaid nursing facility services rendered by nursing facilities using the Prospective Payment System (PPS) methodology in accordance with Section 409.908 (2)(b), F.S. Exempt providers will be reimbursed using a cost based methodology.

(4) Reimbursement Methodology.

(a) PPS Calculation. The calculation is as follows:

(Operating Price + Direct Care Price - Floor Reduction + Indirect Care Price - Floor Reduction + FRVS Rate + Pass Through Payments) * Budget Neutrality Factor + Quality Incentive Payment + Medicaid Share of NFQA + Ventilator Supplemental Payment + High Medicaid Utilization and High Direct Patient Care Add-On)) + Unit Cost Rate Increase

(b) Quality Incentive Payment Calculation. The calculation is as follows:

Facility Annualized Medicaid Days/Average Annualized Medicaid Days of All Facilities* Quality Points with Lower Limit/Sum of Total Points Awarded to All Facilities * Total Quality Budget/Facility Annualized Medicaid Days

(c) FRVS Calculation. The calculation is as follows:

Building = Current Year RSMeans Cost Per Sq Ft *
 Adjusted Facility Sq Ft * Zip Code Location Factor
 Land = Building * Land Allocation Percentage
 Undepreciated Value = Building + Land + Equipment
 Depreciation = (Building + Equipment) * Depreciation
 Factor * Facility Adjusted Age
 FRVS Rate = (Undepreciated Value – Depreciation) * Fair
 Rental Rate / (Occupancy Percentage * 365.25)

1. Current Year RSMeans Cost Per Sq Ft and Zip Code
 Location Factor are defined in the latest Gordian Building
 Construction Costs publication with RSMeans Data available
 on March 31 of the year in which the rate period begins.

2. Facility Adjusted Age is calculated using FRVS survey
 data.

(d) Exempt Calculation. The calculation is as follows:

(Operating Cost Component + Direct Care Cost
 Component + Indirect Care Cost Component + MAR + FRVS
 Rate + Pass Through Payments) * Budget Neutrality Factor +
 Medicaid Share of NFQA + Unit Cost Rate Increase

1. Exempt Providers rate components will be limited to
 Reimbursement Targets and Reimbursement Ceilings

(5) NFQA

(a) Participating nursing facilities shall use the Nursing
 Facility Quality Assessment form (only accepted
 electronically), AHCA Form 5000-3549, Revised October
 2013, incorporated by reference, for the submission of its
 monthly quality assessment. This form can be accessed at
<http://ahca.myflorida.com/QAF/index.shtml>.

(b) Each facility shall report monthly to AHCA its Quality
 Assessment Payment. Facilities are required to submit their full
 Quality Assessment Payment no later than 20 days from the
 next succeeding calendar month.

(c) Providers are subject to the following monetary fines
 pursuant to Section 409.9082(7), F.S., for failure to timely
 submit the Quality Assessment Payment:

1. For a facility’s first offense, a fine of \$500 per day shall
 be imposed until the total number of resident days is submitted
 and quality assessment is paid in full, but in no event shall the
 fine exceed the amount of the quality assessment.

2. For any offense subsequent to a first offense, a fine of
 \$1,000 per day shall be imposed until the total number of
 resident days is submitted and Quality Assessment Payment is
 paid in full, but in no event shall the fine exceed the amount of
 the quality assessment.

3. In the event that a provider fails to report their total
 number of resident days as defined in Section 409.9082(1)(c),
 F.S., by the 20th day of the next succeeding calendar month, the
 fines in paragraphs (a)-(c), apply and the maximum amount of
 the fines shall be equal to their last submitted quality
 assessment amount but in no event shall the total fine exceed
 the amount of the quality assessment.

(d) In addition to the aforementioned fines, providers are
 also subject to the non-monetary remedies enumerated in
 Section 409.9082(7), F.S. Imposition of the non-monetary
 remedies by AHCA will be as follows:

1. For a third subsequent offense, AHCA will withhold any
 medical assistance reimbursement payments until the
 assessment is recovered.

2. For a fourth or greater subsequent offense, AHCA will
 seek suspension or revocation of the facility’s license.

(e) Sanctions for failure to timely submit a quality
 assessment are non-allowable costs for reimbursement
 purposes and shall not be included in the provider’s Medicaid
 per diem rate.

(f) The facility may amend any previously submitted
 quality assessment data, but in no event may an amendment
 occur more than twelve months after the due date of the
 assessment. The deadline for submitting an amended
 assessment shall not relieve the facility from their obligation to
 pay any amount previously underpaid and shall not waive
 AHCA’s right to recoup any underpaid assessments.

(6) The Florida Medicaid rate is equal to the Medicare
 allowed amount for Medicare approved Part B therapy services
 provided in nursing facilities. Medicare approved Part B
 therapy services must be excluded as an allowable cost from the
 Medicaid cost report.

(7) This rule is in effect for five years from its effective
 date.

Rulemaking Authority 409.919, 409.9082 FS. Law Implemented
 409.908, 409.9082, 409.913 FS. History—New 7-1-85. Amended 10-1-
 85, Formerly 10C-7.482, Amended 7-1-86, 1-1-88, 3-26-90, 9-30-90,
 12-17-90, 9-15-91, 3-26-92, 10-22-92, 4-13-93, 6-27-93, Formerly
 10C-7.0482, Amended 4-10-94, 9-22-94, 5-22-95, 11-27-95, 11-6-97,
 2-14-99, 10-17-99, 1-11-00, 4-24-00, 9-20-00, 11-20-01, 2-20-02, 7-
 14-02, 1-8-03, 6-11-03, 12-3-03, 2-16-04, 7-21-04, 10-12-04, 4-19-06,
 7-1-06, 8-26-07, 2-12-08, 9-22-08, 3-3-10, 2-23-11, 5-3-12, 2-13-14,
 1-19-15, 5-3-15, 7-17-16, 8-6-17, 3-25-18, 4-15-20, 9-14-
 21,_____.

Section II Proposed Rules

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-36.011 RULE TITLE: Staff Training Requirements and
 Competency Test

PURPOSE AND EFFECT: The Agency proposes to amend
 Rule 59A-36.011 to align with section 430.5025, FS (2023-278
 L.O.F.) regarding training requirements for staff of assisted
 living facilities providing specialized Alzheimer's services.

