

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

**DEPARTMENT OF LEGAL AFFAIRS**

**Division of Victim Services and Criminal Justice Programs**

RULE NO.:       RULE TITLE:  
2A-8.005       Adjustments to Reflect Consumer Price  
                  Index

PURPOSE AND EFFECT: The proposed rule amendments are intended to reflect changes to benefits with regard to the recent changes in the Consumer Price Index.

SUBJECT AREA TO BE ADDRESSED: Benefits to be paid beginning July 1, 2018

RULEMAKING AUTHORITY: 112.19 FS

LAW IMPLEMENTED: 112.19 FS

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rick Nuss, Chief, Bureau of Criminal Justice Programs, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:       RULE TITLE:  
6A-10.024       Articulation Between and Among  
                  Universities, Florida Colleges, and School  
                  Districts

PURPOSE AND EFFECT: The rule implements the statewide articulated acceleration mechanisms of s. 1007.27, F.S., which facilitates a variety of accelerations mechanisms that are available to secondary and postsecondary students. This rule development allows for the inclusion of the 2018-2019 Credit-by-Examination Equivalencies list as approved by the Articulation Coordinating Committee, including updates and additions to credit awards for several exams and combining of the Excelsior and UExcel sections of the table, exams programs were combined by Excelsior College.

SUBJECT AREA TO BE ADDRESSED: Articulation Coordinating Committee's Credit-by-Examination Equivalencies list.

RULEMAKING AUTHORITY: 1001.02(2)(n), 1007.23(1), 1007.25, 1007.27, FS.

LAW IMPLEMENTED: 1001.64(8)(a), 1007.01(2), 1007.23, 1007.25, 1007.27, FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Todd Clark, Director, Office of Articulation, 325 W. Gaines Street, Tallahassee, FL 32399; (850)245-0764 or via email to Todd.Clark@fldoe.org. To request a rule development workshop or to submit a comment on this rule development, go to <https://web02.fldoe.org/rules/> or contact Chris Emerson, Director, Office of Executive Management, Department of Education, (850)245-9601 or email Christian.Emerson@fldoe.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Available at <https://web02.fldoe.org/rules/>.

**DEPARTMENT OF EDUCATION**

**Florida's Office of Early Learning**

RULE NOS.:     RULE TITLES:  
6M-4.200       School Readiness Eligibility Provisions  
6M-4.208       Documenting Eligibility for the School  
                  Readiness Program

PURPOSE AND EFFECT: The purpose of the revised rule is to standardize the school readiness program eligibility requirements to comply with federal and statutory mandate.

SUBJECT AREA TO BE ADDRESSED: School Readiness Program Eligibility

RULEMAKING AUTHORITY: 1001.213(2), FS

LAW IMPLEMENTED: 1002.81, 1002.82(2)(f),(x), 1002.84(7), 1002.87, FS.

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

DATE AND TIME: Tuesday, May 1, 2018, 2:00 p.m. – 3:00 p.m., EST or until business is concluded, whichever is earlier.

Wednesday, May 2, 2018, 10:30 a.m. – 11:30 a.m., EST or until business is concluded, whichever is earlier.

Thursday, May 3, 2018, 11:00 a.m. – 12:00 p.m., EST or until business is concluded, whichever is earlier.

Thursday, May 3, 2018, 4:00 p.m. – 5:00 p.m., EST or until business is concluded, whichever is earlier.

PLACE: via GoToWebinar only. To register for the webinar, please visit:

[http://www.floridaearlylearning.com/statewide\\_initiatives/laws\\_and\\_rules/proposed\\_rules.aspx](http://www.floridaearlylearning.com/statewide_initiatives/laws_and_rules/proposed_rules.aspx)

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: Katerina Maroney, School Readiness Policy Supervisor, (850)717-8614. 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: Katerina Maroney, 250 Marriott Drive, Tallahassee, FL 32399, (850)717-8614 or email: Katerina.Maroney@oel.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

NOT AVAILABLE AT THIS TIME. However, it will be made available on the Office of Early Learning website prior to the date of the rule development workshop: [http://www.floridaearlylearning.com/statewide\\_initiatives/laws\\_and\\_rules/proposed\\_rules.aspx](http://www.floridaearlylearning.com/statewide_initiatives/laws_and_rules/proposed_rules.aspx)

**DEPARTMENT OF HEALTH**

**Division of Medical Quality Assurance**

RULE NO.: 64B-3.005  
 RULE TITLE: Counterfeit-Proof Prescription Pads and Blanks for Controlled Substance Prescribing

PURPOSE AND EFFECT: To amend rule to include information relating to nonacute pain as required by recently enacted legislation.

SUBJECT AREA TO BE ADDRESSED: Counterfeit-proof prescription pad forms.

RULEMAKING AUTHORITY: 893.065, F.S.

LAW IMPLEMENTED: 893.065, F.S.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lola Pouncey, Bureau Chief, 4052 Bald Cypress Way, Bin #C-01, Tallahassee, Florida 32399 or Lola.Pouncey@FIHealth.gov.

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

**Section II  
 Proposed Rules**

**DEPARTMENT OF EDUCATION**

**State Board of Education**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
6A-1.09422	Statewide, Standardized Assessment Program Requirements
6A-1.094223	Comparative and Concordant Scores for the Statewide Assessment Program

PURPOSE AND EFFECT: The purpose of the amendment to Rule 6A-1.09422, F.A.C., is to establish new concordant scores that align with the Grade 10 Florida Standards Assessment (FSA) English Language Arts (ELA) Assessment and comparative scores that align with the FSA Algebra 1 End-of-Course (EOC) Assessment. This amendment will incorporate significant portions of Rule 6A-1.094223, F.A.C., which will be repealed. Sections 1008.22(9) and (10), F.S., provide authority to the State Board of Education to adopt in rule passing scores that are concordant with the grade 10 ELA assessment and passing scores that are comparable to the FSA Algebra 1 EOC Assessment. The effect of this change will allow the Department of Education to codify concordant and comparative passing scores in rule.

SUMMARY: The proposed rule amendment will establish concordant scores for the SAT and ACT assessments to satisfy the graduation requirement associated with the Grade 10 FSA ELA Assessment and comparative scores for the SAT and ACT assessments to satisfy the graduation requirement associated with the FSA Algebra 1 EOC Assessment. Rule language has been clarified to indicate who will be eligible for the current concordant/comparative scores and who will be eligible for the proposed concordant/comparative scores.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rule revisions relate only to establishing concordant scores for the grade FSA Grade 10 ELA assessment and comparative scores for the FSA Algebra 1 EOC Assessment; therefore, there is no direct or immediate impact on economic growth, private sector job creation, employment, or private

sector investment. If there is any impact on such economic growth and private sector job creation, the impact would be positive because the establishment of rigorous yet attainable concordant/comparative scores helps ensure that students are prepared for college and careers, which, in turn, positively impacts economic growth, private sector job creation, and employment. For the same reasons, though no impact on business competitiveness is anticipated, any impact would be positive. Because the proposed rule relates only to the establishment of concordant scores for the Grade 10 FSA ELA Assessment and comparative scores for the FSA Algebra 1 EOC Assessment, it is not likely to increase regulatory costs or 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: 1001.02, 1008.22, 1008.25, F.S.

LAW IMPLEMENTED: 1001.02, 1008.22, 1008.25, F.S.

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

DATE AND TIME: May 16, 2018, 9:00 a.m.

PLACE: Pinellas County School Board Office: 301 4th Street SW; Largo, FL 33770.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Vince Verges, Assistant Deputy Commissioner, Division of Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 414, Tallahassee, Florida 32399-0400, (850)245-0513.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09422 Statewide, Standardized Assessment Program Requirements.

(1) through (2) No change.

(3) The assessment program shall include comprehensive assessments in English Language Arts (ELA), Mathematics and Science, end-of-course (EOC) assessments, and pursuant to Section 1008.22(3)(e)3., F.S., retake administrations of former assessments required for graduation.

(a) through (c) No change.

(d) The ~~EOC end-of-course~~ assessments shall consist of assessments measuring the skills specified in five (5) courses: Algebra 1, Geometry, Biology 1, United States History, and Civics.

(e) No change.

(f) The Algebra 1 ~~EOC end-of-course~~ assessment retake with a baseline administration of 2010-2011 shall measure Algebra 1 skills required in the Algebra 1 course, including course equivalents contained from 2010-2011 to 2013-2014,

and shall continue to have retake administrations through the 2016-2017 school year.

(4) The statewide assessment program shall be administered as follows:

(a) through (c) No change.

(d) Beginning with the 2014-2015 school year, all eligible students enrolled in a high school Algebra 1 or equivalent course must take the Algebra 1 ~~EOC end-of-course~~ assessment with a baseline administration of 2014-2015 and all eligible students enrolled in a high school Geometry or equivalent course must take the Geometry ~~EOC end-of-course~~ assessment.

(e) Beginning with the 2011-2012 school year, all eligible students enrolled in a high school Biology 1 or equivalent course must take the Biology 1 ~~EOC end-of-course~~ assessment.

(f) Beginning with the 2012-2013 school year, all eligible students enrolled in a high school United States History or equivalent course must take the United States History ~~EOC end-of-course~~ assessment.

(g) Beginning with the 2013-2014 school year, all eligible students enrolled in a middle school civics education course must take the Civics ~~EOC end-of-course~~ assessment.

(h) through (j) No change.

(5) Examinee scores on the statewide ELA and Mathematics assessments shall be reported by the use of scale scores and achievement levels defined by the baseline assessment administered during the 2014-2015 school year. Examinee scores on the statewide Science assessment shall be reported by the use of scale scores and achievement levels defined by the baseline assessment administered during the 2011-2012 school year. Examinee scores on ~~EOC end-of-course~~ assessments shall be reported by the use of scale scores and achievement levels defined by the baseline assessment administered as follows: Algebra 1 ~~EOC end-of-course~~ assessment (2014-2015), Algebra 1 ~~EOC end-of-course~~ assessment for retake students (2010-2011), Geometry ~~EOC end-of-course~~ assessment (2014-2015), Biology 1 ~~EOC end-of-course~~ assessment (2011-2012), United States History ~~EOC end-of-course~~ assessment (2012-2013), and Civics ~~EOC end-of-course~~ assessment (2013-2014).

(a) The achievement levels for the comprehensive statewide assessments shall be as shown in the following tables.

Statewide ELA assessment developmental scale scores (240 to 412) for each achievement level:

Grade	Level 1	Level 2	Level 3	Level 4	Level 5
3	240-284	285-299	300-314	315-329	330-360
4	251-296	297-310	311-324	325-339	340-372
5	257-303	304-320	321-335	336-351	352-385
6	259-308	309-325	326-338	339-355	356-391

7	267-317	318-332	333-345	346-359	360-397
8	274-321	322-336	337-351	352-365	366-403
9	276-327	328-342	343-354	355-369	370-407
10	284-333	334-349	350-361	362-377	378-412

Statewide Mathematics assessment developmental scale scores (240 to 393) for each achievement level:

Grade	Level 1	Level 2	Level 3	Level 4	Level 5
3	240-284	285-296	297-310	311-326	327-360
4	251-298	299-309	310-324	325-339	340-376
5	256-305	306-319	320-333	334-349	350-388
6	260-309	310-324	325-338	339-355	356-390
7	269-315	316-329	330-345	346-359	360-391
8	273-321	322-336	337-352	353-364	365-393

Statewide Science assessment grade-level scale scores (140 to 260) for each achievement level:

Grade	Level 1	Level 2	Level 3	Level 4	Level 5
5	140-184	185-199	200-214	215-224	225-260
8	140-184	185-202	203-214	215-224	225-260

(b) The achievement levels for the EOC end-of-course assessments shall be as shown in the following tables.

Algebra 1 EOC end-of-course assessment (baseline 2014-2015) scale scores (425 to 575) for each achievement level:

Level	Level 1	Level 2	Level 3	Level 4	Level 5
11	425-486	487-496	497-517	518-531	532-575

Geometry EOC end-of-course assessment scale scores (425 to 575) for each achievement level:

Level	Level 1	Level 2	Level 3	Level 4	Level 5
11	425-485	486-498	499-520	521-532	533-575

Biology 1 EOC end-of-course assessment scale scores (325 to 475) for each achievement level:

Level 1	Level 2	Level 3	Level 4	Level 5
325-368	369-394	395-420	421-430	431-475

United States History EOC end-of-course assessment scale scores (325 to 475) for each achievement level:

Level 1	Level 2	Level 3	Level 4	Level 5
325-377	378-396	397-416	417-431	432-475

Civics EOC end-of-course assessment scale scores (325 to 475) for each achievement level:

Level 1	Level 2	Level 3	Level 4	Level 5
325-375	376-393	394-412	413-427	428-475

(c) The achievement levels for the retake assessments shall be shown in the following tables.

Grade 10 FCAT 2.0 Reading retake scale scores (188 to 302) for each achievement level:

Level 1	Level 2	Level 3	Level 4	Level 5
188-227	228-244	245-255	256-270	271-302

Algebra 1 end-of-course assessment retake (baseline 2010-2011) scale scores (325 to 475) for each achievement level:

Level 1	Level 2	Level 3	Level 4	Level 5
325-374	375-398	399-424	425-436	437-475

(6) In accordance with Section 1008.22(3)(e)3., F.S., for students who took the statewide Grade 10 FSA ELA (2014-15) or FSA Algebra 1 EOC end-of-course (2014-15) assessment prior to the adoption on February 9, 2016, of the achievement levels and developmental scale scores defined herein, the alternate passing score for the Grade 10 FSA ELA Grade 10 is 349 and above, which corresponds to the passing score of 245 and above on Grade 10 FCAT 2.0 Reading retake; the alternate passing score for the FSA Algebra 1 EOC end-of-course is 489 and above, which corresponds to the passing score of 399 and above for the Algebra 1 EOC end-of-course retake (2010-11).

(7) For students who took the statewide Geometry EOC end-of-course (2014-15) prior to the adoption on February 9, 2016, of the achievement levels and developmental scale scores defined herein, the alternate passing score shall be 492 and above, which corresponds to the passing score of 396 and above for the previous Geometry EOC end-of-course (2010-11), which was last administered December 2014.

(8) Concordant and comparative scores shall be applied to the statewide assessment program as follows:

(a) Concordant scores shall be applied for the grade 10 Reading or ELA assessment, as appropriate, according to this subsection:

1. Beginning with students who entered grade 9 in the 2010-11 school year and ending with students who entered grade 9 in the 2017-18 school year, students and adults who have not yet earned their required passing score on the Grade 10 FCAT 2.0 Reading Assessment or the Grade 10 FSA ELA Assessment, as applicable, may meet this testing requirement to qualify for a high school diploma by earning a concordant passing score on the respective section of the SAT or ACT. For eligible students, the concordant passing scale score shall be a score equal to or greater than four hundred and thirty (430) on the 200 to 800 scale for the SAT Evidence-Based Reading and

Writing (EBRW) section, twenty-four (24) on the 10 to 40 scale of the SAT Reading Subtest section, or nineteen (19) on the 1 to 36 scale on the ACT Reading section. Eligible students may also use concordant scores set forth in subparagraph (8)(a)2. of this rule.

2. Beginning with students who entered grade 9 in the 2018-19 school year, students and adults who have not yet earned their required passing score on the Grade 10 FSA ELA Assessment, may meet this testing requirement to qualify for a high school diploma by earning a concordant passing score on the EBRW section of the SAT or the average of the English and Reading subject test scores for the ACT. For eligible students, the concordant passing scale score for the SAT EBRW shall be a score equal to or greater than four hundred and eighty (480) on the 200 to 800 scale, and the concordant passing scale score for the average of the English and Reading subject test scores on the ACT shall be a score equal to or greater than eighteen (18) on the 1 to 36 scale. For the ACT, if the average of the two subject test scores results in a decimal of .5, the score shall be rounded up to the next whole number. The scores for the English and Reading subject tests on the ACT are not required to come from the same test administration.

(b) Comparative scores shall be applied for the Algebra 1 EOC assessment, as appropriate, according to this subsection:

1. Beginning with students entering grade 9 in the 2011-12 school year and ending with students who entered grade 9 in the 2017-18 school year, students and adults who have not yet earned their required passing score on the Algebra 1 EOC assessment, may meet this testing requirement to qualify for a high school diploma by earning a comparative passing score on the Mathematics section of the Postsecondary Education Readiness Test (PERT). For eligible students, the comparative passing scale score for the PERT shall be a score equal to or greater than ninety-seven (97) on the 50 to 150 scale. Eligible students may also use comparative scores set forth in subparagraph (8)(b)2. of this rule.

2. Beginning with students who entered grade 9 in the 2018-19 school year, students and adults who have not yet earned their required passing score on the Algebra 1 EOC assessment, may meet this testing requirement to qualify for a high school diploma by earning a comparative passing score on the Math section of either the SAT or the ACT. For eligible students, the comparative passing scale score shall be a score equal to or greater than four hundred and twenty (420) on the 200 to 800 scale for the SAT Math section or equal to or greater than sixteen (16) on the 1 to 36 scale for the ACT Math section.

(c) When a student or adult earns a passing score on the respective section of the alternative assessment used to meet the graduation requirement(s), it shall be recorded in their cumulative record. Regardless of whether they have already been awarded a certificate of completion, a student or adult who

has met all other high school graduation requirements but has taken and failed one or more standardized, statewide assessments associated with a graduation requirement (the grade 10 Reading, the grade 10 ELA, or the Algebra 1 EOC) shall be awarded a standard high school diploma if the student or adult earns or has earned a concordant or comparative score for an alternative assessment, set forth in subparagraph (8)(a) and (b). A student or adult may retest until they earn a passing score on the respective statewide assessment or a concordant or comparative score on an alternative assessment.