SUMMARY: Rule 59A-36.011 outlines staff training
 requirements and competency testing for Assisted Living
 Facilities. The Agency proposes to amend Rule 59A-36.011 to

align with section 430.5025, FS (2023-278, L.O.F.) regarding training requirements for staff of assisted living facilities providing specialized Alzheimer's services.

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: A SERC has not been prepared by the agency. For rules listed where no SERC was prepared, the Agency prepared a checklist for each rule to determine the necessity for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 429.178, 429.41, 429.52 FS
LAW IMPLEMENTED: 429.07, 429.075, 429.178, 429.41, 429.52 FS

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

DATE AND TIME: March 19, 2024, 2:00 p.m. to 3:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, Florida, 32308, Building 3, Conference Room B. You may also participate by dialing the Open Voice conference line, 1(888)585-9008, then enter the conference room number followed by the pound sign, 998-518-088#. The agenda and related materials can be found on the web at: https://ahca.myflorida.com/MCHQ/Health_Facility_Regulation/Rulemaking.shtml

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Chequita Byrd, Assisted Living Unit, 2727 Mahan Drive, Tallahassee, Florida, (850) 412-4505. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Chequita Byrd at (850) 412-4505 or email at: Chequita.Byrd@ahca.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-36.011 Staff Training Requirements and Competency Test.

(1) through (9) No change

(10) ALZHEIMER'S DISEASE AND RELATED DISORDERS ("ADR") TRAINING REQUIREMENTS. Facilities which advertise that they provide special care for persons with ADR, or who maintain secured areas as described in Chapter 4, Section 464.4.6 of the Florida Building Code, as adopted in rule 61G20-1.001, F.A.C., Florida Building Code Adopted, must ensure that facility staff receive the following training in accordance with Section 430.5025, Florida Statutes.

~~(a) Facility staff who interact on a daily basis with residents with ADR but do not provide direct care to such residents and staff who provide direct care to residents with ADR, shall obtain 4 hours of initial training within 3 months of employment. Completion of the core training program between April 20, 1998 and July 1, 2003 shall satisfy this requirement. Facility staff who meet the requirements for ADR training providers under paragraph (g) of this subsection, will be considered as having met this requirement. Initial training, entitled "Alzheimer's Disease and Related Disorders Level I Training," must address the following subject areas:~~

- ~~1. Understanding Alzheimer's disease and related disorders;~~
- ~~2. Characteristics of Alzheimer's disease;~~
- ~~3. Communicating with residents with Alzheimer's disease;~~
- ~~4. Family issues;~~
- ~~5. Resident environment; and,~~
- ~~6. Ethical issues.~~

~~(b) Staff who have successfully completed both the initial one hour and continuing three hours of ADR training pursuant to sections 400.1755, 429.917 and 400.6045(1), F.S., shall be considered to have met the initial assisted living facility Alzheimer's Disease and Related Disorders Level I Training.~~

~~(c) Facility staff who provide direct care to residents with ADR must obtain an additional 4 hours of training, entitled "Alzheimer's Disease and Related Disorders Level II Training," within 9 months of employment. Facility staff who meet the requirements for ADR training providers under paragraph (g) of this subsection, will be considered as having met this requirement. Alzheimer's Disease and Related Disorders Level II Training must address the following subject areas as they apply to these disorders:~~

- 1. Behavior management,
- 2. Assistance with ADLs,
- 3. Activities for residents,
- 4. Stress management for the care giver; and,
- 5. Medical information.

(d) A detailed description of the subject areas that must be included in an ADRD curriculum which meets the requirements of paragraphs (a) and (b) of this subsection, can be found in the document "Training Guidelines for the Special Care of Persons with Alzheimer's Disease and Related Disorders," dated March 1999, incorporated by reference, available from the Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399 7000.

(e) Direct care staff shall participate in 4 hours of continuing education annually as required under section 429.178, F.S. Continuing education received under this paragraph may be used to meet 3 of the 12 hours of continuing education required by section 429.52, F.S., and subsection (1) of this rule, or 3 of the 6 hours of continuing education for extended congregate care required by subsection (7) of this rule.

(f) Facility staff who have only incidental contact with residents with ADRD must receive general written information provided by the facility on interacting with such residents, as required under section 429.178, F.S., within three (3) months of employment. "Incidental contact" means all staff who neither provide direct care nor are in regular contact with such residents.

(g) Persons who seek to provide ADRD training in accordance with this subsection must provide the department or its designee with documentation that they hold a Bachelor's degree from an accredited college or university or hold a license as a registered nurse, and:

- 1. Have 1 year teaching experience as an educator of caregivers for persons with Alzheimer's disease or related disorders, or
- 2. Three years of practical experience in a program providing care to persons with Alzheimer's disease or related disorders, or
- 3. Completed a specialized training program in the subject matter of this program and have a minimum of two years of practical experience in a program providing care to persons with Alzheimer's disease or related disorders.

(h) With reference to requirements in paragraph (g), a Master's degree from an accredited college or university in a subject related to the content of this training program can substitute for the teaching experience. Years of teaching experience related to the subject matter of this training program may substitute on a year-by-year basis for the required Bachelor's degree referenced in paragraph (g).

(11) through (12) No change.

Rulemaking Authority 429.178, 429.41, 429.52 FS. Law Implemented 429.07, 429.075, 429.178, 429.41, 429.52 FS. History—New 9-30-92, Formerly 10A-5.0191, Amended 10-30-95, 6-2-96, 4-20-98, 11-2-98, 10-17-99, 7-5-05, 7-30-06, 10-9-06, 7-1-08, 4-15-10, 5-10-18, Formerly 58A-5.0191, 7-1-19, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Chequita Byrd
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jason Weida
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 07, 2024
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 11/28/2023

Section III Notice of Changes, Corrections and Withdrawals

NONE

Section IV Emergency Rules

NONE

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

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On January 24, 2024 the Division of Hotels and Restaurants received a Petition for a Routine 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 We Open Catering located in Hialeah. 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 Petition for this variance was published in Vol 50/17 on January 25, 2024, The Order for this Petition was signed and approved on February 14, 2024. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer’s specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

A copy of the Order or additional information may be obtained by contacting: Daisy.Lee@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

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The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On January 24, 2024 the Division of Hotels and Restaurants received a Petition for a Routine 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 La Charanga Box Lunch located in Hialeah. 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 Petition for this variance was published in Vol 50/17 on January 25, 2024, The Order for this Petition was signed and approved on February 14, 2024. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the

Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer’s specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

A copy of the Order or additional information may be obtained by contacting: Daisy.Lee@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-22.001 General Requirements

The Department of Children and Families hereby gives notice: An order was issued on January 16, 2024 that disposes of the petition for variance from section 3.5.F of the Child Care Facility Handbook (“Handbook”), which is incorporated by reference in subsection 65C-22.001(6), Florida Administrative Code, from St. John the Divine Early Learning Center. The Notice of Petition for Waiver was published on December 11, 2023, in Volume 49, Number 238 of the Florida Administrative Register. Section 3.5.F of the Handbook requires a child care facility’s outdoor play area to have adequate fencing or walls. Fencing, including gates, must be continuous and must not have gaps or opening larger than 3 ½ inches that would allow children to exit the outdoor play area.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Department of Children and Families, 2415 North Monroe St., Ste. 400, Tallahassee, FL 32303 or Agency.Clerk@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-46.004 Buildings, Grounds, Equipment and Interior Accommodations

The Department of Children and Families hereby gives notice: An order was issued on February 7, 2024 that disposes of the petition for emergency variance from sub subparagraph 65C-46.004(2)(g)1.a., Florida Administrative Code, from Family Support Services of Suncoast on behalf of Future Prep and

Holistic Wellness, LLC. The Notice of Variances and Waivers was published in Volume 50, No. 10 of the Florida Administrative Register on January 16, 2024. Sub subparagraph 65C-46.004(2)(g)1.a. requires there to be at least one (1) toilet, washbasin, and tub or shower easily accessible to the bedroom area for every six (6) children.

Petitioner withdrew the request for variance after coming into compliance with the rule.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Department of Children and Families, 2415 North Monroe Street, Suite 400, Tallahassee, FL 32303 or Agency.Clerk@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILIES

Substance Abuse Program

RULE NO.: RULE TITLE:

65D-30.004 Common Licensing Standards

The Department of Children and Families hereby gives notice: An order has been issued on February 7, 2024 that disposes of the petition for temporary, limited waiver of paragraph 65D-30.004(6)(c), Florida Administrative Code, from Metro Treatment of Florida, L.P. The Notice of Variances and Waivers was published in Vol. 49, No. 243 of the Florida Administrative Register on December 18, 2023. Paragraph 65D-30.004(6)(c) states in pertinent part that, for the medication and methadone maintenance service component, the maximum number of individuals a medical director may serve is 1,745.

The petition for temporary, limited waiver was granted until April 1, 2024 because Petitioner demonstrated a substantial hardship and that the underlying purpose of the statutes will likely be achieved.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Department of Children and Families, 2415 North Monroe Street, Suite 400, Tallahassee, FL 32303 or Agency.Clerk@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

RULE NO.: RULE TITLE:

65E-4.016 Mental Health Residential Treatment Facilities

The Department of Children and Families hereby gives notice: An order was issued on February 7, 2024 that disposes of the petition for waiver or variance from subsection 65E-4.016(1), Florida Administrative Code, from Fairwinds Treatment Center. The Notice of Variances and Waivers was published in Vol. 50, No. 17 of the Florida Administrative Register on January 25, 2024. Subsection 65E-4.016(1), states, in pertinent part, that residential treatment facilities that primarily provide treatment for eating disorders, weight loss programs, substance

abuse or other specialty psychiatric treatment program are excluded from licensure under this rule.

The petition for waiver was granted because Petitioner demonstrated a potential violation of principles of fairness and that the underlying purpose of the statutes will be achieved.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Department of Children and Families, 2415 North Monroe Street, Suite 400, Tallahassee, FL 32303 or Agency.Clerk@myflfamilies.com.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

State Board of Education

The DEPARTMENT OF EDUCATION announces a public meeting to which all persons are invited.

DATES AND TIMES: February 26, 2024, 8:00 a.m. – 5:00 p.m., ET; February 27, 2024, 8:00 a.m. - 1:30 p.m., ET; March 22, 2024, 2:00 p.m. – 3:00 p.m., ET; April 8, 2024, 8:00 a.m. – 5:00 p.m., ET; April 9, 2024, 8:00 a.m. - 1:30 p.m., ET. Meetings may end early if business is concluded. If business is finished in fewer meetings, subsequent meetings will not occur. PLACES: February 26, February 27, April 8, and April 9, 2024: The Department of Education, 325 W Gaines St, Tallahassee, FL 32399

March 22, 2024: Teams

https://teams.microsoft.com/l/meetup-join/19%3ameeting_YjY3YTAzNjgtZTZmZS00YWFiLTg0MjU0ZTBhZThlOTcwNGQ3%40thread.v2/0?context=%7b%22Tid%22%3a%2263bf107b-cb6f-4173-8c1c-1406bb5cb794%22%2c%22Oid%22%3a%220c704b63-2804-4b38-a59a-ba48880f4f1a%22%7d

Meeting ID: 290 620 307 974

Passcode: tF3PLF

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the House Bill 379 Internet Safety, Screen Time and Social Media Instruction Workgroup

A copy of the agenda may be obtained by contacting: Natasha Lunan at Natasha.Lunan1@fldoe.org

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Natasha Lunan at Natasha.Lunan1@fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF EDUCATION

Division of Blind Services

The Florida Rehabilitation Council for the Blind and the Division of Blind Services announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 28, 2024, 2:00 p.m.

PLACE: (888)585-9008 Code: 319035377 then press the # key

GENERAL SUBJECT MATTER TO BE CONSIDERED: Client Satisfaction Survey Subcommittee Meeting

A copy of the agenda may be obtained by contacting: No Agenda

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Blind Services (850)245-0300. 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: (850)245-9305 or email DBSRehabCouncil@dbs.fldoe.org.

DEPARTMENT OF EDUCATION

Education Practices Commission

The Education Practices Commission announces a public meeting to which all persons are invited.