(9) (8) The assessments shall be administered according to a schedule approved by the Commissioner.

(10) (9) Students with disabilities may be provided test modifications or accommodations in accordance with the provisions of Rule 6A-1.0943, F.A.C. Requirements for the alternate assessment for students with significant cognitive disabilities are established in Rule 6A-1.0943, F.A.C.

(11) (10) English Language Learners (ELLs) may be provided test accommodations in accordance with the provisions of Rule 6A-6.09091, F.A.C. Requirements for the annual English language proficiency assessment for ELLs are established in Rule 6A-6.09021, F.A.C.

Rulemaking Authority 1001.02, 1008.22, 1008.25 FS. Law Implemented 1001.02, 1001.11, 1003.4282, 1008.22, 1008.25 FS. History—New 1-24-99, Amended 10-7-01, 1-22-02, 12-23-03, 3-27-06, 3-1-07, 2-25-09, 7-19-10, 2-12-12, 2-3-13, 2-25-14, 2-17-15, 2-9-16, 1-1-18,

6A-1.094223 Comparative and Concordant Scores for the Statewide Assessment Program.

Rulemaking Authority 1008.22 FS. Law Implemented 1003.4282, 1008.22 FS. History—New 11-3-13, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Juan Copa, Deputy Commissioner, Division of Accountability, Research and Measurement.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 11, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 5, 2018

## DEPARTMENT OF EDUCATION

### State Board of Education

RULE NO.: RULE TITLE:

6A-4.01411

Equivalent Credentials for the Voluntary Prekindergarten (VPK) Education Program

PURPOSE AND EFFECT: To provide detailed requirements of standard, professional credentials that are considered equivalent to statutorily defined credentials found in s. 1002.55(4)(a)-(d),

F.S., that will allow a larger pool of qualified instructors to teach the VPK education program during the school-year.

SUMMARY: This new rule lists equivalent credentials for the Voluntary Prekindergarten (VPK) Education Program for School-Year instructors.

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: This proposed rule is not expected to have any adverse impact on economic growth, business competitiveness or any other factors listed in s. 120.541(2)(a), F.S., and is not expected to require legislative ratification, as the rule expands educational credentials needed to qualify as a VPK instructor. The proposed rule revisions do not impose new costs on any stakeholder.

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: 1001.213(2), 1002.55(4)(e), FS.

LAW IMPLEMENTED: 1002.55(4)(e), 1002.63(5), FS.

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

DATE AND TIME: May 16, 2018, 9:00 a.m.

PLACE: Pinellas County School Board Office: 301 4th Street SW, Largo, FL 33770.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Tara Huls, VPK Program and Policy Manager, 250 Marriott Drive, Tallahassee, FL 32399, (850)717-8635.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.01411 Equivalent Credentials for the Voluntary Prekindergarten (VPK) Education Program for School-Year Instructors

(1) The department approves the following educational credentials for VPK instructors during the school year program as being equivalent to or greater than an educational credential described in s. 1002.55(4)(a)-(d), F.S.:

(a) An associate's degree in early childhood education;

(b) A bachelor's or higher degree in family and child sciences and at least 480 hours of experience in teaching or providing child care services for children any age from birth through eight (8) years of age;

(c) A bachelor's or higher degree in:

1. Exceptional student education or special education;

2. Mental disabilities, mentally handicapped or mentally impaired;

3. Specific learning disabilities;

4. Physically impaired;

5. Varying exceptionalities;

6. Emotional disabilities;

7. Deaf or hard of hearing or hearing impaired; or

8. Speech-language pathology, speech-language impaired or speech correction.

(d) A valid Temporary or Professional Florida Educator's Certificate in the area of:

1. Prekindergarten/primary education (age three through grade three);

2. Preschool education (birth through age four);

3. Elementary education (grades 1-6) or (Kindergarten through grade 6);

4. Early childhood education (nursery through kindergarten);

5. Primary education (Kindergarten through grade 3);

6. Exceptional student education (grades K-12);

7. Deaf or hard of hearing or hearing impaired (grades K-12);

8. Speech-language impaired or speech-language impaired associate (grades K-12);

9. Prekindergarten disabilities (endorsement);

10. Physically impaired (grades K-12);

11. Mentally handicapped (grades K-12);

12. Specific learning disabilities (grades K-12);

13. Varying exceptionalities (grades K-12); or

14. Emotionally handicapped (grades K-12).

(e) A valid license issued by the Florida Department of Health to serve as a:

1. Physical therapist or

2. Speech language pathologist.

(2) A VPK instructor must not be ineligible for certification under s. 1012.315, F.S., or ineligible to teach in a public school because his or her educator certificate is suspended, revoked or otherwise sanctioned by the Education Practice Commission. Rulemaking Authority 1001.213(2), 1002.55(4)(e). Law Implemented 1002.55(4)(e), 1002.63(5) FS. New

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Tara Huls, Manager, VPK Program and Policy.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 13, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 16, 2018

## DEPARTMENT OF EDUCATION

### State Board of Education

RULE NO.: RULE TITLE:

6A-6.0573 Industry Certification Process.

PURPOSE AND EFFECT: To amend the rule to adopt updated funding weights for industry certifications on the 2017-2018 CAPE Industry Certification Funding List. The effect of the rule development is to ensure that appropriate weights, in accordance with the provisions of s. 1011.62(1)(o), F.S., are included on the CAPE Industry Certification Funding List.

SUMMARY: The amendment includes revisions to the rule and to a document incorporated by reference, 2017-2018 CAPE Industry Certification Funding List, Updated. The State Board of Education is adopting new articulation agreements in Rule 6A-10.0401, F.A.C. The addition of these agreements impacts the funding weight that should be assigned to the industry certification, as specified in s. 1011.62(1)(o), F.S. This statute specifies that a value of 0.2 full-time equivalent membership shall be calculated for each student who is issued an industry certification that has a statewide articulation agreement for college credit approved by the State Board of Education. The 2017-2018 CAPE Industry Certification Funding List is updated to change the funding weight from 0.1 to 0.2 for five (5) certifications for which the State Board of Education is adopting articulation agreements for college credit.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule is not expected to have any impact on the factors found in 120.541(2)(a), F.S. This is because the amendment authorizes additional industry certifications which school districts are provided incentives to offer. These certifications have been evaluated to be rigorous and tied to the

statewide occupational demand in Florida and does 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: 1003.492(2), 1008.44, F.S.

LAW IMPLEMENTED: 1003.492, 1003.493, 1008.44, 1011.62(1)(o), F.S.

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

DATE AND TIME: May 16, 2018, 9:00 a.m.

PLACE: Pinellas County School Board Office: 301 4th St., SW, Largo, FL 33770.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tara Goodman, Bureau Chief, Division of Career and Adult Education, 325 West Gaines Street, suite 744, Tallahassee, Florida 32399-0400; phone (850)245-9001; Tara.Goodman@fldoe.org.

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

6A-6.0573 Industry Certification Process.

(1) through (4) No change.

(5) Adoption of an annual "CAPE Industry Certification Funding List." The "CAPE Industry Certification Funding List" is composed of industry certifications, certificates, and courses as specified in Sections 1008.44 and 1011.62(1), F.S.

(a) No change.

(b) This list will be known as the "2017-2018 CAPE Industry Certification Funding List, updated," (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08702>) published by the Department of Education and is incorporated by reference in this rule. The list may be obtained from the Department of Education, Room 744, Turlington Building, 325 West Gaines Street, Tallahassee, FL 32399.

(6) through (11) No change.

(12) Funding Weights for "CAPE Industry Certifications" and "CAPE Acceleration Industry Certifications." Pursuant to Section 1011.62(1), F.S., the weight used for "CAPE Industry Certifications" and "CAPE Acceleration Industry Certifications" in the Florida Education Finance Program (FEFP) shall be based on statewide articulation agreements approved by the State Board of Education in Rule 6A-10.0401, F.A.C., which is incorporated herein by reference (DOS link). If an articulation agreement is no longer current and is removed from Rule 6A-10.0401, F.A.C., after the start of the academic year, the funding weight will be updated during the adoption cycle for the following academic year. A copy of Rule 6A-10.0401, F.A.C. may be obtained from the Department of

Education, Room 744, Turlington Building, 325 West Gaines Street, Tallahassee, FL 32399.

(13) through (14) No change.

Rulemaking Authority 1003.4203(9), 1003.492(3), 1008.44, 1011.62(1)(o) FS. Law Implemented 1003.4203, 1003.492, 1003.493, 1003.4935, 1008.44, 1011.62(1)(o) FS. History—New 10-20-08, Amended 8-18-09, 6-22-10, 6-21-11, 10-25-11, 8-23-12, 3-25-13, 11-3-13, 6-25-14, 11-4-14, 5-19-15, 9-30-15, 7-26-16, 10-30-16, 4-25-17, 10-17-17.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Rod Duckworth, Chancellor, Division of Career and Adult Education.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 12, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 7, 2018

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-10.0401  
RULE TITLE: Gold Standard Career Pathways Articulation Agreements

PURPOSE AND EFFECT: To approve all active Gold Standard Career Pathways Articulation Agreements incorporated by reference in the document entitled: Gold Standard Career Pathways Articulation Agreements of Industry Certification to AAS and AS Degree Programs for the 2017-2018 Academic Year. The agreements guarantee the award of a specified number of college credits to students who have earned the specified industry certification towards the award of a specific Associate of Applied Science degree or Associate of Science degree program at a Florida College System institution.

SUMMARY: Gold Standard Career Pathways Articulation Agreements are developed periodically through a consensus process with the Florida College System institutions and are based on industry certifications on the Department of Education’s “CAPE Industry Certification Funding List.” Six (6) articulation agreements have recently been developed and approved by the Articulation Coordinating Committee on February 28, 2018. The agreements provide a saving of tuition costs for the students and eliminates the need to repeat coursework mastered as evidenced by passage of a third party examination leading to the award of an industry certification.

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

The Agency has determined that this will not have an adverse

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule will have no regulatory cost and no negative economic impact and will not require legislative ratification. By incorporating articulation agreements, the proposed rule will require state colleges to recognize uniform credits earned by students having obtained industry certification in specified fields. The proposed rule will therefore facilitate students obtaining degrees from Florida state colleges economically and without duplication of course material. Thus, the adverse impact or regulatory cost, if any, does not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in s. 120.51(2)(a), Florida Statutes.

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: 1007.23, F.S.

LAW IMPLEMENTED: 1007.23, F.S.

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

DATE AND TIME: May 16, 2018, 9:00 a.m.

PLACE: Pinellas County School Board Office: 301 4th St., SW, Largo, FL 33770.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kathleen Taylor, Division of Career and Adult Education, Florida Department of Education 325 West Gaines Street, #714C, Tallahassee, FL 32399-0400, (850)245-9062.

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

6A-10.0401 Gold Standard Career Pathways Articulation Agreements.

Statewide articulation agreements as required in Section 1007.23(1), F.S., to be adopted in rule are contained in the publication Gold Standard Career Pathways Articulation Agreements of Industry Certification to AAS and AS-AAS/AS Degree Programs 2017-2108 ~~2016-2107~~ Academic Year (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08090>) which is hereby incorporated by reference. Copies may be obtained from the Division of Career and Adult Education, Department of Education, 325 West Gaines Street, Room 734, Tallahassee, Florida 32399.



Rulemaking Authority 1007.23(1) FS. Law Implemented 1007.23 FS. History—New 3-25-13, Amended 6-25-14, 5-19-15, 7-26-16, 04/25/2017.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Rod Duckworth, Chancellor, Division of Career and Adult Education.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 12, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 7, 2018

**DEPARTMENT OF MANAGEMENT SERVICES**

**Commission on Human Relations**

RULE NO.: 60Y-5.0011  
RULE TITLE: Answer

PURPOSE AND EFFECT: The proposed rule amendment seeks to eliminate the section allowing respondents to amend an answer at any time prior to the issuance of a determination because of the delays it causes for the Florida Commission on Human Relations to conduct its investigations within 180 days, as required by Florida Statute.

SUMMARY: Pursuant to Rule 60Y-5.003(3)-(4), F.A.C., the Florida Commission on Human Relations' Office of Employment Investigations may request of a respondent any information concerning the facts and circumstances of the complaint. The Commission is to provide the respondent with reasonable notice and an opportunity to provide requested information already, so the additional allotment of time to amend the answer in Rule 60Y-5.0011(b) is unnecessary.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule amendment is to a procedural rule and will have no economic impact and, therefore, will not require ratification. There are no applicable federal standards that relate to Rule 60Y-5.0011.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal

for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 760.06(12), F.S.

LAW IMPLEMENTED: 760.11(1), F.S.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cheyanne Costilla, General Counsel, Florida Commission on Human Relations, 4075 Esplanade Way, Suite 110, Tallahassee, FL 32399-7020, (850)488-7082, cheyanne.costilla@fchr.myflorida.com.

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

60Y-5.0011 Answer.

(1) Respondent may file an answer to the complaint within 25 days of the date the complaint was filed with the commission. The answer shall be verified. The person filing the answer shall mail a copy to the complaining party.

~~(2) The answer may be reasonably and fairly amended at any time prior to the issuance of a determination pursuant to Rule 60Y-5.004, F.A.C.~~

Rulemaking Authority 760.06(12) FS. Law Implemented 760.11(1) FS. History—New 2-5-04, Amended 1-31-18, Amended xx-xx-xx.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Cheyanne Costilla, General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michelle Wilson, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 21, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 4/9/18

**DEPARTMENT OF FINANCIAL SERVICES**

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

RULE NO.: 69K-30.001  
RULE TITLE: Disciplinary Guidelines and Penalties for Funeral Directors and Establishments, Embalmers, Removal Services, Refrigeration Services, Direct Disposers and Establishments, and Cinerator Facilities.

PURPOSE AND EFFECT: The Division proposes the rule amendment to clarify disciplinary guidelines.

SUMMARY: Substantial rewrite of the disciplinary guidelines.

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

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within

one year after the implementation of the rule. A SERC has not been prepared by the Agency.

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

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

RULEMAKING AUTHORITY: 497.103, 497.154 FS.

LAW IMPLEMENTED: 497.152, 497.154 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ellen Simon, Assistant Director, Division of Funeral, Cemetery, and Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361, (850)413-4985, Ellen.Simon@MyfloridaCFO.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

Substantial rewording of Rule 69K-30.001 follows. See Florida Administrative Code for present text.

#### 69K-30.001 Disciplinary Guidelines and Penalties

(1) The purpose of the disciplinary guidelines is to give notice to licensees and others of the range of penalties which may be imposed for violations of particular provisions of chapter 497, F.S., and rules promulgated thereto. The disciplinary guidelines are based upon a single count violation of each provision listed. Multiple counts of violations of the same provision of chapter 497, F.S., or the rules promulgated thereto, or other unrelated violations contained in the same administrative complaint will be grounds for enhancement of penalties. All penalties at the upper range of the sanctions set forth in the guidelines, i.e., suspension, revocation, etc., may include lesser penalties, i.e., fines, costs, or probation which may be included in the final penalty at the board's discretion. If

the board finds that a person is subject to disciplinary action, the board shall issue a final order imposing appropriate penalties within the ranges recommended in these disciplinary guidelines, in the absence of aggravating or mitigating factors.

(2) As an alternative to the provisions of section 497.153, F.S., and pursuant to section 497.155, F.S., the department may provide a licensee with a notice of noncompliance for a minor violation. Minor violations are deemed to be those violations for which there is no substantial threat to the public health, safety, and welfare.

(3) The department shall also have the authority to issue citations for the violations set forth herein if issued within six months after the completion of the inspection or examination or the filing of the complaint which is the basis of the citation. The licensee must confirm that the violation has been corrected or is in the process of being corrected, upon acceptance of the citation. For each violation, there is a range of penalties to be imposed depending upon whether the violation is the first or second violation of the particular provision within the previous six (6) year period. (Multiple occurrences of a specific violation within an examination report will be cited as one violation.)

(4) Definitions. As used in this rule:

(a) "Notice of noncompliance" means an instrument which meets the requirements set forth in section 497.155, F.S., and which is served upon a person for the purpose of notifying the subject of the violation(s)

(b) "Citation" means an instrument which meets the requirements set forth in section 497.155, F.S., and which is served upon a person for the purpose of assessing a penalty in an amount established by this rule;

(c) "Costs" includes costs of investigation and prosecution as set forth in 497.153(5)(B), F.S.

(d) "Reprimand" is a discipline that the board may impose in addition to or in lieu of any other disciplinary penalty. A reprimand is represented by a written document.

(5) Unless otherwise set out herein, a violation of any provision under Chapter 497, F.S., or violation of any lawful order of the board or department will be considered a violation of section 497.152(1)(a), F.S., and may result in disciplinary action as follows:

(a) Penalty Range 1st Offense: Reprimand, fine of \$250 to \$2500 plus costs. In addition, probation for 6 months to 1 year, suspension up to 2 years, permanent revocation of license and/or restitution may be imposed.

(b) Penalty Range Subsequent Offenses: Reprimand, fine of \$1000 to \$5000 plus costs. In addition, probation for up to 2 years, suspension up to 5 years, permanent revocation of license and/or restitution may be imposed.

(6) Based upon consideration of the following aggravating and mitigating factors, the board may impose disciplinary action other than the penalties recommended herein:(a) The

danger to the public;(b) The length of time since date of violation;(c) The number of complaints filed against the licensee;(d) The length of time licensee has practiced;(e) The actual damage, physical or otherwise, caused by the violation;(f) The deterrent effect of the penalty imposed;(g) The effect of the penalty upon the licensee’s livelihood;(h) Any efforts for rehabilitation;(i) The actual knowledge of the licensee pertaining to the violation;(j) Attempts by licensee to correct or stop violations or refusal by licensee to correct or stop violations;(k) Related violations against a license in another state including findings of guilt or innocence, penalties imposed and penalties served;(l) Penalties imposed for related offenses under these guidelines; and (m) Any other aggravating and mitigating circumstances.

(7) The board may also impose the following conditions in a disciplinary Order: (a) Fines and costs are to be paid by cashier’s check or money order payable to the Board of Funeral, Cemetery, and Consumer Services and delivered to the board office at the Department of Financial Services, Board of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399, within 30 days of the effective date of the Order; (b) Continuing Education, when imposed as a condition of probation, will be a minimum of two (2) hours and a maximum of six (6) hours per violation and shall be in addition to those hours required for license renewal. Unless otherwise indicated in the Order, all Continuing Education must be completed prior to the lifting of probation or suspension; (c) Licensee may be required to take and pass the Florida Laws and Rules Examination at his/her own expense, prior to the lifting of probation or suspension; and/or (d) Prior to the lifting of probation or suspension, the board may compel the licensee to attend an in-person meeting of the board and demonstrate compliance with the Order and demonstrate by testimony, presentation of letters of recommendation from friends and supervisors within the industry, and other indicia of rehabilitation, that he or she is able to resume practicing with reasonable care and safety and in compliance with the laws of the State of Florida and rules of this board.

(8) Upon motion and for good cause shown, the usual conditions may be altered by the board at the time discipline is imposed to reflect licensee’s ability to comply. Changes include, but are not limited to, extension of time for payment of fines and costs, reduction of the interest rate imposed, altering the time for taking Continuing Education or the Florida Laws and Rules Examination, waiving appearance before the board altogether, or permitting appearance pursuant to paragraph (7)(d), by telephone due to incapacity.

(9) TRUST FUND RESTORATION: IN ADDITION TO ANY DISCIPLINE IMPOSED UNDER THESE GUIDELINES, THE BOARD MAY ORDER A LICENSEE TO REMIT THE FULL AMOUNTS REQUIRED BY CHAPTER 497 TO THE APPROPRIATE TRUST FUND AS PER 497.153(6), FLORIDA STATUTES.

(10) The provisions of these guidelines shall not be construed so as to prohibit civil action or criminal prosecution as provided for in section 497.153, 497.158 or 497.159, F.S., and shall not be construed so as to limit the ability of the board to enter into binding stipulations as per section 120.57(4), F.S.

(11) Violations and penalties are listed below. Descriptions of the violations are general in nature and may not identically match the language provided in statute.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION Proposed Penalty based upon Rule Committee Meetings	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
<b>DISCIPLINE UNDER SECTIONS 497.152(1)(A) AND (B), F.S., SHALL BE LIMITED TO VIOLATIONS NOT OTHERWISE ADDRESSED BY THESE GUIDELINES.</b>				
<b>GENERAL PROVISIONS</b>				
1	<a href="#">497.151(2)</a>	Failing to maintain procedures for handling complaints	Notice of non-compliance	Citation of \$200
2	<a href="#">497.152(1)(b)</a>	Committing fraud, deceit, negligence, incompetence, or misconduct	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year, suspension up to 2 years, permanent revocation of license and/or restitution may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 5 years, permanent revocation of license and/or restitution may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
3	<a href="#">497.152(1)(c)</a>	Failing to maintain one or more of the qualifications for holding a license under this chapter	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for up to 2 years with conditions or suspension up to 2 years may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 3 years with conditions, suspension up to 3 years, or permanent revocation of license may be imposed.
4	<a href="#">497.152(1)(d)</a>	Refusing to sell or issue a contract to any person because of race, color, creed, marital status, sex, or national origin	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for up to 2 years with conditions may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 3 years with conditions, suspension up to 3 years, or permanent revocation of license may be imposed.
5	<a href="#">497.152(2)</a>	Being convicted of, pleading nolo, regardless of adjudication to crime directly relates to practice or ability to do so	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, permanent revocation of license and/or restitution may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 3 years with conditions, suspension up to 3 years, permanent revocation of license, and/or restitution may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
6	<a href="#">497.152(3)</a>	Having been disciplined by a regulatory agency in any jurisdiction for conduct that would violate Chapter 497 if committed in this state, or upon grounds that directly relate to the ability to practice under this chapter	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 3 years, or permanent revocation of license may be imposed.
7	<a href="#">497.152(4)(a)</a>	Improperly interfering with investigation or inspection	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
8	<a href="#">497.152(4)(b)</a>	Failure to comply with a lawfully issued subpoena of the department	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
9	<a href="#">497.152(4)(c)</a>	Refused to produce records to the department or board in connection with any activity regulated pursuant to this chapter	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
10	<a href="#">497.152(4)(d)</a>	Failing to report person licensee knows is in violation of this chapter if the violation is creating a serious and immediate danger to the public health, safety, or welfare	Reprimand, fine of \$2000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.	Reprimand, fine of \$3500-\$5000 plus costs. In addition, probation for up to 3 years with conditions, suspension up to 3 years, or permanent revocation of license may be imposed.
11	<a href="#">497.152(4)(e)</a>	Knowingly conceal information relative to violations of Ch.497	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 3 years with conditions, suspension up to 3 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
12	<a href="#">497.152(4)(f)</a>	Obtaining or attempting to get license by bribery, false or forged evidence, or misrepresentation	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
13	<a href="#">497.152(4)(g)</a>	Knowingly filing false report, failing to file required report or impeding filing report with any government entity	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
14	<a href="#">497.152(4)(h)</a>	Failing to perform any statutory or legal obligation placed upon a licensee	Reprimand, fine of \$250-\$2000 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$1000-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
15	<a href="#">497.152(5)(a)</a>	Practicing or offering to practice beyond the scope permitted by this chapter and rules adopted under this chapter for the type of license held	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
16	<a href="#">497.152(5)(b)</a>	Attempt to or use a suspended, revoked, inactive or delinquent license	If delinquent, \$250 per month. If other, fine of \$2000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years or permanent revocation of license may be imposed.	If delinquent, fine of \$1000-\$2500. If other, fine of \$2500-\$5000 plus costs. In addition, probation for up to 3 years with conditions, suspension up to 3 years or permanent revocation of license may be imposed.
17	<a href="#">497.152(5)(c)</a>	Represent as your own license of another	Reprimand, fine of \$2000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years or permanent revocation of license may be imposed.	Reprimand, fine of \$3500-\$5000 plus costs. In addition, probation for up to 3 years with conditions, suspension up to 3 years or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
18	<a href="#">497.152(5)(d)</a>	Aiding, assisting, procuring, employing, or advising any person to practice a profession or occupation regulated by this Chapter without required licensure	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
19	<a href="#">497.152(5)(e)</a>	Aiding, assisting, procuring, employing, or advising any person to operate an establishment regulated by this chapter without the required licensure	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
20	<a href="#">497.152(5)(f)</a>	Delegating professional activities to a person when the licensee knows or has reason to know the person is not qualified to perform	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
21	<a href="#">497.152(5)(g)</a>	Using a title suggesting licensure that the person does not hold	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
22	<a href="#">497.152(5)(h)</a>	A direct disposer engaging in the practice of direct burial or offering the at-need or preneed service of direct burial	Reprimand, fine of \$2000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.	Reprimand, fine of \$3500-\$5000 plus costs. In addition, probation for up to 3 years with conditions, suspension up to 3 years, or permanent revocation of license may be imposed.
23	<a href="#">497.152(6)</a>	Failing to timely comply with continuing education course requirements	Notice of non-compliance	Citation of \$250
24	<a href="#">497.152(7)(a)</a>	Having been found liable in civil proceedings for knowingly filing a false report or complaint against another licensee with the department or the board	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
25	<a href="#">497.152(7)(b)</a>	Making misleading statements or misrepresentations as to the financial condition of any person to damage that person's business regulated under Chapter 497	Reprimand, fine of \$2000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.	Reprimand, fine of \$3500-\$5000 plus costs. In addition, probation for up to 3 years with conditions, suspension up to 3 years, or permanent revocation of license may be imposed.
26	<a href="#">497.152(8)(a)</a>	Violating any state or local law/rule affecting handling, custody, care, or transport of bodies	Reprimand, fine of \$500-\$2500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 3 years with conditions, suspension up to 3 years, or permanent revocation of license may be imposed.
27	<a href="#">497.152(8)(b)</a>	Refusing to promptly surrender custody of body on express order of a legally authorized person	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION Proposed Penalty based upon Rule Committee Meetings	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
28	<a href="#">497.152(8)(c)</a>	Taking possession of body w/out permission from a legally authorized person	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
29	<a href="#">497.152(8)(d)</a>	Embalming w/out prior permission of a legally authorized person	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
30	<a href="#">497.152(8)(e)</a>	Failing to obtain written authorization from a legally authorized person before entombment, interment, disinterment, disentombment, or disinurement of human remains	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION Proposed Penalty based upon Rule Committee Meetings	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
31	<a href="#">497.152(9)(a)</a>	Solicitation by or on behalf of licensee by fraud, undue influence, or other vexatious conduct	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
32	<a href="#">497.152(9)(b)</a>	Exercising influence on client for financial gain	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
33	<a href="#">497.152(9)(c)</a>	Discouraging the purchase of any burial merchandise or burial service which is advertised or offered for sale, with the purpose of encouraging the purchase of any additional or more expensive burial merchandise or service as provided in section	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.	Reprimand, fine of \$1000-\$1500 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.



Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION Proposed Penalty based upon Rule Committee Meetings	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
34	<a href="#">497.152(9)(d)</a>	Misrepresenting the benefits, advantages, conditions, or terms of any contract to provide any services or merchandise regulated under this chapter	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, permanent revocation of license, and/or restitution may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, permanent revocation of license, and/or restitution may be imposed.
35	<a href="#">497.152(9)(e)</a> <a href="#">69K-29.001(2)</a>	Fraudulent, false, deceptive, or misleading advertising	Reprimand, fine of \$500-\$2000 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.	Reprimand, fine of \$2000-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
36	<a href="#">497.152(9)(f)</a>	Directly or indirectly making any deceptive, misleading, or untrue representations, whether oral or written, or employing any trick, scheme, or artifice related to any license regulated under this chapter	Reprimand, fine of \$500-\$2000 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.	Reprimand, fine of \$2000-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION Proposed Penalty based upon Rule Committee Meetings	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
37	<a href="#">497.152(10)</a>	Making any false or misleading statements, or misrepresentations regarding the sale or necessity of burial or funeral merchandise or services	Reprimand, fine of \$500-\$2000 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.	Reprimand, fine of \$2000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
38	<a href="#">497.152(10)(f)</a>	Making any false or misleading statement or claim that natural decomposition or decay of human remains can be prevented or substantially delayed by embalming, use of a gasketed or ungasketed casket, or use of an adhesive or nonadhesive closure on an outer burial container	Reprimand, fine of \$500-\$2000 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.	Reprimand, fine of \$2000-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
39	<a href="#">497.152(10)(g)</a>	Making any false or misleading statement, oral or written, directly or indirectly, regarding any law or rule pertaining to the preparation for disposition, transportation for disposition, or disposition of dead human bodies	Reprimand, fine of \$500-\$2000 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.	Reprimand, fine of \$2000-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range 1<sup>st</sup> Offense</u>	<u>Penalty Range Subsequent Offenses</u>
40	<a href="#">497.152(11)(a)</a>	Failing to furnish, for retention, to each purchaser of burial rights, burial or funeral merchandise, or burial or funeral services a written agreement, the form of which has been approved by the board	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for 1 year to 2 years with conditions may be imposed.
41	<a href="#">497.152(11)(b)</a>	Filling in any contract form for use with a particular customer using language that misrepresents the true nature of the contract	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
42	<a href="#">497.152(11)(c)</a>	Selling an irrevocable preneed contract to a person who is not an applicant for or recipient of supplemental security income, temporary cash assistance or Medicaid	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 3 years with conditions, suspension up to 3 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range 1<sup>st</sup> Offense</u>	<u>Penalty Range Subsequent Offenses</u>
43	<a href="#">497.152(11)(d)</a>	Except for preneed contracts, guaranteeing the price of goods and services at a future date	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
44	<a href="#">497.152(11)(e)</a>	Requiring casket purchase for cremation or claiming it is required	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
45	<a href="#">497.152(11)(f)</a>	If caskets are displayed for sale, failing to display the least expensive casket offered for sale in the same manner other caskets are displayed	Notice of non-compliance	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for up to 3 years with conditions or suspension up to 3 years may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	
			<u>Penalty Range</u> 1 <sup>st</sup> <u>Offense</u>	<u>Penalty Range</u> <u>Subsequent Offenses</u>
46	<a href="#">497.152(11)(g)</a>	Assessing fees and costs that have not been disclosed to the customer as provided in the section	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, and/or restitution may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, permanent revocation of license, and/or restitution may be imposed.
47	<a href="#">497.152(11)(h)</a>	Failure by a licensed cemetery to provide to any person upon request, a copy of the cemetery bylaws (ONLY if the cemetery has bylaws).	Notice of non-compliance	Reprimand, fine of \$200-\$500 plus costs. In addition, probation for up to 2 years with conditions may be imposed.
48	<a href="#">497.152(11)(i)</a>	Requiring lot owners or current customers to make unnecessary visits to the cemetery company office for the purpose of solicitation, as provided in section	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	
			<u>Penalty Range</u> 1 <sup>st</sup> <u>Offense</u>	<u>Penalty Range</u> <u>Subsequent Offenses</u>
49	<a href="#">497.152(12)(a)</a>	Failure to disclose, when requested, the components of the prices for alternatives offered by the licensee regarding graveside services, direct disposition and body donation	Reprimand, fine of \$250-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions or suspension up to 1 year may be imposed.	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
50	<a href="#">497.152(1)(b)</a>	Fails to provide itemized price list as described before discussion of selection	Reprimand, fine of \$250-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions or suspension up to 1 year may be imposed.	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
51	<a href="#">497.152(12)(c)</a>	Failing to reasonably provide by telephone, upon request, accurate information regarding the retail prices of funeral merchandise and services offered for sale by that licensee	Reprimand, fine of \$250-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions or suspension up to 1 year may be imposed.	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range</u> 1 <sup>st</sup> <u>Offense</u>	<u>Penalty Range</u> <u>Subsequent Offenses</u>
52	<a href="#">497.152(12)(d)</a>	Failing to make full disclosure regarding merchandise not to be disposed of with body or obtain permission	Reprimand, fine of \$250-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions or suspension up to 1 year may be imposed.	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
53	<a href="#">497.152(12)(e)</a>	Failure by any funeral director to fully disclose all of her or his available services and merchandise prior to the selection of a casket offered by a licensee. The full disclosure required shall identify what is included in the funeral or direct disposition and the prices of all services and merchandise provided by the licensee or registrant	Reprimand, fine of \$250-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions or suspension up to 1 year may be imposed.	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range</u> 1 <sup>st</sup> <u>Offense</u>	<u>Penalty Range</u> <u>Subsequent Offenses</u>
54	<a href="#">497.152(12)(f)</a>	Failing to have the price of any casket offered for sale clearly marked on or in the casket, whether the casket is displayed at a funeral establishment or at any other location, regardless of whether the licensee is in control of such location. If a licensee uses books, catalogs, brochures, or other printed display aids, the price of each casket shall be clearly marked	Notice of non-compliance	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for up to 3 years with conditions or suspension up to 3 years may be imposed.
55	<a href="#">497.152(12)(g)</a>	Failing to disclose all fees and costs the customer may incur to use the burial rights or merchandise purchased	Reprimand, fine of \$250-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions or suspension up to 1 year may be imposed.	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
56	<a href="#">497.152(13)(a)</a>	Failing without reasonable justification to timely honor contracts entered into by the licensee or under the licensee's license for funeral or burial merchandise or services	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for up to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$1500-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
57	<a href="#">497.152(13)(b)</a>	Failure to honor preneed contract cancellation requests and make refunds as required by the chapter	Reprimand, fine of \$250-\$1000 plus costs. In addition, probation for up to 1 year with conditions, suspension up to 1 year, and/or restitution may be imposed.	Reprimand, fine of \$1000-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, permanent revocation of license and/or restitution may be imposed.
58	<a href="#">497.152(14)(a)</a>	Failing to adopt and implement standards for the proper investigation and resolution of claims and complaints received by a licensee relating to the licensee's activities regulated by this chapter	Notice of non-compliance	Citation of \$200

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
59	<a href="#">497.152(14)(b)</a>	Committing or performing with such frequency as to indicate a general business practice any of the actions listed in the section, including those regarding complaints or claims relating to the licensee's activities	Reprimand, fine of \$2000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.	Reprimand, fine of \$3500-\$5000 plus costs. In addition, probation for up to 3 years with conditions, suspension up to 3 years, or permanent revocation of license may be imposed.
60	<a href="#">497.152(14)(c)</a>	Making a material misrepresentation to a contract purchaser or a legally authorized person for the purpose and with the intent of effecting settlement of a claim or complaint or loss under a prepaid contract on less favorable terms than those provided in, and contemplated by, the prepaid contract	Reprimand, fine of \$500-\$2000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.	Reprimand, fine of \$ 2000-\$5000 plus costs. In addition, probation for up to 3 years with conditions, suspension up to 3 years, or permanent revocation of license may be imposed.
61	<a href="#">497.152(14)(d)</a>	Failing to maintain a complete copy of every complaint received by the licensee since the date of the last examination of the licensee by the department	Notice of non-compliance	Citation of \$200