DATES AND TIMES: March 5, 2024, 8:00 a.m. and 1:30 p.m. or as soon thereafter as can be heard, Teacher Hearing Panels; March 6, 2024, 8:00 a.m., 10:00 a.m., and 1:30 p.m. or as soon thereafter as can be heard, Teacher Hearing Panel; March 7, 2024, 8:00 a.m. or as soon thereafter as can be heard, Business Meeting; March 7, 2024, 3:00 p.m. or as soon thereafter as can be heard, Administrator Hearing Panel; March 8, 2024, 8:00 a.m. or as soon thereafter as can be heard, Teacher Hearing Panel.

PLACE: Tampa Airport Hilton Hotel, 222 Lois Avenue, Tampa, Florida 33607, (813)877-6688

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panels of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators. The Business Meeting is being held to discuss the business of the Commission.

A copy of the agenda may be obtained by contacting: Lisa Forbess at (850)245-0455.

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

For more information, you may contact: Lisa Forbess at (850)245-0455.

DEPARTMENT OF EDUCATION

Postsecondary Reciprocal Distance Education Coordinating Council

The Postsecondary Reciprocal Distance Education Coordinating Council (PRDECC) announces a public meeting to which all persons are invited.

DATE AND TIME: February 27, 2024, 11:00 a.m.

PLACE: Turlington Building, 325 West Gaines Street, Suite 1721-1725, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Postsecondary Reciprocal Distance Education Coordinating Council (PRDECC) will conduct a review of initial and renewal institutional applications to participate in the State Authorization Reciprocity Agreement (SARA).

PUBLIC COMMENT: The Council is committed to promoting transparency and public input during its public meetings. Speakers are requested to submit a written comment by e-mailing the Council Office no later than one (1) business day before the meeting at flsarainfo@fldoe.org and to indicate whether they represent a group or faction. The Council will hear public comment only regarding issues on the agenda. Individuals and representatives of groups will generally be allotted three minutes, but the time may be extended or shortened at the discretion of the chair. The Chair may impose a cumulative time limit for all public comment on any agenda item.

A copy of the agenda may be obtained by contacting: The Council Office at Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400, by visiting www.fldoe.org/sara, or by calling Brady Lyon at (850)245-3200.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The Council Office at Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400, by visiting www.fldoe.org/sara, or by calling Brady Lyon at (850)245-3200. 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 Council Office at Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400, by visiting

www.fldoe.org/sara, or by calling Brady Lyon at (850)245-3200.

FLORIDA COMMISSION ON OFFENDER REVIEW

The Florida Commission on Offender Review announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 1, 2024, 10:00 a.m.

PLACE: DISC Village, 2967 Natural Bridge Road, Tallahassee, Florida 32305

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tour of the DISC Village Residential Treatment Facilities.

A copy of the agenda may be obtained by contacting: The Florida Commission on Offender Review (850)488-1293.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The Florida Commission on Offender Review at ada@fcor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The Agency on Bay Management's Legislative Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: February 29, 2024, 2:00 p.m. - 3:30 p.m.

PLACE: Virtual meeting via Zoom

<https://us02web.zoom.us/j/81262043656?pwd=M0wvZ21zbFBKVzBiK3M3dmlYdmlmdz09>

Meeting ID: 812 6204 3656; Passcode: 771854

Call-in number: +1(786)635-1003

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency on Bay Management's Legislative Review Committee will review the 2024 Environmental Legislative Watchlist for Tampa Bay

A copy of the agenda may be obtained by contacting: Maria Robles, maria@tbrpc.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 4 days before the workshop/meeting by contacting: Maria Robles, maria@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Maria Robles, maria@tbrpc.org

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

The Southwest Florida Regional Planning Council/LEPC District 9 announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, February 22, 2024, Immediately following LEPC Quarterly Meeting

PLACE: The South Florida Water Management District Office: 2301 McGregor Blvd., Ft. Myers, Florida 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: Emergency Planning and Community Right to Know Act (EPCRA)

A copy of the agenda may be obtained by contacting: Charity Franks, cfranks@swfrc.org

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Charity Franks, cfranks@swfrc.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: Charity Franks, cfranks@swfrc.org

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

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

DATE AND TIME: Monday, February 26, 2024, 10:30 a.m.

PLACE: Physical/Virtual Meeting - "Zoom" by the web or conference call

1 Oakwood Boulevard, Suite 250, Hollywood, FL 33020

Join Zoom Meeting

<https://us06web.zoom.us/j/81951954962?pwd=0zEJDbN176OnkvmjH7e7mUUeSeU5Qw.1>

Meeting ID: 819 5195 4962

Passcode: 214847

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meeting and Election of Officers

A copy of the agenda may be obtained by contacting: Administration at the South Florida Regional Planning Council, 1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020; (954)924-3653; or sfadmin@sfrpc.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Administration at the South Florida Regional Planning Council, 1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020; (954)924-3653; or sfadmin@sfrpc.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: Administration at the South Florida Regional Planning Council, 1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020; (954)924-3653; or sfadmin@sfrpc.com.

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasure Coast and South Florida Regional Planning Councils announces a public meeting to which all persons are invited.

DATE AND TIME: March 15, 2024, 10:00 a.m. - 3:00 p.m. or until the conclusion of the meeting.

PLACE: Palm Beach Transportation Planning Agency, 301 Datura Street, West Palm Beach, Florida 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be a conversation on issues of regional importance including but not limited to property insurance, transportation, and joint legislative priorities.

Attendees may include one or more board members, elected officials, and staff from the Treasure Coast and South Florida Regional Planning Councils; Palm Beach, Martin, St. Lucie, Indian River Monroe, Miami-Dade, and Broward counties and their respective county agencies and departments; transportation planning and metropolitan planning organizations; municipal governments in Monroe, Miami-Dade, Broward, Palm Beach, Martin, St. Lucie, and Indian River counties; the South Florida Regional Transportation Authority; and Southeast Florida Transportation Council. State and federal agencies may also be present including, but not limited to, members and/or staff from the Florida Department of Environmental Protection; Florida Department of Transportation; South Florida Water Management District, and the U.S. Army Corps of Engineers.