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION Proposed Penalty based upon Rule Committee Meetings	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
62	<a href="#">497.152(15)(a)</a>	Failing to timely pay any fee required by this chapter	Notice of non-compliance	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
63	<a href="#">497.152(15)(b)</a>	Remittance of less than 100% and more than 90% of the amounts required to be deposited to a trust fund shall be considered a MINOR violation of this section	Notice of non-compliance	Notice of non-compliance
64	<a href="#">497.152(15)(b)</a>	Remitting less than 90% of the amounts required to be deposited to a trust fund or remittance deficiencies not corrected within 30 days as required under section 497.152(15)(a) shall be considered a NON-MINOR violation of this section	Reprimand, fine of \$250-\$1500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.	Reprimand, fine of \$1000-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION Proposed Penalty based upon Rule Committee Meetings		
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses	
65	<a href="#">497.152(15)(c)</a>	Paying to or receiving from any organization, agency, or person, either directly or indirectly, any commission, bonus, kickback, or rebate in any form whatsoever for any business regulated under this chapter, except for the payment of commissions by a funeral director, funeral establishment, cemetery, or monument establishment to its preneed agents licensed pursuant to this chapter or to licensees under this chapter		Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions may be imposed.
66	<a href="#">497.157(1)</a>	Practicing any regulated activity under Chapter 497 without a license in good standing		Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
67	<a href="#">497.164</a> <a href="#">69K-9.002</a> <a href="#">69K-9.003</a>	Improper solicitation of goods or services as provided in cited statute/rules	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
68	<a href="#">497.171</a> <a href="#">69K-6.009</a>	Failing to properly affix an identification tag to a casket or other container in the manner required by this rule	Reprimand, fine of \$250-\$1000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.	Reprimand, fine of \$500 - \$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
69	<a href="#">69K-6.005</a>	Failing to make records available to the department for examination or inspection	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
70	<a href="#">69K-6.0051</a>	Failing to maintain account receivable records in the manner required by this rule	Notice of non-compliance	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
71	<a href="#">69K-6.0052</a>	Failure to prepare and provide accurate work papers to the department for examination in the manner required by this rule	Reprimand, fine of \$1000 - \$2000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.	Reprimand, fine of \$2000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
72	<a href="#">69K-6.0054(2)</a>	Making additions or deletions on a preneed contract in violation of the rule	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.	Reprimand, fine of \$1000-\$1500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range</u> 1 <sup>st</sup> <u>Offense</u>	<u>Penalty Range</u> <u>Subsequent Offenses</u>
73	<a href="#">69K-6.0054(3)</a>	Only one preneed licensee and one seller shall be referenced in a contract, unless previously approved by the division	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.	Reprimand, fine of \$1000-\$1500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
74	<a href="#">69K-9.001</a>	Failure of a licensee or registrant to maintain a file of all brochures and related documents delivered to prospective customers and copies of advertising actually printed, published, broadcast, or placed on any electronic media	Notice of non-compliance	Citation of \$250 or fine up to \$1000 plus costs.
75	<a href="#">69K-17.0041</a>	A continuing education provider committing any of the acts enumerated in paragraph 6(a), (b), (c), (d), (e), (f), (g), or (h) of this rule (if the continuing education provider is a chapter 497 licensee)	Suspension of approval	Revocation of approval

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range</u> 1 <sup>st</sup> <u>Offense</u>	<u>Penalty Range</u> <u>Subsequent Offenses</u>
76	<a href="#">69K-17.0043</a>	Failure of a continuing education provider to maintain the records required by this rule (if the continuing education provider is a chapter 497 licensee)	Suspension of approval	Revocation of approval
77	<a href="#">69K-17.0044</a>	Advertising continuing education courses in violation of this rule (if the continuing education provider is a chapter 497 licensee)	Suspension of approval	Revocation of approval
<b>CEMETERY REGULATION</b>				
78	<a href="#">497.264(1)</a>	Operating cemetery at a location other than licensed	Reprimand, fine of \$2000-\$3500 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.	Reprimand, fine of \$3500-\$5000 plus costs. In addition, probation for up to 3 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.



Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range</u> 1 <sup>st</sup> <u>Offense</u>	<u>Penalty Range</u> <u>Subsequent Offenses</u>
79	<a href="#">497.266(3)</a>	A person may not withdraw or transfer any portion of assets within the care and maintenance trust fund, except as authorized by s. 497.2675, without first obtaining written consent from the licensing authority	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.	Reprimand, fine of \$3500-\$5000 plus costs. In addition, probation for up to 3 years with conditions, suspension up to 3 years, or permanent revocation of license may be imposed.
80	<a href="#">497.267</a>	Using withdrawals from the care and maintenance trust fund for purposes other than allowed by this section	Notice of non-compliance	Reprimand, fine of \$500-\$1500 plus costs.
81	<a href="#">497.268 (1)(a)(b)(c)</a>	Failing to set aside the required monies to the care and maintenance trust fund - remittance of less than 100% and more than 90% of the amounts required to be deposited to a trust fund shall be considered a MINOR violation of this section	Notice of non-compliance	Notice of non-compliance

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range</u> 1 <sup>st</sup> <u>Offense</u>	<u>Penalty Range</u> <u>Subsequent Offenses</u>
82	<a href="#">497.268 (1)(a)(b)(c)</a>	Failing to set aside the required monies to the care and maintenance trust fund - remitting less than 90% of the amounts required to be deposited to a trust fund or remittance deficiencies not corrected within 30 days as required under section 497.152(15)(a) shall be considered a NON-MINOR violation of this section	Reprimand, fine of \$250-\$1500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.	Reprimand, fine of \$1000-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
83	<a href="#">497.268(2)</a>	Failure of cemetery to consistently make timely deposits to any trust fund - remittance of less than 100% and more than 90% of the amounts required to be deposited to a trust fund shall be considered a MINOR violation of this section	Notice of non-compliance	Notice of non-compliance

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
84	<a href="#">497.268(2)</a>	Failure of cemetery to consistently make timely deposits to any trust fund - remitting less than 90% of the amounts required to be deposited to a trust fund or remittance deficiencies not corrected within 30 days as required under section 497.152(15)(a) shall be considered a NON-MINOR violation of this section	Reprimand, fine of \$250-\$1500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.	Reprimand, fine of \$1000-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
85	<a href="#">497.270(1)</a>	Selling, mortgaging, leasing, or encumbering land in a licensed cemetery without prior approval of the licensing authority.	Reprimand, fine of \$2000-\$3500 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.	Reprimand, fine of \$3500-\$5000 plus costs. In addition, probation for up to 3 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
86	<a href="#">497.270(2)</a>	Selling or conveying 30 or more contiguous acres of a licensed cemetery without obtaining prior written approval, if the new use of the property is not a cemetery.	Reprimand, fine of \$2000-\$3500 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.	Reprimand, fine of \$3500-\$5000 plus costs. In addition, probation for up to 3 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.
87	<a href="#">497.270(3)(a)</a>	Selling or conveying property described in 497.270(2) without complying with the notice requirements set forth in 497.270(3).	Reprimand, fine of \$2000-\$3500 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.	Reprimand, fine of \$3500-\$5000 plus costs. In addition, probation for up to 3 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION Proposed Penalty based upon Rule Committee Meetings	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
88	<a href="#">497.270(4)</a>	Conveying real and personal property to a municipality or county without prior written approval of the department.	Reprimand, fine of \$2000-\$3500 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.	Reprimand, fine of \$3500-\$5000 plus costs. In addition, probation for up to 3 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.
89	<a href="#">497.271</a>	Failing to comply with standards for construction and significant alteration or renovation of mausoleums and columbaria as set out in section	Reprimand, fine of \$500 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.	Reprimand, fine of \$2000-\$3500 plus costs. In addition, probation for up to 3 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION Proposed Penalty based upon Rule Committee Meetings	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
90	<a href="#">497.272(1)</a>	Failing to meet the construction timeframes, as provided in section	Notice of non-compliance	Reprimand, fine of \$1000-\$5000 plus costs. In addition, probation for up to 3 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.
91	<a href="#">497.272(2)</a>	Failure of a cemetery company to establish a preconstruction trust fund prior to offering space in a mausoleum, columbarium or below ground crypts before construction	Reprimand, fine of \$2000-\$3500 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.	Reprimand, fine of \$3500-\$5000 plus costs. In addition, probation for up to 3 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
92	<a href="#">497.272(3)</a>	Failing to deposit the proper amounts into the preconstruction trust fund, if one is required (if greater than referenced in 497.152(15)(b))	Reprimand, fine of \$2000-\$3500 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.	Reprimand, fine of \$3500-\$5000 plus costs. In addition, probation for up to 3 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.
93	<a href="#">497.273(2)</a>	Failure of a cemetery company to fully disclose all fees for interment, entombment, or inurnment of human remains	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
94	<a href="#">497.273(3)</a>	Failing to comply with bylaws as set out in section (if the cemetery has adopted bylaws)	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.
95	<a href="#">497.274(2)(a)</a>	Failing to prepare and maintain a map documenting the establishment of recoverable internal survey reference markers and establish the markers as outlined in section	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range</u> 1 <sup>st</sup> <u>Offense</u>	<u>Penalty Range</u> <u>Subsequent Offenses</u>
96	<a href="#">497.276</a>	Failure to maintain accurate burial records and have all financial records available for examination by department in the manner required by the section	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.
97	<a href="#">497.277</a>	Assessing other charges in violation of section	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions, discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5, and/or restitution may be imposed.	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5, and/or restitution may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range</u> 1 <sup>st</sup> <u>Offense</u>	<u>Penalty Range</u> <u>Subsequent Offenses</u>
98	<a href="#">497.278(1)</a>	Charging a fee for the installation of a monument obtained from and installed by a person other than the cemetery company or its agents	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions, discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5, and/or restitution may be imposed.	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5, and/or restitution may be imposed.
99	<a href="#">497.278(2)</a>	Failing to mark the place on a grave where a monument is to be installed as described in section	Notice of non-compliance	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	
			<u>Penalty Range</u> 1 <sup>st</sup> <u>Offense</u>	<u>Penalty Range</u> <u>Subsequent Offenses</u>
10 0	<a href="#">497.278(3)</a>	Establishing a condition for entry on or access to cemetery property as specified in section	Notice of non-compliance	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.
10 1	<a href="#">497.280(1)</a>	Attempting to sell grave space tied to the purchase of a monument from or through the seller or any other designated person or corporation	Notice of non-compliance	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.
10 2	<a href="#">497.280(2)(a)</a>	Failure to have reasonable rules, if adopted, conspicuously posted	Notice of non-compliance	Citation of \$200

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	
			<u>Penalty Range</u> 1 <sup>st</sup> <u>Offense</u>	<u>Penalty Range</u> <u>Subsequent Offenses</u>
10 3	<a href="#">497.280(2)(b)</a>	Requiring the payment of a setting or service charge from third party installers for placing a monument		Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.
10 4	<a href="#">497.280(2)(b)</a> <a href="#">1</a>	Requiring the payment of a setting or service charge, by whatever name known, from third party installers for the placement of a monument, as provided in section		Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range</u> 1 <sup>st</sup> <u>Offense</u>	<u>Penalty Range</u> <u>Subsequent Offenses</u>
10 5	<a href="#">497.280(2)(b) 2</a>	Refusing to provide care or maintenance for any portion of a gravesite on which a monument has been placed	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.
10 6	<a href="#">497.280(2)(b) 3</a>	Requiring a person to waive liability with respect to damage to a monument after installation, where the monument or installation service is not purchased from the person, cemetery company or other entity authorized to sell or to provide grave space	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range</u> 1 <sup>st</sup> <u>Offense</u>	<u>Penalty Range</u> <u>Subsequent Offenses</u>
10 7	<a href="#">497.280(3)</a>	Conditioning any program offering free burial rights by any requirement to purchase additional burial rights, services, or funeral merchandise	Citation of \$500	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.
10 8	<a href="#">497.281(1) and (2)</a>	Failing to comply with licensure requirements of brokers of burial rights as set out in section	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range</u> 1 <sup>st</sup> <u>Offense</u>	<u>Penalty Range</u> <u>Subsequent Offenses</u>
10 9	<a href="#">497.282(1)</a>	Providing inaccurate information by telephone upon request, regarding retail prices of burial merchandise and services	Reprimand, fine of \$250-\$500 plus costs. In addition, probation for 6 months to 1 year with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.
11 0	<a href="#">497.282(2)</a>	Failing to fully disclose services or merchandise prior to selection	Reprimand, fine of \$250-\$500 plus costs. In addition, probation for 6 months to 1 year with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.
11 1	<a href="#">497.282(3)</a>	Making false or misleading statements as to casket/outer burial container	Notice of non-compliance	Reprimand, fine of \$200-\$500 plus costs. In addition, probation for up to 2 years with conditions may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range</u> 1 <sup>st</sup> <u>Offense</u>	<u>Penalty Range</u> <u>Subsequent Offenses</u>
11 2	<a href="#">497.282(4)</a>	Failing to provide a good faith estimate of all fees and costs the consumer will incur to use any burial right, merchandise, or services purchased	Reprimand, fine of \$250-\$500 plus costs. In addition, probation for 6 months to 1 year with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.
11 3	<a href="#">497.282(5)</a>	Failing to provide to the customer upon request a current copy of the bylaws of the licensee	Notice of non-compliance	Reprimand, fine of \$200-\$500 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.



Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
114	<a href="#">497.282(6)</a> <a href="#">69K-6.0054(1)</a> <a href="#">69K-6.0054(4)</a>	Failing to provide to the customer a written contract containing required information which has previously been approved	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 1 to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.
115	<a href="#">497.282(6)(c)</a> <a href="#">69K-8.006</a> <a href="#">69K-6.0054(1)</a> <a href="#">69K-6.0054(4)</a>	Failing to state the type, size and design of merchandise and the description of the service to be delivered or performed as required in these provisions	Citation of \$200	Citation of \$400
116	<a href="#">497.282(7)</a> <a href="#">69K-6.0054(1)</a> <a href="#">69K-6.0054(4)</a>	Failing to provide the licensee's policy on cancellations and refunds to each customer	Notice of non-compliance	Reprimand
117	<a href="#">497.282(8)</a> <a href="#">69K-6.0054(1)</a> <a href="#">69K-6.0054(4)</a>	Failing to provide certain information on a signature page, and/or failing to provide that information in a correct type size	Notice of non-compliance	Reprimand
118	<a href="#">497.282(9)</a> <a href="#">69K-9.004</a>	Failure to display the cemetery and preneed brochure required by this rule	Notice of non-compliance	Citation of \$200

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
119	<a href="#">497.282(10)</a> <a href="#">69K-6.0054(1)</a>	Failing to provide each customer a complete description of any monument or marker	Citation of \$200	Citation of \$400
120	<a href="#">497.283</a>	Cemetery is prohibited from entering into contracts where delivery is made more than 120 days after receipt of final payment	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.
121	<a href="#">497.285</a>	Prohibited conduct of surrendered licenses; inactive cemeteries	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.
122	<a href="#">497.286</a>	Improper activity by cemeteries regarding abandoned cemetery rights	Notice of non-compliance	Citation of \$200

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
12 3	<a href="#">69K-6.002</a>	Failing to maintain cemetery grounds in reasonable condition	Notice of non-compliance	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.
12 4	<a href="#">69K-6.004</a>	Failing to keep burial records and contracts in a secure manner as set out in rule	Notice of non-compliance	Citation of \$500
<b>FUNERAL DIRECTING, EMBALMING AND RELATED SERVICES</b>				
12 5	<a href="#">497.365</a>	Practicing a profession or occupation regulated by Chapter 497, without an active status license	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
12 6	<a href="#">497.372(2)</a>	Practicing as a funeral director without affiliation with a licensed funeral establishment		Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.
12 7	<a href="#">497.375(1)(d)</a>	Operating as a funeral director intern without direct supervision of a licensed funeral director		Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.
12 8	<a href="#">497.380(3)</a>	Managing or operating an unlicensed funeral establishment		Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION Proposed Penalty based upon Rule Committee Meetings	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
129	<a href="#">497.380(6) and (7)</a>	Failing to have appropriately licensed personnel at a funeral establishment	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
130	<a href="#">497.380(12)(a)</a> <a href="#">69K-21.002(4)(b)</a>	Failing to promptly report the following changes to a funeral establishment: change of ownership	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
131	<a href="#">497.380(12)(b)</a> <a href="#">69K-21.002(4)(a)</a>	Failing to promptly report the following changes to a funeral establishment: change of location	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION Proposed Penalty based upon Rule Committee Meetings	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
132	<a href="#">497.380(12)(c)</a>	Failing to promptly report the following changes to a funeral establishment: change of funeral director in charge	Notice of non-compliance	Citation of \$500
133	<a href="#">497.380(14)</a>	Failure of a funeral establishment to display at the public entrance the name of the establishment and the name of the full-time funeral director in charge	Notice of non-compliance	Citation of \$500
134	<a href="#">497.380(14)</a>	Failure of a funeral establishment to conduct business under its licensed name	Notice of non-compliance	Reprimand, fine of \$1000-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
135	<a href="#">497.380(15)</a>	Failure of a funeral establishment to display the following: name of the establishment, name of the funeral director in charge, and recent photograph of each licensee within 6 years	Notice of non-compliance	Citation of \$200