A copy of the agenda may be obtained by contacting: the Treasure Coast Regional Planning Council, 421 SW Camden

Avenue, Stuart, Florida 34994; lgulick@tcrpc.org; (772)221-4060 or

the South Florida Regional Planning Council, One Oakwood Boulevard, Suite 250, Hollywood, Florida 33020; klerch@sfrpc.com; (954)924-3653.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the Treasure Coast Regional Planning Council, 421 SW Camden Avenue, Stuart, Florida 34994; lgulick@tcrpc.org; (772)221-4060 or

the South Florida Regional Planning Council, One Oakwood Boulevard, Suite 250, Hollywood, Florida 33020; klerch@sfrpc.com; (954)924-3653. 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 Treasure Coast Regional Planning Council, 421 SW Camden Avenue, Stuart, Florida 34994; lgulick@tcrpc.org; (772)221-4060 or the South Florida Regional Planning Council, One Oakwood Boulevard, Suite 250, Hollywood, Florida 33020; klerch@sfrpc.com; (954)924-3653.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: Tuesday, February 27, 2024, 10:00 a.m., Quarterly Meeting of the Everglades Technical Oversight Committee

PLACE: SFWMD Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

TOC Members and the public may participate and provide public comment in-person or via Zoom, a media technology free for the public to use.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Everglades Technical Oversight Committee meeting is a public meeting held quarterly to provide an update on water quality conditions in the Loxahatchee National Wildlife Refuge and at inflows to Everglades National Park relative to the 1991 Settlement Agreement, entered as a Consent Decree in 1992, and modified in 1995.

The public and stakeholders will have an opportunity to view and comment on the meeting by attending in person or utilizing the following link:

<https://sfwmd.link/3NIxv8M>. The link will go live at approximately 10:00 a.m. on February 27, 2024.

A copy of the agenda may be obtained by contacting: Julianne LaRock at 561-682-6747, jlrock@sfwmd.gov. The agenda will be posted to the District's website at www.SFWMD.gov/meetings and www.SFWMD.gov/toc, seven days 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 seven days before the workshop/meeting by contacting: Molly Brown, District Clerk, at mobrown@sfwmd.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: Julianne LaRock at (561)682-6747 or jlrock@sfwmd.gov.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: Wednesday, February 28, 2024, 9:00 a.m., Resiliency Coordination Forum

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, FL 33406

Members of the public may view the meeting via Zoom, a media technology free for the public to use.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The South Florida Water Management District is committed to enhancing regional coordination and reinforcing partnership opportunities by holding proactive discussions, leveraging technical knowledge, and exchanging information. This is a forum to engage partners on expanding understanding about the impacts of changing climate conditions on water resources and fostering a constructive environment to discuss tangible asset level solutions.

The public and stakeholders will have an opportunity to attend in person. The meeting will also be available to view at: <https://sfwmd.link/3u8scsH>. Remote participation will not be available for this meeting. The link will go live at approximately 9:00 a.m. on February 28, 2024.

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

A copy of the agenda may be obtained by contacting: Yvette Bonilla at ybonilla@sfwmd.gov. The agenda will be posted to the District's website www.SFWMD.gov/meetings, seven days 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 seven days before the workshop/meeting by contacting: Molly Brown, District Clerk, at mobrown@sfwmd.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 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).

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: Monday, February 26, 2024, 9:00 a.m.

21st Annual Public Meeting on the Long-Term Plan for Achieving Water Quality Goals for the Everglades Protection Area Tributary Basins

PLACE: South Florida Water Management District, B-1 Building Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

Members of the public may participate and provide public comment in person or via Zoom, a media technology free for the public to use.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public regulatory meeting is scheduled to provide findings and updates of the projects designed to improve the water quality of runoff flowing into the Everglades Protection Area.

Members of the public and stakeholders will have an opportunity to view and comment during the public meeting by utilizing the following link: <https://sfwmd.link/3uiQsrS>

This link can also be found on the District's website at www.SFWMD.gov/meetings, and will go live at approximately 9:00 AM on February 26, 2024.

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

A copy of the agenda may be obtained by contacting: Robert Shuford at 561-682-2155, rshufor@sfwmd.gov, seven days 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 seven days before the workshop/meeting by contacting: Molly Brown, District Clerk, at mobrown@sfwmd.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: Robert Shuford at 561-682-2155, rshufor@sfwmd.gov

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Division of Air Resource Management announces an extension of the public comment period to March 8, 2024, for a proposed supplement to Florida's Regional Haze Plan and announces a hearing to which all persons are invited.

DATE AND TIME: March 20, 2024, 1:00 p.m.

PLACE: Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 176, Tallahassee, Florida.

The Department will hold the re-scheduled hearing, if requested, at the date, time and place above and will also offer accessibility through a virtual meeting option. The virtual meeting option is being provided to allow maximum public participation if the hearing is requested. Parties can access the virtual meeting by telephone (regular long-distance telephone charges will apply) or Microsoft Teams. Parties may access the virtual meeting at the following number:

1(850)629-7330, ID number: 894-495-328# or by going to: https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZWY4NTM5NzgtNzYzNy00MmZjLTJhM2EtMDIyNjg4YzZiMDc4%40thread.v2/0?context=%7b%22Tid%22%3a%22679d4c83-aea2-4635-b4f1-9f5012551b6a%22%2c%22Oid%22%3a%2230f2c22a-6fc1-4641-8b12-9eeffb388ff%22%7d. A link to the Microsoft Teams meeting is also available on the Department's website.

A re-scheduled public hearing will be held, if requested, at the date and time given above. The public hearing, if requested, will also be accessible via a virtual meeting accessible by phone or computer. It is not necessary that the hearing be held or attended for persons to comment on DEP's proposed revisions to Florida's pending SIP submission. Any comments or requests for a public hearing must be submitted by email to Preston.McLane@floridadep.gov, and received no later than March 8, 2024. If no request for a public hearing is received, the hearing (and virtual meeting) will be cancelled, and notice of the cancellation will be posted at the following website: https://floridadep.gov/events/month?field_county_tid=All&field_is_a_public_notice_value=Yes.

Persons may also contact Mr. McLane at (850)717-9041 to find out if the hearing has been cancelled.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pursuant to 40 CFR 51.102, the Department of Environmental Protection (DEP) announces a re-scheduled public hearing and an extension of time for the opportunity to offer comments on a proposed revision to Florida's State Implementation Plan (SIP) under the Clean Air Act. The re-scheduling of the hearing (if requested) and extension of the comment period was requested in a letter received by the Department on January 29, 2024.

This proposed SIP revision addresses regional haze in Florida's mandatory federal Class I areas and nearby Class I areas for the

second implementation period of the U.S. Environmental Protection Agency's Regional Haze Rule. This proposed revision supplements the information that DEP submitted to EPA on October 8, 2021, as Florida's Regional Haze Plan for the Second Implementation Period. The materials comprising DEP's revision to the pending SIP submission are accessible at the following website: <https://floridadep.gov/air/air-business-planning/content/air-regulatory-projects>.

A copy of the agenda may be obtained by contacting: Mr. McLane by email at the above email address or by calling (850)717-9041.

Public participation is solicited without regard to race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status. Persons who require special accommodations under the American with Disabilities Act (ADA) or persons who require translation services (free of charge) are asked to contact Stacie Taylor at (850)245-2118 or LEP@FloridaDEP.gov at least ten (10) days before the meeting. If you have a hearing or speech impairment, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or 800-955-8770 (voice).

For more information, you may contact: Mr. McLane by email or by calling (850)717-9041.

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Child Abuse Death Review Circuit 9 Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 23, 2024, 1:00 p.m. - 1:30 p.m.

PLACE: Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 265 272 179 883

Passcode: iGfzGk

[Download Teams | Join on the web](#)

Or call in (audio only)

+1(321)430-1061,,15453445# United States, Orlando

Phone Conference ID: 154 534 45#

[Find a local number | Reset PIN](#)

[Learn More | Meeting options](#)

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

A copy of the agenda may be obtained by contacting: Brianne L. Bell - Brianne.Bell@orlandohealth.com

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Brianne L. Bell - Brianne.Bell@orlandohealth.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: Brianne L. Bell - Brianne.Bell@orlandohealth.com

FLORIDA INDEPENDENT LIVING COUNCIL

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

DATE AND TIME: Wednesday, February 21, 2024, 10:00 a.m. - 12:00 noon, Public Forum Meeting

PLACE: <http://tinyurl.com/s783ntuh>

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

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

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

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

The Florida Association of Counties Trust (FACT) announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 8, 2024, 8:30 a.m., EST

PLACE: Drury Plaza Hotel Tallahassee, 1690 Raymond Diehl Road, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Association of Counties Trust general board meeting conducted through the use of communications media

technology, as authorized by subsection 163.01(18), Florida Statutes.

A copy of the agenda may be obtained by contacting: Chris Krepcho, ckrepcho@flcities.com, (407)367-4004.

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: Chris Krepcho, ckrepcho@flcities.com, (407)367-4004. 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: Chris Krepcho, ckrepcho@flcities.com, (407)367-4004.

MRGMIAMI

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

DATES AND TIMES: Tuesday, February 27, 2024, 6:00 p.m. Virtual Meeting; Thursday, February 29, 2024, 5:30 p.m. In-Person Meeting

PLACES: Participants are requested to register in advance for the virtual experience. To register please visit the project website at <https://www.fdot.gov/projects/cr510-58ave-us1>. Comments can be provided during the event or through the project webpage <https://www.fdot.gov/projects/cr510-58ave-us1>. They will also be available on the project website.

VIRTUAL: To join virtually, please use link below (registration required):

<https://bit.ly/cr510pde>. To join by telephone: Dial +1(631)992-3221, Access Code, 547-836-535. If using a mobile device, the free "Go To Webinar" application is required to attend. Please allow adequate log-in time to view the presentation in its entirety.

IN PERSON: Indian River County Metropolitan Planning Organization (MPO) Boardroom, 1800 27th Street, Building B, Vero Beach, FL 32960

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) will hold a Virtual and In-Person Alternatives Public Workshop to present information and gather feedback from the public concerning the County Road (CR) 510 Project Development and Environment (PD&E) Study.

The same information will be presented at both the Virtual and In-Person Alternatives Public Workshop, so attending both is

not necessary. All exhibits presented at the Alternatives Public Workshop can be viewed electronically on the project website. For the in-person meeting, doors will open at 5:30 p.m. for all attendees. Staff will be available to answer questions and to provide assistance. Comments and questions will be answered in the order received. If your question is not answered during the event, a response will be provided in writing following the meeting. Questions and comments may also be submitted prior to the meeting by e-mailing the Project Manager.

FDOT is sending notices to all property owners and tenants within at least 300 feet on either side of the project and to other public officials, regulatory agencies, organizations, and individuals interested in the project.

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

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project, are being, or have been, carried out by FDOT pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated May 26, 2022, and executed by the Federal Highway Administration (FHWA) and FDOT.

A copy of the agenda may be obtained by contacting:

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: FDOT Project Manager: Maria Formoso, P.E., FDOT District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4677, toll-free at 1(800)955-8771, ext. or by email at maria.formoso@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: FDOT Project Manager: Maria Formoso, P.E., FDOT District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4677, toll-free at 1(800)955-8771, ext. or by email at maria.formoso@dot.state.fl.us. or visit the project website at <https://www.fdot.gov/projects/cr510-58ave-us1>

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

NONE

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION
 University of Florida
 UF-683 DENTAL SCIENCE BUILDING ENVELOPE
 REPAIRS A/E

NOTICE TO PROFESSIONAL CONSULTANTS:

The University of Florida Board of Trustees announces that Professional Services in the discipline of Architecture will be required for the project listed below:

Project: UF-683, Dental Science Building Envelope Repairs (Gainesville)

Originally constructed in 1975, the Dental Science Building is a 13-story brick building located at the edge of the UF Medical Precinct along Archer Road, a main thoroughfare into the University of Florida and Gainesville. The building façade is original and constructed of concrete masonry unit (CMU) walls

with a brick veneer. This project will address the renovation/repair of the existing building envelope and must coordinate with several other ongoing projects in the building, as well as with the UFCD exam schedules. Regular coordination meetings will be necessary to ensure the integration of these efforts.

The estimated construction budget is approximately \$7,400,000, including, but not limited to, repairs and/or modifications to the building envelope/infrastructure. The project will be delivered using the Construction Manager At-Risk method.

The selected firm will provide an evaluation and report on existing conditions with prioritization and sequencing of repairs, design, construction documents, construction administration and post-occupancy services for the referenced project. Plans and specifications for University of Florida projects are subject to reuse.

Blanket design professional liability insurance will be required from the architect and structural engineering consultants for this project and will be provided as a part of Basic Services. The selected applicant will also be required to provide insurance coverage for General Liability, Automotive Liability, and Workers' Compensation.