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	
			<u>Penalty Range 1<sup>st</sup> Offense</u>	<u>Penalty Range Subsequent Offenses</u>
136	<a href="#">497.380(15)</a> <a href="#">497.604(10)</a> <a href="#">69K-21.005</a>	Failure to properly display current license and other documents, or make them readily available, as set out in the rule	Notice of non-compliance	Citation of \$200
137	<a href="#">497.381(4)</a>	Conducting at-need solicitation	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
138	<a href="#">497.382</a> <a href="#">69K-20.001(2) and (3)</a>	Failure to properly complete, retain, and make available for review the monthly reports of cases embalmed or bodies handled	Notice of non-compliance	Citation of \$200
139	<a href="#">497.384(1)</a>	Failure to require the physical presence of a licensed funeral director at the disinterment and reinterment of human remains (unless the reinterment is to be made in the same cemetery)	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	
			<u>Penalty Range 1<sup>st</sup> Offense</u>	<u>Penalty Range Subsequent Offenses</u>
140	<a href="#">497.384(3)</a>	Failure of a funeral director to obtain written authorization from a legally authorized person or a court of competent jurisdiction prior to the disinterment and reinterment of a dead human body	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
141	<a href="#">497.385(1)(g)</a>	Failure of a removal service, or refrigeration facility to notify the Division of a change of ownership of location	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
142	<a href="#">497.385(1)(h)</a>	Having a person who was identified on the application for licensure of a removal service or refrigeration facility, convicted, found guilty, or who has entered a plea of nolo contendere to a crime related to their field of practice	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range</u> 1 <sup>st</sup> <u>Offense</u>	<u>Penalty Range</u> <u>Subsequent Offenses</u>
14 3	<a href="#">497.385(1)(i)</a>	Failure of removal service or a refrigeration facility to properly display the required information; or, failure of these entities to transact business under the name to which they were licensed	Notice of non-compliance	Citation of \$500
14 4	<a href="#">497.385(2)(a)</a> <a href="#">69K-24.042</a>	Failure of a centralized embalming facility to have all necessary equipment in the preparation room	Notice of non-compliance	Reprimand, fine of \$2000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
14 5	<a href="#">497.385(2)(b)</a>	Failure of a centralized embalming facility to have a full-time embalmer in charge	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range</u> 1 <sup>st</sup> <u>Offense</u>	<u>Penalty Range</u> <u>Subsequent Offenses</u>
14 6	<a href="#">497.385(2)(d)</a>	Failure of a centralized embalming facility to restrict its services to funeral establishments		Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.
14 7	<a href="#">497.385(2)(e)</a>	Failure of a centralized embalming facility to have a licensed embalmer doing the embalmings		Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.
14 8	<a href="#">497.385(2)(g)</a> , <a href="#">(i)</a>	Failure of a centralized embalming facility to notify the Division of a change in ownership or location		Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	
			<u>Penalty Range 1<sup>st</sup> Offense</u>	<u>Penalty Range Subsequent Offenses</u>
149	<a href="#">497.386(1)</a>	Licensee stored human remains at an improper location	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
150	<a href="#">497.386(2)</a>	Failing to properly refrigerate human remains	Reprimand, fine of \$500-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
151	<a href="#">497.386(3)</a>	Failing to comply with section requiring that human remains must be placed in a container adequate to prevent seepage of fluids and offensive odors, and must be accompanied by a burial transit permit	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	
			<u>Penalty Range 1<sup>st</sup> Offense</u>	<u>Penalty Range Subsequent Offenses</u>
152	<a href="#">497.386(4)</a> <a href="#">69K-33.001(2)(c)</a>	Failing to comply with section requiring that dead human bodies must be transported or stored completely covered and at all times treated with dignity and respect	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
153	<a href="#">497.387</a>	Removing or embalming human remains in cases indicating crime or violence without the permission of a medical examiner or other lawfully authorized official	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
154	<a href="#">69K-6.007</a>	Failing to receive proper authorization before performing a burial, interment, entombment, or inurnment	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION Proposed Penalty based upon Rule Committee Meetings	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
155	<a href="#">69K-6.008</a>	Failure of the cemetery company to ensure that all interments, except cremated remains, shall be covered by at least 12 inches of soil where physically possible, unless prior approval is obtained from the family or next of kin	Notice of non-compliance	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for up to 2 years with conditions may be imposed.
156	<a href="#">69K-7.001</a>	Remittance of less than 100% and more than 90% of the amounts required to be deposited to the Care and Maintenance Trust Fund shall be considered a MINOR violation of this section	Notice of non-compliance	Notice of non-compliance
157	<a href="#">69K-7.001</a>	Remitting less than 90% of the amounts required to be deposited to the Care and Maintenance Trust Fund shall be considered a NON-MINOR violation of this section	Reprimand, fine of \$250-\$1500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.	Reprimand, fine of \$1000-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION Proposed Penalty based upon Rule Committee Meetings	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
158	<a href="#">69K-7.005</a>	Where a performance bond is given to the department in lieu of the payments provided by section 497.272(3), F.S., and the cemetery company sells spaces in a mausoleum or below-ground crypt prior to the delivery of the bond to the department and receipt of acceptance by the cemetery or its agent		Reprimand, fine of \$2000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
159	<a href="#">69K-21.002(4)(c)</a>	Failure to notify the department, at least 10 days prior to the event, that major alterations or modifications are made in the physical structure of a funeral establishment	Notice of non-compliance	Reprimand, fine of \$250-\$1000 plus costs. In addition, probation for up to 2 years with conditions or suspension up to 2 years may be imposed.
160	<a href="#">69K-21.003(1)</a>	Failure of a funeral establishment to comply with the provisions of this rule		Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	
			<u>Penalty Range 1<sup>st</sup> Offense</u>	<u>Penalty Range Subsequent Offenses</u>
16 1	<a href="#">69K-21.003(5)</a>	Failure to meet the requirements of chapter 64E-16, F.A.C., and to maintain prep room in a clean and sanitary manner	Notice of non-compliance	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
16 2	<a href="#">69K-21.003(7)</a>	Failure of a funeral establishment to display casket prices where caskets are located	Notice of non-compliance	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for up to 3 years with conditions or suspension up to 3 years may be imposed.
16 3	<a href="#">69K-21.006</a>	Failure of a funeral establishment to retain all copies of signed at need and preneed contracts and written agreements used in making final arrangements for at least 2 years after such final disposition	Notice of non-compliance	Citation of \$200

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	
			<u>Penalty Range 1<sup>st</sup> Offense</u>	<u>Penalty Range Subsequent Offenses</u>
16 4	<a href="#">69K-21.007</a>	Failure of a full-time funeral director in charge of a funeral establishment to make sure that a licensed funeral director is reasonably available to the public during normal business hours for that establishment	Notice of non-compliance	Reprimand, fine of \$250-\$500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
16 5	<a href="#">69K-21.008</a>	Failure to notify the board office within 20 days of any change in the funeral director in charge (FDIC)	Notice of non-compliance	Citation of \$500
16 6	<a href="#">69K-29.001</a>	Engaging in false, fraudulent, deceptive, or misleading advertising		Reprimand, fine of \$2000-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
16 7	<a href="#">69K-33.001</a>	Failure of a funeral establishment to follow requirements for handling and storing human remains		Reprimand, fine of \$500-\$2500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.



Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range</u> 1 <sup>st</sup> <u>Offense</u>	<u>Penalty Range</u> <u>Subsequent Offenses</u>
<b>PRENEED SALES</b>				
168	<a href="#">497.452(1)(a)</a>	Selling or offering to sell a preneed contract without a preneed license	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, permanent revocation of license, and/or restitution may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, permanent revocation of license, and/or restitution may be imposed.
170	<a href="#">497.452(1)(b)</a>	Selling, advertising to sell, or making an arrangement for services, merchandise, or burial rights on a preneed basis without the licensure required to sell at-need	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, permanent revocation of license, and/or restitution may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, permanent revocation of license, and/or restitution may be imposed.
171	<a href="#">497.452(2)</a>	Accepting funds for payment of a preneed contract without holding a preneed license	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, permanent revocation of license, and/or restitution may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, permanent revocation of license, and/or restitution may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range</u> 1 <sup>st</sup> <u>Offense</u>	<u>Penalty Range</u> <u>Subsequent Offenses</u>
172	<a href="#">497.453(6)</a> <a href="#">497.456(2)</a>	Failing to comply with the filing and remittance requirements - Remittance of less than 100% and more than 90% of the amounts required to be deposited to a trust fund shall be considered a MINOR violation of this section	Notice of non-compliance	Notice of non-compliance
173	<a href="#">497.453(6)</a> <a href="#">497.456(2)</a>	Failing to comply with the filing and remittance requirements - Remitting less than 90% of the amounts required to be deposited to a trust fund or remittance deficiencies not corrected within 30 days as required under section 497.152(15)(a) shall be considered a NON-MINOR violation of this section	Reprimand, fine of \$250-\$1500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.	Reprimand, fine of \$1000-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
174	<a href="#">497.453(7)</a>	Failure of cemetery, preneed sales, or monument establishment to register a branch name for common business enterprise	Notice of non-compliance	Citation of \$200

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION Proposed Penalty based upon Rule Committee Meetings	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
175	<a href="#">497.453(8)</a>	Failure of a preneed licensee to file a full and true statement of a trust's activities on or before April of each year	Citation of \$200, if corrected	Reprimand, fine of up to \$1000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
176	<a href="#">497.454</a> <a href="#">69K-6.0054(1)</a> <a href="#">69K-6.0054(5)</a>	Failing to have preneed contracts and related forms filed with and approved by the board, as required by section	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for 1 year to 2 years with conditions may be imposed.
177	<a href="#">497.4555</a>	Failure of a preneed licensee to disclose charges for processing, filing, and archiving the contract on its standard printed price list and other disclosure information provided to a purchaser	Notice of non-compliance	Citation of \$400

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION Proposed Penalty based upon Rule Committee Meetings	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
178	<a href="#">497.456(11)</a>	Using the consumer protection trust fund as an inducement for purchasing a preneed contract		Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.
179	<a href="#">497.458(1)(a)</a>	Remittance of less than 100% and more than 90% of the proper amounts required to be deposited to a trust fund by a preneed licensee shall be considered a MINOR violation of this section	Notice of non-compliance	Notice of non-compliance
180	<a href="#">497.458(1)(a)</a>	Remitting less than 90% of the amounts required to be deposited to a trust fund or remittance deficiencies not corrected within 30 days as required under section 497.152(15)(a) shall be considered a NON-MINOR violation of this section		Reprimand, fine of \$250-\$1500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range 1<sup>st</sup> Offense</u>	<u>Penalty Range Subsequent Offenses</u>
18 1	<a href="#">497.458(1)(c)</a>	Failure of a preneed licensee to make the proper deposit within 30 days after the end of the month in which payment is received	Reprimand, fine of \$250-\$1500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.	Reprimand, fine of \$1000-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
18 2	<a href="#">497.458(1)(f)</a>	Failure to keep the deposited funds in trust, except for authorized costs for operating the trust or trust account	Reprimand, fine of \$2000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.	Reprimand, fine of \$3500-\$5000 plus costs. In addition, probation for up to 3 years with conditions, suspension up to 3 years, or permanent revocation of license may be imposed.
18 3	<a href="#">497.459</a>	Failing, without reasonable justification, to honor cancellations and to issue refunds as provided in sections	Reprimand, fine of \$250-\$1000 plus costs. In addition, probation for up to 1 year with conditions, suspension up to 1 year, and/or restitution may be imposed.	Reprimand, fine of \$1000-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, permanent revocation of license and/or restitution may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range 1<sup>st</sup> Offense</u>	<u>Penalty Range Subsequent Offenses</u>
18 4	<a href="#">497.459(3)</a> <a href="#">69K-6.0054(4)</a>	Use a preneed contract which does not contain the required disclosures (unless the contract is approved by the board)	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for 1 year to 2 years with conditions may be imposed.
18 5	<a href="#">497.459(5)</a>	Failure of a preneed licensee to return specified funds after default by purchaser and after notice by licensee	Reprimand, fine of \$250-\$1000 plus costs. In addition, probation for up to 1 year with conditions, suspension up to 1 year, permanent revocation of license and/or restitution may be imposed.	Reprimand, fine of \$1000-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, permanent revocation of license and/or restitution may be imposed.
18 6	<a href="#">497.459(6)(d)</a>	Failure of a preneed licensee to make timely refunds after cancellation of contract	Reprimand, fine of \$250-\$1000 plus costs. In addition, probation for up to 1 year with conditions, suspension up to 1 year, permanent revocation of license and/or restitution may be imposed.	Reprimand, fine of \$1000-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, permanent revocation of license and/or restitution may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
187	<a href="#">497.460</a>	Failing to honor the preneed contract cancellation request by the heirs of a contract purchaser as provided in section	Reprimand, fine of \$250-\$1000 plus costs. In addition, probation for up to 1 year with conditions, suspension up to 1 year, and/or restitution may be imposed.	Reprimand, fine of \$1000-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, permanent revocation of license and/or restitution may be imposed.
188	<a href="#">497.462(1)(c)</a>	Failure of a preneed licensee to properly and timely file the report used to determine the amount of a surety bond if that is used in place of trust fund deposits	Notice of non-compliance	Citation of \$500
189	<a href="#">497.465(2)</a>	Failure of a preneed license, upon becoming inactive, to cease all preneed sales to the public or failure to deposit into the trust all funds received on or after the date on which it becomes inactive	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, permanent revocation of license, and/or restitution may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, permanent revocation of license, and/or restitution may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
190	<a href="#">497.466(1)</a>	Failure of a person to secure a preneed license who offers or who executes preneed contracts, unless exempt from licensure	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, permanent revocation of license, and/or restitution may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, permanent revocation of license, and/or restitution may be imposed.
191	<a href="#">497.466(7)(g)</a>	Failure of a preneed licensee or a preneed sales agent licensee to terminate an appointment in the manner prescribed herein	Notice of non-compliance	Citation of \$200
192	<a href="#">497.467</a>	Failure of a person engaged in preneed sales of funeral or burial merchandise to notify a purchaser in writing that the merchandise will be accepted in the cemetery of the purchaser's choice	Notice of non-compliance	Citation of \$200
193	<a href="#">497.468(1)</a>	A preneed licensee providing inaccurate information by telephone upon request regarding retail prices of burial merchandise and services	Reprimand, fine of \$250-\$500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range 1<sup>st</sup> Offense</u>	<u>Penalty Range Subsequent Offenses</u>
19 4	<a href="#">497.468(2)</a>	A preneed licensee failing to fully disclose all services or merchandise prior to selection	Reprimand, fine of \$250-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions or suspension up to 1 year may be imposed.	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
19 5	<a href="#">497.468(3)</a>	A preneed licensee making false or misleading statements as to the necessity of casket or outer burial container	Reprimand, fine of \$250-\$500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
19 6	<a href="#">497.468(4)</a>	A preneed licensee failing to provide a good faith estimate of all fees and costs the customer will incur	Reprimand, fine of \$250-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions and/or discipline as contemplated in sections 497.153(5)(a) 4 and 497.153(5)(a) 5 may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range 1<sup>st</sup> Offense</u>	<u>Penalty Range Subsequent Offenses</u>
19 7	<a href="#">497.468(5)</a> <a href="#">69K-6.0054(1)</a> <a href="#">69K-6.0054(4)</a>	A preneed licensee failing to provide to the customer a written contract containing required information which has previously been approved	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for 1 year to 2 years with conditions may be imposed.
19 8	<a href="#">497.468(6)</a> <a href="#">69K-6.0054(1)</a> <a href="#">69K-6.0054(4)</a>	A preneed licensee failing to provide the licensee's policy on cancellations and refunds to each customer (unless the contract is approved by the board)	Citation of \$200	Citation of \$400
19 9	<a href="#">497.468(7)</a> <a href="#">69K-6.0054(1)</a> <a href="#">69K-6.0054(4)</a>	A preneed licensee failing to provide certain information on a signature page, and/or failing to provide that information in a correct type size (unless the contract is approved by the board)	Citation of \$200	Citation of \$400
20 0	<a href="#">497.468(8)</a> <a href="#">69K-6.0054(1)</a> <a href="#">69K-6.0054(4)</a>	A preneed licensee failing to display the Division's brochure	Notice of non-compliance	Citation of \$200
20 1	<a href="#">497.468(9)</a> <a href="#">69K-6.0054(1)</a> <a href="#">69K-6.0054(4)</a>	A preneed licensee failing to provide each customer a complete description of any monument or marker	Citation of \$200	Citation of \$400

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range 1<sup>st</sup> Offense</u>	<u>Penalty Range Subsequent Offenses</u>
20 2	<a href="#">69K-7.006</a>	Failure of a preneed licensee to compile prior to July 1 of each year, a list including the wholesale purchase price for each item of merchandise the licensee will offer for the next 12 months	Notice of non-compliance	Citation of \$500
20 3	<a href="#">69K-7.007</a>	Failure to account for and maintain merchandise trust funds in accordance with this rule	Notice of non-compliance	Citation of \$500
20 4	<a href="#">69K-7.008</a>	Failure of a preneed licensee to take reasonable steps to evaluate the income derived from a contract	Notice of non-compliance	Citation of \$200
20 5	<a href="#">69K-7.022</a>	Failure of a preneed licensee to maintain documentation supporting fulfillment of a contract until such records are examined by the department	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
20 6	<a href="#">69K-10.003</a>	Failure to timely deposit the required amounts to the Preneed Funeral Contract Consumer Protection Trust Fund	Notice of non-compliance	Citation of \$500
<b>MONUMENT ESTABLISHMENT</b>				

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range 1<sup>st</sup> Offense</u>	<u>Penalty Range Subsequent Offenses</u>
20 7	<a href="#">497.550(1)</a>	Conducting, maintaining, managing, or operating a monument establishment unless the monument establishment is licensed	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
20 8	<a href="#">497.552</a>	Failure of a monument establishment to maintain a full-service place of business at a specific street address or location and comply with the requirement set out in section	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
20 9	<a href="#">497.553(3)</a>	Failure of monument establishment to have written procedures for the receipt, investigation and disposition of customer complaints or failure of staff to follow such procedures	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range 1<sup>st</sup> Offense</u>	<u>Penalty Range Subsequent Offenses</u>
210	<a href="#">497.553(4)</a>	Failure of monument establishment to maintain records of written complaints, in the manner described, for inspection by the department	Notice of non-compliance	Citation of \$200
211	<a href="#">497.553(5)</a>	Failure of monument establishment to deliver and install a purchased monument or marker by the date agreed in the sales agreement, unless the agreed date has been extended in writing by the customer	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for up to 2 years with conditions or suspension up to 2 years may be imposed.	Reprimand, fine of \$1000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
212	<a href="#">497.554(1)</a>	Selling monuments, markers, or related products for a monument establishment without being licensed as a monument establishment sales agent	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			<u>Penalty Range 1<sup>st</sup> Offense</u>	<u>Penalty Range Subsequent Offenses</u>
213	<a href="#">497.554(6)</a>	Selling monuments, markers, and related products on a preneed basis for a monument establishment without obtaining authorization as a preneed sales agent	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
<b>CREMATION, CREMATORIES, AND DIRECT DISPOSITION</b>				
214	<a href="#">497.601(1)</a>	Direct disposers or funeral directors functioning as direct disposers shall not sell, conduct, or arrange for burials, funeral services, memorial services, visitations, or viewings and hold themselves out to the public as funeral directors, or represent themselves or advertise in a manner that connotes that they are funeral directors	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
215	<a href="#">497.602(1)</a>	Any person, other than a licensed funeral director, who engages in direct disposition without being licensed as a direct disposer	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
216	<a href="#">497.604(1)</a>	Opening or maintaining an establishment to engage in direct disposition without such establishment being licensed pursuant to this section	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
217	<a href="#">497.604(7)</a>	Failure of a direct disposer to provide notice prior to any change in location	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
218	<a href="#">497.604(7)</a>	Failure of a direct disposer to provide notice prior to any change in control of the licensee	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
219	<a href="#">497.604(7)</a>	Failure of a direct disposer to provide notice prior to any change in the licensed person in charge of the licensee's operation	Notice of non-compliance	Citation of \$500
220	<a href="#">497.604(8)(a)</a>	Failure of a direct disposal establishment to have one full time licensed funeral director acting as the direct disposer in charge, unless the direct disposer meets the listed requirements as of September 30, 2010	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.



Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
22 1	<a href="#">497.604(8)(b)</a>	Failure of a licensed funeral director or licensed direct disposer in charge of a direct disposal establishment to be reasonably available to the public during its normal business hours; or failure to be in charge of only one disposal establishment	Notice of non-compliance	Citation of \$200
22 2	<a href="#">497.604(9)(b)</a>	Practicing direct disposition at a fixed location of less than 625 interior contiguous square feet or failure to properly refrigerate and store dead human bodies handled and stored	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
22 3	<a href="#">497.604(9)(d)</a>	Failure of a direct disposal establishment to display at the public entrance the name of the establishment and the name of the licensed direct disposer or licensed funeral director in charge of the establishment	Notice of non-compliance	Citation of \$500

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	Proposed Penalty based upon Rule Committee Meetings
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
22 4	<a href="#">497.604(9)(d)</a>	Failure of a direct disposal establishment to transact business under its licensed name	Notice of non-compliance	Reprimand, fine of \$1000-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
22 5	<a href="#">497.604(9)(f)</a>	Failure of a direct disposal establishment to retain all signed contracts for at least 2 years	Notice of non-compliance	Citation of \$200
22 6	<a href="#">497.604(10)</a>	Failure of a direct disposer, direct disposer establishment, or funeral director acting as a direct disposer, to properly display required information; or, failure of a licensee to affix a photograph of the licensee taken within the previous six years to each displayed license	Notice of non-compliance	Citation of \$200

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
227	<a href="#">497.606(1)</a>	A person conducting, maintaining, or operating a cinerator facility which is not licensed and in good standing	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
228	<a href="#">497.606(7)</a>	Failure of a cinerator facility to obtain prior approval before commencing operation at a new location	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
229	<a href="#">497.606(8)</a>	Failure of a cinerator facility to have one full-time licensed direct disposer or licensed funeral director in charge of the facility	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
230	<a href="#">497.606(9)(b)</a>	Placing more than one dead human body in a retort at one time, unless written permission has been received from a legally authorized person for each body	Reprimand, fine of \$2000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.	Reprimand, fine of \$3500-\$5000 plus costs. In addition, probation for up to 3 years with conditions, suspension up to 3 years, or permanent revocation of license may be imposed.
231	<a href="#">497.606(9)(d)</a>	Receiving other than dead human bodies for cremation; not medical, hazardous or biohazardous waste for disposal in a retort	Reprimand, fine of \$500-\$1500 plus costs.	Reprimand, fine of \$1500-\$2500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
232	<a href="#">497.606(9)(e)</a>	Failing to display at its public entrance the name of the facility and the name of the person responsible for the facility	Notice of non-compliance	Citation of \$500

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION Proposed Penalty based upon Rule Committee Meetings	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
233	<a href="#">497.606(9)(e)</a>	Failing to transact business under its licensed name	Notice of non-compliance	Reprimand, fine of \$1000-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
234	<a href="#">497.606(9)(f)</a>	Having a direct disposer in charge of a cinerator facility when it is located at the same address as a funeral establishment	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
235	<a href="#">497.606(9)(g)</a>	Placing human remains or body parts in a retort or cremation chamber, unless the human remains are in an alternative container, cremation container, or casket	Reprimand, fine up to \$1500 plus costs.	Reprimand, fine up to \$2500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION Proposed Penalty based upon Rule Committee Meetings	
			Penalty Range 1 <sup>st</sup> Offense	Penalty Range Subsequent Offenses
236	<a href="#">497.606(9)(h)</a>	Using alternative containers, cremation containers or caskets for cremation that do not comply with all requirements of this subsection	Reprimand, fine up to \$1500 plus costs.	Reprimand, fine up to \$2500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
237	<a href="#">497.607(1)</a>	Performing a cremation without written authorization from a legally authorized person	Reprimand, fine of \$2000-\$3500 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.	Reprimand, fine of \$3500-\$5000 plus costs. In addition, probation for up to 3 years with conditions, suspension up to 3 years, or permanent revocation of license may be imposed.
238	<a href="#">497.607(1)</a>	Failing to perform a cremation within 48 hours after a specified time which has been agreed to in writing by the person authorizing the cremation	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	
			<u>Penalty Range 1<sup>st</sup> Offense</u>	<u>Penalty Range Subsequent Offenses</u>
239	<a href="#">497.607(3)(b)</a>	Disposing of cremated remains without making a reasonable effort to determine whether the cremated remains are those of a veteran of the United States Armed Forces, United States Reserve Forces, or National Guard eligible for burial in a national cemetery or a spouse or dependent child of a veteran eligible for same	Reprimand, fine of \$200-\$500 plus costs. In addition, probation for up to 1 year with conditions.	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for up to 3 years with conditions, suspension up to 3 years, or permanent revocation of license may be imposed.
240	<a href="#">497.607(3)(c)</a>	If unclaimed cremated remains are those of an eligible veteran or the spouse or dependent child of an eligible veteran, failing to arrange for the interment of the cremated remains in a national cemetery	Reprimand, fine of \$200-\$500 plus costs. In addition, probation for up to 1 year with conditions.	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for up to 3 years with conditions, suspension up to 3 years, or permanent revocation of license may be imposed.
241	<a href="#">497.608(2)</a>	Failing to establish written procedures for the removal of cremated remains resulting from the cremation of a human body and the post cremation processing, shipping, packing, or identifying of those remains	Notice of non-compliance	Citation of \$200

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	
			<u>Penalty Range 1<sup>st</sup> Offense</u>	<u>Penalty Range Subsequent Offenses</u>
242	<a href="#">497.608(4)</a>	Failing to provide a copy of the procedures used by the cinerator facility, upon request, to customers and their representatives, the department, and other legally authorized persons	Notice of non-compliance	Citation of \$250
243	<a href="#">69K-12.003</a>	Failure of a monument establishment to receive approval by the board of its retail sales agreement prior to use	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for 1 year to 2 years with conditions may be imposed.
244	<a href="#">69K-12.004</a>	Failure of a monument establishment to use a sales agreement that contains all of the requirements of this rule (unless the contract is approved by the board)	Reprimand, fine of \$500-\$1000 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for 1 year to 2 years with conditions may be imposed.
245	<a href="#">69K-20.001(3)</a>	Failure to complete monthly reports of cases embalmed or bodies handled	Notice of non-compliance	Citation of \$200

Violation #	Statute/Rule Violated	Nature of Violation	PROPOSED PENALTIES FOR EACH VIOLATION	
			Proposed Penalty based upon Rule Committee Meetings	
			<u>Penalty Range 1<sup>st</sup> Offense</u>	<u>Penalty Range Subsequent Offenses</u>
24 6	<a href="#">69K-22.001</a>	Failure of a cinerator facility to obtain a cinerator facility license prior to being operated or opening for business	Reprimand, fine of \$1000-\$2500 plus costs. In addition, probation for 6 months to 1 year with conditions, suspension up to 1 year, or permanent revocation of license may be imposed.	Reprimand, fine of \$2500-\$5000 plus costs. In addition, probation for up to 2 years with conditions, suspension up to 2 years, or permanent revocation of license may be imposed.
24 7	<a href="#">69K-22.003(5)</a>	Failure of a cinerator facility to notify the board office of a name change within 30 days	Notice of non-compliance	Citation of \$500
24 8	<a href="#">69K-23.004(9)</a>	Failure of a direct disposer to notify the board office of a name change within 30 days	Notice of non-compliance	Citation of \$500

Rulemaking Specific Authority 497.103, 497.154 FS. Law Implemented 497.152, 497.154 FS. History—New 12-15-86, Amended 9-27-88, Formerly 21J-30.001, Amended 7-9-95, 2-11-96, 5-1-96, 8-7-03, 6-29-05, Formerly 61G8-30.001, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Ellen Simon, Assistant Director, Division of Funeral, Cemetery, and Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361, (850)413-4985, Ellen.Simon@MyfloridaCFO.com.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Funeral, Cemetery, and Consumer Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 5, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 14, 2017

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Workers' Compensation**

RULE NO.: 69L-6.025  
RULE TITLE: Conditional Release of Stop-Work Order and Periodic Payment Agreement

PURPOSE AND EFFECT: Section 440.107, F.S., requires the Department to enforce workers' compensation coverage requirements and to issue stop-work orders, penalty assessment orders, and any other orders necessary for the administration of this section.

SUMMARY: The proposed amendment to paragraph 69L-6.025(4)(b), F.A.C., will allow employers an additional opportunity to remain compliant with their payment agreement schedules by increasing the number of times the Department will rescind an Order Reinstating Stop-Work Order from two to three in any one case. The proposed amendment to paragraph 69L-6.025(7)(c), F.A.C., will allow employers whose Reinstatement of Stop-Work Orders have been rescinded, the opportunity to enter into new payment agreements after making three monthly payments of the original agreed amount. Currently, the employer is required to make six monthly payments of the original agreed amount after the rescission of the Reinstatement of the Stop-Work Order prior to entering into a new payment agreement. Reducing the number of payments required from six to three will shorten the timeframe for entering into a new payment agreement.

**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:

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: 440.107(9), 440.591 FS

LAW IMPLEMENTED: 440.107(7) 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: Tuesday, May 8, 2018, at 9:30 am  
 PLACE: Hartman Building, Room 102, 2012 Capital Circle SE, Tallahassee, FL

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: Pam Macon, telephone: (850) 413-1708, email: Pamela.Macon@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pam Macon, Chief, Bureau of Compliance, Division of Workers' Compensation, address: 2012 Capital Circle SE, Tallahassee, FL, telephone: (850)413-1708, email: Pamela.Macon@myfloridacfo.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-6.025 Conditional Release of Stop-Work Order and Periodic Payment Agreement.

(1) through (3) No change.

(4)(a) If an employer fails to adhere to the terms and conditions of the Agreed Order of Conditional Release from Stop-Work Order, the stop-work order shall be immediately reinstated and the entire unpaid balance of the remaining penalty shall immediately become due and payable. Subsequent to the issuance of an Order Reinstating Stop-Work Order by the Department, the Department will rescind the Order Reinstating Stop-Work Order only if the employer pays the penalty in full or enters into a Payment Agreement Schedule for Periodic Payment of Penalty with the Department prior to the expiration of the twenty-one calendar day period.

(b) If an employer defaults under any of its obligations under the Payment Agreement Schedule for Periodic Payment of Penalty, the Stop-Work Order to which the penalty applies shall be immediately reinstated and the entire unpaid balance of the remaining penalty shall immediately become due and payable. Subsequent to the issuance of an Order Reinstating Stop-Work Order by the Department, the Department will rescind the Order Reinstating Stop-Work Order requiring the employer to adhere to the terms and conditions of its Payment Agreement Schedule for Periodic Payment of Penalty only if the Department receives from the employer all past due

monthly payments prior to the expiration of the twenty-one day period. All past due monthly payments must be made electronically via the Department's online penalty payment service, or by cashier check(s) or money order(s) made payable to DFS-Workers' Compensation Administration Trust Fund and be remitted to Department of Financial Services, Revenue Processing Section, Division of Workers' Compensation, P. O. Box 7900, Tallahassee, FL 32314-7900. The Department will not enter into another Payment Agreement Schedule for Periodic Payment of Penalty with an employer in a case where the employer has had its stop-work order immediately reinstated through an Order Reinstating Stop-Work Order, and in order to be released from a stop-work order that has been immediately reinstated the employer must pay the remainder of the entire penalty and show that it otherwise is in compliance with the coverage requirements of Chapter 440, F.S. The Department in any one case will not rescind an Order Reinstating Stop-Work Order more than three times ~~twice~~.

(c) No change.

(5) through (6) No change.

(7) At the request of an employer, the Department and an employer may enter into a new Payment Agreement Schedule for Periodic Payment of Penalty, thereby extending the payment of the outstanding penalty amount for up to sixty consecutive monthly installments, if the following criteria have been met, as determined by the Department:

(a) through (b) No change.

(c) If the employer was issued an Order Reinstating Stop-Work Order that was later rescinded, the employer must have submitted at least three ~~six~~ monthly payments under its original Payment Agreement Schedule for Periodic Payment of Penalty after the issue date of the Order Rescinding Order Reinstating Stop-Work Order; and,

(d) No change.

(8) through (11) No change.

Rulemaking Authority 440.107(9), 440.591 FS. Law Implemented 440.107(7) FS. History--New 4-6-05, Amended 7-20-05, 2-6-07, 7-20-09, 9-6-15, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Pam Macon, Chief, Bureau of Compliance

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Jimmy Patronis, Chief Financial Officer

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: April 9, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: February 5, 2018

### Section III Notice of Changes, Corrections and Withdrawals

**DEPARTMENT OF CITRUS**

RULE NOS.:     RULE TITLES:  
20-39.005     Corrugated Bagmaster Containers  
20-39.011     Additional General Provisions

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 44 No. 73, April 13, 2018 issue of the Florida Administrative Register. The following repealed rules should have been included in the Proposed Rule Notice:

20-39.005 Corrugated Bagmaster Containers.

Rulemaking Authority 601.11(1) FS. Law Implemented 601.11 FS. History--Formerly 105-1.03(1)(d), Amended 1-1-75, Amended 8-16-75, 8-1-78, 10-18-78, 3-16-80, 10-20-80, 5-1-81, 11-20-85, Formerly 20-39.05, Amended 9-11-86, 9-6-87, 7-21-91, 10-18-92, 1-19-93, 5-23-93, 10-13-96, 10-26-97, Repealed.

20-39.011 Additional General Provisions.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.15(3)(b) FS. History--Formerly 105-1.03(2), Amended 1-1-75, Amended 3-1-76, 4-15-76, 10-18-78, 5-1-81, Formerly 20-39.11, Amended 8-23-92, 12-27-92, 5-23-93, 12-21-93, 10-13-96, Repealed.

### Section IV Emergency Rules

NONE

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

NONE

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

**DEPARTMENT OF STATE**

Division of Historical Resources

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

DATE AND TIME: April 24, 2018, 9:30 a.m. – 1:30 p.m.

PLACE: Bonnet House Museum and Gardens, 900 N. Birch Rd., Fort Lauderdale, FL 33304

GENERAL SUBJECT MATTER TO BE CONSIDERED: Certified Local Government Regional Training.

A copy of the agenda may be obtained by contacting: Ruben Acosta at ruben.acosta@dof.myflorida.com or (850)245-6364. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ruben Acosta at ruben.acosta@dof.myflorida.com or (850)245-6364. 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: Ruben Acosta at ruben.acosta@dof.myflorida.com or (850)245-6364.

**DEPARTMENT OF STATE**

Division of Elections

The Elections Canvassing Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 24, 2018, 9:00 a.m.

PLACE: Cabinet Meeting Room, LL03, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Elections Canvassing Commission will meet to certify the official results for the April 10, 2018, Special Election for State Senate, District 31, per sections 100.191 and 102.111, Florida Statutes.

A copy of the agenda may be obtained by contacting: Kristi Willis at (850)245-6240 or Kristi.Willis@dof.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ashley Black at (850)245-6536 or Ashley.Black@dof.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kristi Willis at (850)245-6240 or Kristi.Willis@dof.myflorida.com.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Aquaculture

The Florida Aquaculture Review Council announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 20, 2018, 9:00 a.m.

PLACE: 170 Century Blvd., Bartow, FL 33830, (863)578-1870

NOTE: Meeting is also accessible through teleconference by dialing: (888)670-3525 and using passcode: 4457172323#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss issues affecting the growth of aquaculture in the state of Florida.

A copy of the agenda may be obtained by contacting: Charlie Culpepper, Biological Administrator at (850)617-7600.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Charlie Culpepper, Biological Administrator at (850)617-7600. 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**

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

**DATES AND TIMES:** August 7, 2018, 9:00 a.m. – 5:30 p.m. ET (or until complete), August 8, 2018, 9:00 a.m. – 1:00 p.m. ET (or until complete)

**PLACE:** Embassy Suites, 8978 International Drive, Orlando, Florida or by conference line: 1(888)670-3525 and Code: 7513637441

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Florida Rehabilitation Council, General Business.

A copy of the agenda may be obtained by contacting: Roy Cosgrove at (850)245-3317 or at roy.cosgrove@vr.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 7 days before the workshop/meeting by contacting: Roy Cosgrove at (850)245-3317 or at roy.cosgrove@vr.fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Roy Cosgrove at (850)245-3317 or at roy.cosgrove@vr.fldoe.org.

**STATE BOARD OF ADMINISTRATION**

The State Board of Administration announces a public meeting to which all persons are invited.

**DATE AND TIME:** Monday, April 30, 2018, 9:30 a.m. – conclusion of Business (ET)

**PLACE:** Hermitage Room, First Floor, The Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida 32308

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business of the Audit Committee.

For more information regarding this meeting, please see the SBA’s website at <http://www.sbafla.com>.

A copy of the agenda may be obtained by contacting: Kimberly Calhoun, (850)413-1243 or email: kimberly.calhoun@sbafla.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: Jim Moore, (850)413-1164 or email: jim.moore@sbafla.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).

**REGIONAL PLANNING COUNCILS**

North Central Florida Regional Planning Council

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

**DATE AND TIME:** April 26, 2018, 5:30 p.m.

**PLACE:** Holiday Inn Hotel and Suites, Olustee Room, 213 Southwest Commerce Boulevard, Lake City, Florida.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the regular business of the Program Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. 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**

North Central Florida Regional Planning Council

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

**DATE AND TIME:** April 26, 2018, 6:00 p.m.

**PLACE:** Holiday Inn Hotel and Suites, Olustee Room, 213 Southwest Commerce Boulevard, Lake City, Florida.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the regular business of the Executive Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by



contacting: (352)955-2200. 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**

**North Central Florida Regional Planning Council**  
 The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.  
**DATE AND TIME:** April 26, 2018, 6:00 p.m.  
**PLACE:** Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest Commerce Boulevard, Lake City, Florida.  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the regular business of the Clearinghouse Committee of the North Central Florida Regional Planning Council.  
 A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.  
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. 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**

**North Central Florida Regional Planning Council**  
 The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.  
**DATE AND TIME:** April 26, 2018, 7:00 p.m.  
**PLACE:** Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest Commerce Boulevard, Lake City, Florida.  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the regular business of the North Central Florida Regional Planning Council.  
 A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.  
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to

participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. 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**

**East Central Florida Regional Planning Council**  
 The East Central Florida Regional Planning Council announces a public meeting to which all persons are invited.  
**DATE AND TIME:** Wednesday, May 16, 2018, 9:30 a.m.  
**PLACE:** 455 N. Garland Avenue, Suite 414, 4th Floor Conference Room, Orlando, FL 32801  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regular bi-monthly meeting of the Executive Committee  
 A copy of the agenda may be obtained by contacting: Pegge Parker at (407)245-0300, ext. 300 or pparker@ecfrpc.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 two (2) days before the workshop/meeting by contacting: Pegge Parker at (407)245-0300, ext. 300 or pparker@ecfrpc.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: Pegge Parker at (407)245-0300, ext. 300 or pparker@ecfrpc.org.

**REGIONAL PLANNING COUNCILS**

**East Central Florida Regional Planning Council**  
 The East Central Florida Regional Planning Council announces a public meeting to which all persons are invited.  
**DATE AND TIME:** Wednesday, May 16, 2018, 10:30 a.m.  
**PLACE:** 455 N. Garland Avenue, 2nd Floor Conference Room, Orlando, FL 32801  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regular bi-monthly meeting of the East Central Florida Regional Planning Council.  
 A copy of the agenda may be obtained by contacting: Pegge Parker at (407)245-0300, ext. 300 or pparker@ecfrpc.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 two (2) days before the workshop/meeting by contacting: Pegge Parker at (407)245-0300, ext. 300 or

pparker@ecfrpc.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: Pegge Parker at (407)0245-0300, ext. 300 or pparker@ecfrpc.org.

**REGIONAL UTILITY AUTHORITIES**

Tampa Bay Water - A Regional Water Supply Authority  
 The Tampa Bay Water, A Regional Water Supply Authority, announces a public meeting to which all persons are invited.  
**DATE AND TIME:** May 16, 2018, 10:30 a.m.  
**PLACE:** Tampa Bay Water Administrative Offices, 2575 Enterprise Road, Clearwater, Florida 33763  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** A public meeting of the Selection Committee for Digital Imagery & Remote Sensing Services Contract No. 2018-043. As a part of the selection process, the Selection Committee will meet to review and discuss the responses and ranking of the firms, determine if interviews are needed and review potential interview questions.  
 A copy of the agenda may be obtained by contacting: Records Department, (727)796.2355.  
 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: Records Department, (727)796.2355. 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: Records Department, (727)796.2355.

**DEPARTMENT OF MANAGEMENT SERVICES**

Commission on Human Relations  
 The Florida Commission on Human Relations announces a public meeting to which all persons are invited.  
**DATE AND TIME:** Thursday, May 17, 2018, 1:00 p.m., ET  
**PLACE:** Call 1(888)670-3525, and when prompted enter pass code: 1760507820, followed by the # key.  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of the meeting is for the Commission to vote on the disposition of cases pending before it for decision.  
 A copy of the agenda may be obtained by contacting: Stanley Gorsica at (850)907-6809 or Stanley.Gorsica@fchr.myflorida.com.  
**ACCESS POINT:** The FCHR office at 4075 Esplanade Way, Room 110, Tallahassee, FL 32399, will serve as an access point for this meeting. Interested persons wishing to attend this

meeting may also do so by appearing in person at this designated access point, at which location telephonic access to the meeting will be provided.  
 For more information, you may contact: Stanley Gorsica at (850)907-6809 or Stanley.Gorsica@fchr.myflorida.com.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Florida Building Commission  
 The Florida Building Commission, Mechanical Technical Advisory Committee concurrent with the Plumbing Technical Advisory Committee announces a public meeting to which all persons are invited.  
**DATE AND TIME:** April 23, 2018, 10:00 a.m.  
**PLACE:** Meetings to be conducted using communications media technology, specifically teleconference and webinar: Please join my meeting <https://global.gotomeeting.com/join/153035397>. Join the conference call: United States (Toll Free) 1(571)317-3117, Meeting ID/Access Code 153-035-397. Public point of access: 2601 Blair Stone Road, Tallahassee, Florida.  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review and accept interim draft report for research project titled "Evaluation of the Cost Impact and Benefit of the 2018 I-Code Changes (Prescriptive Code Changes)."  
 To review and accept interim draft report for research project titled "Webinar Workshops on Evaluation of the Cost Impact of Prescriptive Code Changes."  
 To provide status update on the review process of the 2018 I-Codes changes and to review and discuss the TAC's process for reviewing the 2018 I-Codes changes.  
 A copy of the agenda may be obtained by contacting: Chip Sellers or Norman Bellamy, as set forth below or on the Commission website.  
 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: Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. 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: Chip Sellers, Plumbing Technical Advisory Committee or Norman Bellamy, Mechanical Technical Advisory Committee, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436 or access information on the Commission's website: <https://floridabuilding.org/c/default.aspx>.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Building Commission**

The Florida Building Commission, Plumbing Technical Advisory Committee concurrent with the Mechanical Technical Advisory Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** April 23, 2018, 10:00 a.m.

**PLACE:** Meetings to be conducted using communications media technology, specifically teleconference and webinar: Please join my meeting <https://global.gotomeeting.com/join/153035397>. Join the conference call: United States (Toll Free) 1(571)317-3117, Meeting ID/Access Code 153-035-397. Public point of access: 2601 Blair Stone Road, Tallahassee, Florida.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review and accept interim draft report for research project titled "Evaluation of the Cost Impact and Benefit of the 2018 I-Code Changes (Prescriptive Code Changes)."

To review and accept interim draft report for research project titled "Webinar Workshops on Evaluation of the Cost Impact of Prescriptive Code Changes."

To provide status update on the review process of the 2018 I-Codes changes and to review and discuss the TAC's process for reviewing the 2018 I-Codes changes.

A copy of the agenda may be obtained by contacting: Chip Sellers or Norman Bellamy, as set forth below or on the Commission website.

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: Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. 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: Chip Sellers, Plumbing Technical Advisory Committee or Norman Bellamy, Mechanical Technical Advisory Committee, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436 or access information on the Commission's website: <https://floridabuilding.org/c/default.aspx>.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Building Commission**

The Florida Building Commission, Swimming Pool Technical Advisory Committee concurrent with The Special Occupancy Technical Advisory Committee, announces a public meeting to which all persons are invited.

**DATE AND TIME:** April 23, 2018, 2:00 p.m.

**PLACE:** Meetings to be conducted using communications media technology, specifically teleconference and webinar: Join the meeting at <https://global.gotomeeting.com/join/553420213>. Join the conference call: United States (toll-free): 1(866)899-4679; Meeting ID / Access Code: 553-420-213; public point of access 2601 Blair Stone Road, Tallahassee, Florida.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review and accept interim draft report for research project titled "Evaluation of the Cost Impact and Benefit of the 2018 I-Code Changes (Prescriptive Code Changes)."

To review and accept interim draft report for research project titled "Webinar Workshops on Evaluation of the Cost Impact of Prescriptive Code Changes."

To provide status update on the review process of the 2018 I-Codes changes and to review and discuss the TAC's process for reviewing the 2018 I-Codes changes.

A copy of the agenda may be obtained by contacting: Chip Sellers or Marlita Peters or, as set forth below or on the Commission website.

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: Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. 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: Chip Sellers, Swimming Pool Technical Advisory Committee or Marlita Peters, Special Occupancy Technical Advisory Committee, Office of Building Codes and Standards, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436 or access information on the Commission's website: <https://floridabuilding.org/c/default.aspx>.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Florida Building Commission

The Special Occupancy Technical Advisory Committee concurrent with The Swimming Pool Technical Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: April 23, 2018, 2:00 p.m.

PLACE: Meetings to be conducted using communications media technology, specifically teleconference and webinar: Join the meeting at <https://global.gotomeeting.com/join/553420213>. Join the conference call: United States (toll-free): 1(866)899-4679; Meeting ID / Access Code: 553-420-213; public point of access 2601 Blair Stone Road, Tallahassee, Florida.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review and accept interim draft report for research project titled "Evaluation of the Cost Impact and Benefit of the 2018 I-Code Changes (Prescriptive Code Changes)."

To review and accept interim draft report for research project titled "Webinar Workshops on Evaluation of the Cost Impact of Prescriptive Code Changes."

To provide status update on the review process of the 2018 I-Codes changes and to review and discuss the TAC's process for reviewing the 2018 I-Codes changes.

A copy of the agenda may be obtained by contacting: Marlita Peters or Chip Sellers, as set forth below or on the Commission website.

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: Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. 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: Marlita Peters, Special Occupancy Technical Advisory Committee or Chip Sellers, Swimming Pool Technical Advisory Committee, Office of Building Codes and Standards, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436 or access information on the Commission's website: <https://floridabuilding.org/c/default.aspx>.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Division of Recreation and Parks

The Florida Department of Environmental Protection, Division of Recreation and Parks, announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 27, 2018, 9:00 a.m.

PLACE: Citrus County Chamber of Commerce, The Damron Conference Room, 915 N. Suncoast Blvd., Crystal River, FL 34429

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Discussion of the proposed unit management plan update for Crystal River Preserve State Park with the advisory group members.

A copy of the agenda may be obtained by contacting: John Lakich, Park Manager, Crystal River Preserve State Park, 3266 North Sailboat Avenue, Crystal River, FL 34428; PH #: (352)228-6021, FAX #: (352)228-6029 or email: [John.Lakich@dep.state.fl.us](mailto:John.Lakich@dep.state.fl.us).

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Division of Recreation and Parks

The Florida Department of Environmental Protection, Division of Recreation and Parks, announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 26, 2018, 5:30 p.m. – 7:30 p.m., Presentation at 6:00 p.m.

PLACE: Citrus County Chamber of Commerce, The Damron Conference Room, 915 N. Suncoast Blvd., Crystal River, FL 34429

GENERAL SUBJECT MATTER TO BE CONSIDERED: An opportunity for the public to provide input on the ten-year management plan update for Crystal River Preserve State Park. A copy of the agenda may be obtained by contacting: John Lakich, Park Manager, Crystal River Preserve State Park, 3266 North Sailboat Avenue, Crystal River, FL 34428; PH #: (352)228-6021, FAX #: (352)228-6029 or email: John.Lakich@dep.state.fl.us

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

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

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

DATE AND TIME: May 18, 2018, 8:30 a.m.

PLACE: Embassy Suites, 4955 Kings Health Road, Kissimmee, FL 34746

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business, to include licensure and discipline.

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

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

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

For more information, you may contact: Anthony.Spivey@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

The Board of Clinical Laboratory Personnel announces a public meeting to which all persons are invited.

DATE AND TIME: June 15, 2018, 9:00 a.m.

PLACE: 1(888)670-3525, participant code: 7342425515

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business, to include licensure.

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

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

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

For more information, you may contact: Anthony.Spivey@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Dentistry

The Department of Health, Board of Dentistry, announces a CANCELLATION of the Rules Committee Meeting which was published in the Florida Administrative Register on April 2, 2018 in volume 44/64.

DATE AND TIME: April 19, 2018, 6:00 p.m., ET, CANCELLED

PLACE: 1(888)670-3525 when prompted, enter conference code: 4552635641

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a Rules Committee Meeting.

The above meeting has been cancelled. For questions, please contact the Board Office at (850)245-4474.

DEPARTMENT OF HEALTH

Board of Optometry

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

DATE AND TIME: June 22, 2018, 9:00 a.m.

PLACE: 1(888)670-3525

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business, to include licensure.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Anthony.Spivey@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida

Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Anthony.Spivey@flhealth.gov.

**DEPARTMENT OF HEALTH**

**Board of Podiatric Medicine**

The Florida Board of Podiatric Medicine announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 27, 2018, 9:00 a.m., EDT

PLACE: 1(888)670-3525, Participant Code: 5134896685

GENERAL SUBJECT MATTER TO BE CONSIDERED: This notice is a correction to previous Notice ID#: 20290089. General business meeting involving discussion and actions, including, but not limited to: general board business, licensure applications, and current and proposed rules.

A copy of the agenda may be obtained by contacting: C. Erica White, Executive Director, (850)245-4292.

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: C. Erica White, Executive Director, (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: C. Erica White, Executive Director, (850)245-4292.

**DEPARTMENT OF HEALTH**

**Board of Podiatric Medicine**

The Florida Board of Podiatric Medicine Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 2, 2018, 8:00 a.m., EDT

PLACE: 1(888)670-3525, Participant Code: 5134896685

GENERAL SUBJECT MATTER TO BE CONSIDERED: This notice corrects previous Notice ID#: 20272823. To review those cases in which a determination of existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: C. Erica White, Executive Director, (850)245-4292.

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: C. Erica White, Executive Director, (850)245-4292.

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

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

For more information, you may contact: C. Erica White, Executive Director, (850)245-4292.

**DEPARTMENT OF HEALTH**

**Board of Athletic Training**

The Department of Health, Board of Athletic Training, announces a CANCELLATION of the General Business Meeting which was published in the Florida Administrative Register on December 13, 2017 in volume 43/239.

DATE AND TIME: July 6, 2018, 9:00 a.m., ET, CANCELLED

PLACE: Conference Call #: Embassy Suites, 4955 Kyngs Heath Road, Kissimmee, FL 34746

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general board business.

The above meeting has been cancelled. For questions, please contact the Board Office at (850)245-4474.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Vessel Registration and Boating Safety**

The Fish and Wildlife Conservation Commission (FWC), Division of Law Enforcement, Boating Advisory Council, announces a public meeting to which all persons are invited.

DATE AND TIME: May 16, 2018, 8:00 a.m.

PLACE: DoubleTree by Hilton St. Augustine Historic District, 116 San Marco Ave., St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Non-Motorized Boats Working Group, a committee of the Boating Advisory Council, to review and discuss non-motorized boating-related topics.

A copy of the agenda may be obtained by contacting: the FWC, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600, or by calling Precious Boatwright or Myeisha Dixon at (850)488-5600.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: ADA Coordinator, (850)488-6411. If you are

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

For more information, you may contact: Precious Boatwright at (850)488-5600.

**DEPARTMENT OF FINANCIAL SERVICES**

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

DATE AND TIME: Wednesday, April 25, 2018, 2:30 p.m. – 4:00 p.m., Eastern Time

PLACE: Department of Revenue, 2450 Shumard Oak Boulevard, Building 2, Room 1250, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida PALM Executive Steering Committee will meet to discuss the status of the Florida PALM Project. A copy of the agenda may be obtained by contacting: the Florida PALM Project website

<https://www.myfloridacfo.com/floridapalm/meetings/executive-steering-committee/>.

A copy of the agenda may be obtained by contacting: the Florida PALM Project website <https://www.myfloridacfo.com/floridapalm/meetings/executive-steering-committee/>.