Applicants will be evaluated on the basis of their past performance, experience, personnel, design ability, references, workload, and responses to questions posed both in the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.

At the time of application, the applicant and its landscape architectural and engineering consultants must possess current design licenses from the appropriate governing board and be properly registered to practice its profession in the State of Florida. If the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida.

Applicants desiring to provide professional services for the project shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet, and other background information. The proposal shall be prepared as specified in the PQS Instructions and shall include:

A Letter of Application that concisely illustrates the applicant's understanding of the scope of services, design intent, schedule, and other goals and considerations as outlined in the Project Fact Sheet and facilities program.

A completed, project-specific "Professional Qualifications Supplement" (PQS) proposal with signed certification. Applications on any other form will not be considered.

Resumes, sustainability accreditation, and other pertinent credentials for all proposed staff (applicant and consultants).

Proof of the applicant's corporate status in Florida (if applicable) and copies of current licenses for applicant and all

engineering and landscape architecture consultants from the appropriate governing board.

Proof of the applicant's and all engineering consultants' ability to be insured for the level of professional liability coverage demanded for this project.

As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected professional must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Incomplete proposals will be disqualified. Submittal materials will not be returned.

Additional information to assist the applicant in preparing a complete proposal – including the project-specific PQS forms, instructions, Project Fact Sheet, facilities program, UF Design and Commissioning Services Guide, UF Design and Construction Standards, standard University of Florida Owner-Professional agreement, and other project and process information – can be found on the Planning Design & Construction website.

Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Planning Design & Construction office by 3:00 p.m., local time, on Thursday, March 14, 2024. Facsimile (FAX) submittals are not acceptable and will not be considered.

UF Planning Design & Construction, 245 Gale Lemerand Drive / P.O. Box 115050, Gainesville, FL 32611-5050, Telephone: (352)273-4000, Internet: www.facilities.ufl.edu.

DEPARTMENT OF EDUCATION

University of Florida

Greenhouse Repairs

UNIVERSITY OF FLORIDA

IFAS – UF Balm South High Tunnels 5235

Wimauma, FLORIDA

Project Name: IFAS - UF Balm South High Tunnels 5235.

Bid Package Number: 13

Entitled: Special Construction

Instruction to Bidders

1. There will be a Mandatory pre-bid meeting at the site on March 13th, 2024, at 8:00 a.m. The site address is 14625 County Road 672, Wimauma, FL 33598 Questions will be received until 3:00 pm on March 13th, 2024.

2. All bidders must pre-register for Mandatory meeting by 12:00 noon on March 12th, 2024, by sending an email to

hunter@rfc95.com. If no bidders preregister the pre-bid meeting will be canceled.

3. Sealed bids for bid package No. 13 will be received by Ryan Fitzgerald Construction, Inc., Construction Manager no later than 2:00 p.m. on March 29, 2024. Sealed bids will be received at 27201 Blackwater Court, Eustis, Florida 32736. Any bids received after the posted cut-off time will be returned unopened. If mailing the bids via US mail please mail to 27201 Blackwater Court, Eustis, Florida 32736.

4. All bids must be per the attached scope of work.

5. The construction Manager reserves the right to reject any or all bids, accept bids in any order or combination, make modifications to the work after bidding, and waive any in formalities or irregularities in bids if it is deemed in the Owner’s best interest to do so.

6. The form of agreement between the subcontractor and the construction manager is attached.

7. Direct all questions to Hunter Mills with Ryan Fitzgerald Construction, Inc. at (352)223-2879 or to email address Hunter@rfc95.com

8. Note: CM will provide all required permits.

9. When applicable submit multiple proposal forms. One proposal form per bid package for clarification.

10. A downloadable document can be found at www.ryanfitzgeraldconstruction.com Under ITB Tab

FISH AND WILDLIFE CONSERVATION COMMISSION
 North Broward County Waterway Marker Project
 BID NO: FWC 23/24-76C
 TITLE: NORTH BROWARD COUNTY WATERWAY MARKER PROJECT

The Florida Fish and Wildlife Conservation Commission is seeking competitive pricing for the removal, repair or installation of a total of eighty-five (85) regulatory waterway markers to post boating safety and manatee marker protection zones within North Broward County, in accordance with the contract documents and Chapter 255 of the Florida Statutes.

To review the bid details:

Visit <https://vendor.myfloridamarketplace.com/>

Select Search Advertisements.

Enter FWC 23/24-76C into the Agency Advertisement Number box.

Click the Search button.

Select the solicitation to view the advertisement details.

Download files made available in the advertisement details page.

NOTE: The MyFloridaMarketPlace Vendor Information Portal (link provided above) is the posting location for all new and changing information regarding this solicitation. Interested bidders should continue to monitor this site for the entirety of the solicitation process.

Direct all questions to the Procurement Manager: Ruth Heggen, Florida Fish & Wildlife Conservation Commission, 1875 Orange Avenue East, Tallahassee, FL 32311-6160, Ruth.Heggen@MyFWC.com, (850)212-7699.

Section XII
Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Friday, February 9, 2024, and 3:00 p.m., Thursday, February 15, 2024.

Rule No.	File Date	Effective Date
5L-3.004	2/12/2024	3/3/2024
5L-3.007	2/12/2024	3/3/2024
27PER24-1	2/13/2024	2/13/2024
42G-1.002	2/15/2024	3/6/2024
59A-16.110	2/14/2024	3/5/2024
59A-16.111	2/14/2024	3/5/2024
59A-35.060	2/14/2024	3/5/2024
64B10-12.0001	2/12/2024	3/3/2024
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
40B-400.091	2/8/2024	**/**/****
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	**/**/****

AGENCY FOR HEALTH CARE ADMINISTRATION

PACE Application - Kinship

Medicaid

The Agency for Health Care Administration (Agency) announces receipt of a Program of All-inclusive Care for the Elderly (PACE) application.

APPLICANT ORGANIZATION: Kinship PACE of South Florida, LLC

COUNTIES AUTHORIZED BY LEGISLATURE: Broward

DATE OF RECEIPT: February 9, 2024

SUMMARY DESCRIPTION: On February 9, 2024, the Agency received a PACE application from Kinship PACE of South Florida, LLC to serve eligible residents of Broward County. Section 19 of Senate Bill 2518, passed by the 2021 Florida Legislature, allotted 300 slots to a private organization that has demonstrated the ability to service high-risk, frail elderly residents in either nursing homes or in the community in Florida through its operation of long-term care facilities. This organization shall provide these services to frail and elderly persons who reside in Broward County upon state and federal approval. View Senate Bill 2518 here:

<https://www.flsenate.gov/Session/Bill/2021/2518/BillText/er/PDF>.

QUESTIONS AND COMMENTS: Please contact the Bureau of Medicaid Policy at (850)412-4003 or at FLMedicaid_PACE@ahca.myflorida.com if you have questions or need additional information.

DEPARTMENT OF COMMERCE

Division of Community Development

Commerce Final Order No. COM-24-007

FINAL ORDER

APPROVING APALACHICOLA ORDINANCE NO. 2023-05

The Department of Commerce (“Department”) hereby issues its Final Order, pursuant to Section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Apalachicola (“City”), Ordinance No. 2023-05 (the “Ordinance”).

FINDINGS OF FACT

1.The Apalachicola Bay Area is designated by Section 380.0555, Florida Statutes, as an area of critical state concern. The City is within the Apalachicola Bay Area.

2.The Ordinance was adopted by the City on November 7, 2023, and rendered to the Department on December 20, 2023.

3.The Ordinance revises the City’s Land Development Code to provide a definition for the term “deck” and to modify the definitions for the terms “accessory structure” and “impervious surface coverage” to provide clarification as the terms relate to decks.

CONCLUSIONS OF LAW

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

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

6. The Ordinance is consistent with the City’s Comprehensive Plan as required by Section 163.3177(1), Florida Statutes, generally, and is specifically consistent with Goal 1, Objective 1 and 4, and Policy 4.4.

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

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

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

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

(e) Water quantity shall be managed to conserve and protect the natural resources and the scenic beauty of the Apalachicola Bay Area.

(f) The quality of water shall be protected, maintained, and improved for public water supplies, the propagation of aquatic life, and recreational and other uses which are consistent with these uses.

(h) Stormwater discharges shall be managed in order to minimize their impacts on the bay system and protect the uses as set forth in paragraph (f).

WHEREFORE, IT IS ORDERED that the Department finds that the City of Apalachicola Ordinance No. 2023-05 is consistent with the City of Apalachicola’s Comprehensive Plan and the Principles for Guiding Development for the Apalachicola Bay Area of Critical State Concern and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

/s/ Kate Doyle, Kate Doyle, Assistant Deputy Secretary, Division of Community Development, Florida Department of Commerce

NOTICE OF ADMINISTRATIVE RIGHTS

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

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

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK, FLORIDA DEPARTMENT OF COMMERCE, OFFICE OF THE GENERAL COUNSEL, 107 EAST MADISON ST., MSC 110, TALLAHASSEE, FLORIDA 32399-4128, FAX (850)921-3230, AGENCY.CLERK@COMMERCE.FL.GOV

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 15th day of February, 2024.

/s/ Karis De Gannes, Karis De Gannes, Agency Clerk, Department of Commerce, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128

By U.S. Mail:

The Honorable Brenda Ash, Mayor, Apalachicola City Hall, 192 Coach Wagoner Boulevard, Suite 1, Apalachicola, Florida 32320

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

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

DEPARTMENT OF COMMERCE

Division of Community Development

Commerce Final Order No. COM-24-008

FINAL ORDER

APPROVING APALACHICOLA ORDINANCE NO. 2023-06

The Department of Commerce (“Department”) hereby issues its Final Order, pursuant to Section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Apalachicola (“City”), Ordinance No. 2023-06 (the “Ordinance”).

FINDINGS OF FACT

1. The Apalachicola Bay Area is designated by Section 380.0555, Florida Statutes, as an area of critical state concern. The City is within the Apalachicola Bay Area.
2. The Ordinance was adopted by the City on December 5, 2023, and rendered to the Department on December 20, 2023.
3. The Ordinance revises the City’s Land Development Code to remove the prohibition that disallowed transient accommodations from containing cooking facilities in certain locations. The Ordinance also removes the requirement that a bed and breakfast must contain a minimum of two units.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See Section 380.05(6), Florida Statutes.
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
6. The Ordinance is consistent with the City’s Comprehensive Plan as required by Section 163.3177(1), Florida Statutes, generally, and is specifically consistent with Goal 1, Policy 5.2, and Objective 6.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. See Section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Apalachicola Bay Area of Critical State Concern are set forth in Section 380.0555(7), Florida Statutes.
8. The Ordinance is consistent with the Principles for Guiding Development in Section 380.0555(7), Florida Statutes, as a

whole, and is specifically consistent with the following Principles:

- (a) Land development shall be guided so that the basic functions and productivity of the Apalachicola Bay Area’s natural land and water systems will be conserved to reduce or avoid health, safety, and economic problems for present and future residents of the Apalachicola Bay Area.
- (b) Land development shall be consistent with a safe environment, adequate community facilities, a superior quality of life, and a desire to minimize environmental hazards.
- (c) Growth and diversification of the local economy shall be fostered only if it is consistent with protecting the natural resources of the Apalachicola Bay Area through appropriate management of the land and water systems.

WHEREFORE, IT IS ORDERED that the Department finds that the City of Apalachicola Ordinance No. 2023-06 is consistent with the City of Apalachicola’s Comprehensive Plan and the Principles for Guiding Development for the Apalachicola Bay Area of Critical State Concern and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

/s/ Kate Doyle , Kate Doyle, Assistant Deputy Secretary, Division of Community Development, Florida Department of Commerce

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

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

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK, FLORIDA DEPARTMENT OF COMMERCE, OFFICE OF THE GENERAL COUNSEL, 107 EAST MADISON ST., MSC 110, TALLAHASSEE,

FLORIDA 32399-4128, FAX (850)921-3230, AGENCY.CLERK@COMMERCE.FL.GOV

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 15th day of February, 2024.

/s/ Karis De Gannes, Karis De Gannes, Agency Clerk, Department of Commerce, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128

By U.S. Mail:

The Honorable Brenda Ash, Mayor, Apalachicola City Hall, 192 Coach Wagoner Boulevard, Suite 1, Apalachicola, Florida 32320

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

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

Section XIII Index to Rules Filed During Preceding Week

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