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: Jenifer Hartsfield at (850)410-9025 or FloridaPALM@myfloridacfo.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: FloridaPALM@myfloridacfo.com. If you have any questions or would like to submit public comment regarding the Florida PALM Executive Steering Committee, please email FloridaPALM@myfloridacfo.com.

**JACKSONVILLE SHERIFF’S OFFICE**

The Jacksonville Sheriff’s Office announces a public meeting to which all persons are invited.

DATE AND TIME: May 16, 2018, 2:00 p.m.

PLACE: Northeast Florida Criminal Justice Center, 4715 Capper Road, Jacksonville, FL 32218

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regional V Training Council.

A copy of the agenda may be obtained by contacting: Northeast FL Criminal Justice Center (Jacksonville Sheriff’s Office).

**MRGMIAMI**

The Florida Department of Transportation (FDOT), District Four, announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, April 24, 2018, 5:30 p.m.

PLACE: North Indian River County Library, 1001 Sebastian Boulevard, Sebastian, FL 32958

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Four will be hosting a Public Hearing for the County Road (CR) 510 Project Development and Environment (PD&E) Study from CR 512 to 58th Avenue, in Indian River County, Florida. The hearing will begin as an open house at 5:30 p.m. with a presentation at 6 p.m., followed by a comment period.

The purpose of this meeting is to give interested persons an opportunity to express their views concerning the location, conceptional design, and social, economic, and environmental effects of the proposed improvements. Draft documents will be available at the North Indian River County Library, 1001 Sebastian Boulevard, Sebastian, FL 32958 (Monday to Wednesday 10:00 a.m. – 8:00 p.m., Thursday and Friday 10:00 a.m. – 5:00 p.m., Saturday, 10:00 a.m. – 4:00 p.m.) and at the Sebastian City Hall, 1225 Main Street, Sebastian, FL 32958 (Monday through Friday, 8:00 a.m. – 4:30 p.m.). Draft documents will also be available on the project’s website [www.cr510project.com](http://www.cr510project.com) and on display at the Public Hearing. Persons wishing to submit written statements or other exhibits, in place of or in addition to oral statements, may do so at the hearing or by sending them to Maria Formoso, P.E., P.M.P., FDOT Project Manager, 3400 West Commercial Boulevard, Fort Lauderdale, FL 33309. All exhibits or statements postmarked on or before May 4, 2018, will become part of the Public Hearing record.

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the FDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 14, 2016 and executed by the Federal Highway Administration (FHWA) and FDOT.

A copy of the agenda may be obtained by contacting: Maria Formoso, P.E., P.M.P., FDOT Project Manager, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4677 (Telephone) or toll free at 1(800)336-8435, ext. 4677 or via email at [Maria.Formoso@dot.state.fl.us](mailto:Maria.Formoso@dot.state.fl.us).

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

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: Maria Formoso, P.E., P.M.P., FDOT Project Manager, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4677 (Telephone) or toll free at 1(800)336-8435, ext. 4677 or via 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: Maria Formoso, P.E., P.M.P., FDOT Project Manager, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4677 (Telephone) or toll free at 1(800)336-8435, ext. 4677 or via email at Maria.Formoso@dot.state.fl.us.

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#### THE VALERIN GROUP, INC.

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

DATE AND TIME: Tuesday, April 24, 2018, 2:30 p.m. – 7:30 p.m.

PLACE: Doubletree by Hilton Hotel, located at 100 Fairway Drive, Deerfield Beach, FL 33441

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No.: 436964-1-22-01 and ETDM Number: 14244/

Project Description: I-95 from SW 10th Street to Hillsboro Boulevard Project Development and Environment (PD&E) Study, in Broward County.

The purpose of this PD&E Study is to improve operations and safety along I-95 between and including the interchanges at SW 10th Street and Hillsboro Boulevard, and also on SW 10th Street and Hillsboro Boulevard in the vicinity of I-95 within the study limits. The purpose of this workshop is to give interested persons an opportunity to comment and provide input on the transportation improvement alternatives the Department has developed at this point in the study. Information about the transportation alternatives developed for the SW 10th Street Connector, SR 869/SW 10th Street from Florida's Turnpike/Sawgrass Expressway to SR 9/I-95 PD&E Study FPID 439891-1-22-02 will also be presented at the Workshop.

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 14, 2016, and executed by the Federal Highway Administration and FDOT.

The Alternatives Public Workshop will be from 2:30 p.m. – 7:30 p.m. and will be conducted as an open house format. Drawings and other pertinent information will be available for public review. FDOT staff and consultant staff members will be available to discuss the project and answer questions.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require translation services (free of charge) should contact Mr. Anson Sonnett at (954)777-4474 or by email at anson.sonnett@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: There is 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 7 days before the workshop/meeting by contacting: Mr. Anson Sonnett, PE, Florida Department of Transportation District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida, 33309, (954)777-4474, toll free: 1(866)336-8435, ext. 4474, anson.sonnett@dot.state.fl.us. Any persons who require translation services (free of charge) should also contact Mr. Anson Sonnett, PE, at least seven (7) days prior to the meeting. 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: Mr. Anson Sonnett, PE, Project Manager, Florida Department of Transportation District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida, 33309, (954)777-4474, toll free: 1(866)336-8435, ext. 4474, anson.sonnett@dot.state.fl.us or visit the project website at [www.sw10street.com](http://www.sw10street.com).

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#### INFINITE SOURCE COMMUNICATIONS GROUP, LLC

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

DATE AND TIME: Tuesday, April 24, 2018, 2:30 p.m. – 7:30 p.m.

PLACE: Doubletree by Hilton Hotel located at 100 Fairway Drive, Deerfield Beach, FL 33441

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Project ID Number: 43981-1-22-02 and EDTM Number: 14291

Project Description: State Road (SR) 869/SW 10th Street between Florida's Turnpike/Sawgrass Expressway and SR 9/I-95, while also providing improved connectivity of the regional transportation network. The purpose of this workshop is to give interested persons an opportunity to comment and provide input on the transportation improvement alternatives the Department has developed at this point in the study. Information about the



transportation alternatives developed for the SR 9/I-95 from SW 10th Street to Hillsboro Boulevard PD&E Study FPID 436964-1-22-01 will also be presented at the Workshop.

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 14, 2016 and executed by the Federal Highway Administration and FDOT.

The Alternatives Public Workshop is scheduled for Tuesday, April 24, 2018 from 2:30 p.m. – 7:30 p.m. at the Doubletree by Hilton Hotel at 100 Fairway Drive, Deerfield Beach, FL 33441. The workshop will be conducted as an open house format. Attendees will have an opportunity to discuss the study, ask questions, and provide comments on the potential improvements. FDOT staff and consultant staff members will be available to discuss the project and answer questions.

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

A copy of the agenda may be obtained by contacting: Anson Sonnett, PE, Project Manager, Florida Department of Transportation District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida, 33309, (954)777-4474, toll free: 1(866)336-8435, ext. 4474, email: anson.sonnett@dot.state.fl.us.

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: Mr. Anson Sonnett, PE, Project Manager, Florida Department of Transportation District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida, 33309, (954)777-4474, toll free: 1(866)336-8435, ext. 4474, email: ansonsonnett@dot.state.fl.us. Any persons who require translation services (free of charge) should also contact Mr. Anson Sonnett, PE, at least seven (7) days prior to the meeting. 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: Mr. Anson Sonnett, PE, Project Manager, Florida Department of Transportation District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida, 33309, (954)777-4474, toll free: 1(866)336-8435, ext. 4474, anson.sonnett@dot.state.fl.us, or visit the project website at [www.sw10street.com](http://www.sw10street.com).

FLORIDA IS FOR VETERANS INC.

The Florida is for Veterans Inc. announces a workshop to which all persons are invited.

DATE AND TIME: April 23, 2018, 8:00 a.m.

PLACE: [admin@veteransflorida.org](mailto:admin@veteransflorida.org)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Is For Veteran's, Inc., d/b/a Veterans Florida, seeks a qualified, experienced, professional accountancy firm to complete an annual compliance and financial audit of accounts and records for the 2017-2018 fiscal year pursuant to rules adopted by the Auditor General of Florida. Veterans Florida is required by paragraph 295.21(8)(f), Florida Statutes, to have an audit completed each year.

Project Timeline:

1. April 23, 2018: Invitation To Bid Launch.
2. April 30, 2018, 1:30 p.m.: Q & A Conference Call - 1(877)619-2945, No Pin #
3. May 7, 2018, 2:00 p.m.: Responses due.
4. May 10, 2018: Audit Committee meets to consider proposals.
5. May 11, 2018: Veterans Florida notifies bidders of final selection.

A copy of the agenda may be obtained by contacting: [admin@veteransflorida.org](mailto:admin@veteransflorida.org)

For more information, you may contact: [admin@veteransflorida.org](mailto:admin@veteransflorida.org).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001 Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from Liebl & Barrow, Engineering, Inc. The petition seeks the agency's opinion as to the applicability of section 110.8.6, Florida Building Code, Building, 6th Edition (2017), as it applies to the petitioner.

Petitioner seeks clarification about qualifications that may be required by a local building department for individuals conducting certain inspections of threshold buildings.

A copy of the Petition for Declaratory Statement may be

obtained by contacting: the Agency Clerk’s Office, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)921-0342, AGC.Filing@myfloridalicense.com.

Please refer all comments to: Mo Madani, Building Codes and Standards Office, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, mo.madani@myfloridalicense.com or W. Justin Vogel, Office of the General Counsel, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)717-1795, wjustin.vogel@myfloridalicense.com.

**RESPONSES, MOTIONS TO INTERVENE, OR REQUESTS FOR A HEARING MUST BE FILED WITHIN 21 DAYS OF THIS NOTICE.**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Florida Real Estate Commission

NOTICE IS HEREBY GIVEN that the Florida Real Estate Commission has issued an order disposing of the petition for declaratory statement filed by Alexandra J. Sanchez, Esq. on behalf of Serber & Associates, P.A. on August 17, 2017. The following is a summary of the agency’s disposition of the petition:

The original Notice of Petition for Declaratory Statement was published in Vol. 44, No. 18, of the January 26, 2018 Florida Administrative Register. The Petitioner sought the Commission’s opinion as to the applicability of section 475.15, F.S. and rules 61J2-4.007 and 61J2-5.015, F.A.C., and confirm whether or not the holding of an active and valid broker’s license by one member holding a minority interest in a domestic LLC is sufficient to comply with the registration requirements of chapter 475, F.S., as it applies to the petitioner. The Commission considered the Petition at a duly-noticed public meeting held on February 21, 2018, in Orlando, Florida. At its meeting, the Commission granted the Petition stating that the holding of an active and valid broker’s license by one member holding a minority interest in a domestic LLC is sufficient to comply with the registration requirements of chapter 475, F.S. The Order was filed on April 6, 2018.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: : Lori Crawford, Executive Director, Florida Real Estate Commission, 400 West Robinson Street, N801, Orlando, FL 32801, (850)487-1395 or by email at lori.crawford@myfloridalicense.com.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Florida Real Estate Commission

NOTICE IS HEREBY GIVEN that the Florida Real Estate Commission has issued an order disposing of the petition for declaratory statement filed by Pinellas County Housing Authority on August 09, 2017. The following is a summary of the agency’s disposition of the petition:

The original Notice of Petition for Declaratory Statement was published in Vol. 44, No. 06, of the January 9, 2018 Florida Administrative Register. The Petitioner sought the Commission’s interpretation of subsection 475.011(2), Florida Statutes, regarding the requirements for exemption from licensing. The Commission considered the Petition at a duly-noticed public meeting held on February 21, 2018, in Orlando, Florida. At its meeting, the Commission granted the Petition provided that the Petitioner owns the property. The Order was filed on April 6, 2018.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Lori Crawford, Executive Director, Florida Real Estate Commission, 400 West Robinson Street, N801, Orlando, FL 32801, (850)487-1395 or by email at lori.crawford@myfloridalicense.com.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Florida Real Estate Commission

NOTICE IS HEREBY GIVEN that the Florida Real Estate Commission has issued an order disposing of the petition for declaratory statement filed by Zachery Davis-Walker on December 04, 2017. The following is a summary of the agency’s disposition of the petition:

The original Notice of Petition for Declaratory Statement was published in Vol. 43, No. 248, of the December 27, 2017 Florida Administrative Register. The Petitioner sought the Commission’s interpretation of sections 475.181 and 475.183, Florida Statutes, regarding licensure and whether his license should be activated in his current capacity as a public administrator. The Commission considered the Petition at a duly-noticed public meeting held on February 21, 2018, in Orlando, Florida. At its meeting, the Commission denied the Petition finding that Petitioner did not provide sufficient information and clarification as to what he was asking. The Order was filed on April 6, 2018.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Lori Crawford, Executive Director, Florida Real Estate Commission, 400 West Robinson Street, N801, Orlando, FL 32801, (850)487-1395 or by email at lori.crawford@myfloridalicense.com.

**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

School Districts

Districtwide Roof Replacement at Various Schools: DCSB No. M-83800/MT-ITB-001-18

DUVAL COUNTY PUBLIC SCHOOLS -

ADVERTISEMENT FOR BIDS -Invitation To Bid -Roofing Building Contractor -Publish Date – April 16, 2018 Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207 until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, located at 1701 Prudential Drive, Jacksonville, Florida, 5th Floor, Room 513D. BIDS ARE DUE ON OR BEFORE MAY 17, 2018 AND WILL BE ACCEPTED UNTIL 2:00 p.m. Official

Project Title: Districtwide Roof Replacement at Various Schools: Mattie V. Rutherford School No. 6; Terry Parker High School No. 86; Henry F. Kite Elementary School No. 37; Duncan U. Fletcher Middle School No. 63. DCSB Project No. M-83800/MT-ITB-001-18. SCOPE OF WORK: Mattie V. Rutherford School No. 6, complete re-roof of all roofing systems to include (shingle, clay tile, and BUR); Terry Parker High School No. 86, recover existing modified roof with single ply TPO; Henry F. Kite Elementary School No. 37, recover existing modified roofs with single ply TPO; Duncan U. Fletcher Middle School No. 63 – boiler room, complete re-roof of existing boiler room. The estimated construction cost is not to exceed \$853,557. All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held on May 7, 2018 from 9:30 a.m. until 10:30 a.m., at 129 King Street, Room 37 Jacksonville, Florida 32204. Failure to attend the pre-bid conference shall result in disqualification of that firm’s proposal. Attendees will be required to sign an attendance register. Project funding is subject to availability of funds as authorized by the Owner. The District reserves the right to reject any and all bids. Contract documents for bidding may be obtained at the office of: ARC Document Solutions, 4613 Philips Highway, Suite 202, Jacksonville, FL 32207, (904)399-8946. Contract documents for bidding may be examined at the Duval County Public Schools Administration Building located at 129 King Street, Room 29 (Upstairs) Jacksonville, FL 32204. Name of A/E firm: Ronald Scalisi Architects, P.A.; 1309 St. Johns Bluff Road N.; Suite A-5; Jacksonville, Florida 32225, Telephone (904)998-8860. Office of Economic Opportunity (OEO) Participation Goal: 5% SBE participation. Only those firms certified as SBE with DCPS can be used towards this participation goal. All Contractors submitting bids must be prequalified with Duval County Public Schools at the time of the bid opening. No bids will be accepted from Contractors who are not prequalified with Duval County Public Schools. Prequalification forms and information may be obtained at [www.duvalschools.org](http://www.duvalschools.org) under Departments/Facilities/Forms and Standards/General Documents/Contractor Prequalification Procedures. The Bid Award Recommendation will be posted on the first floor bulletin board at the Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

**Section XII**  
**Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between

3:00 p.m., Monday, April 9, 2018 and 3:00 p.m., Friday, April 13, 2018.

Rule No.	File Date	Effective Date
1B-2.011	4/10/2018	4/30/2018
6A-1.0014	4/10/2018	4/30/2018
6A-1.0503	4/10/2018	4/30/2018
6A-1.09441	4/10/2018	4/30/2018
6A-1.09515	4/10/2018	4/30/2018
6A-5.030	4/10/2018	4/30/2018
6A-5.0411	4/10/2018	4/30/2018
6A-5.066	4/10/2018	4/30/2018
6A-6.0571	4/10/2018	4/30/2018
6A-6.0574	4/10/2018	4/30/2018
6A-7.0335	4/10/2018	4/30/2018
53ER18-20	4/12/2018	4/12/2018
64B8-8.001	4/10/2018	4/30/2018
64B8-9.018	4/10/2018	4/30/2018
64B15-14.013	4/10/2018	4/30/2018
64B15-19.002	4/10/2018	4/30/2018
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.020	12/15/2017	**/**/****
69L-7.501	12/15/2017	**/**/****

Facility/Project: Westminster Woods on Julington Creek  
 Applicant: Wesley Manor, Inc.  
 Project Description: Add five sheltered nursing home beds

DEPARTMENT OF HEALTH

Board of Pharmacy

Florida Board of Pharmacy

The Florida Board of Pharmacy notifies all interested parties that Meeting ID Number 20278449 regarding the Florida Board of Pharmacy meeting on April 19, 2018, in Gainesville, Florida, is a duplicate of Meeting ID Number 20280195 regarding the Florida Board of Pharmacy Rules Subcommittee Meeting on April 19, 2018, in Gainesville, Florida. Both meeting notices were both published on April 10, 2018, in Volume 44/70. Please be advised that there is only one meeting of the Florida Board of Pharmacy Rules Subcommittee on April 19, 2018.

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.

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RECEIPT OF EXPEDITED APPLICATION

The Agency for Health Care Administration received the following CON application for expedited review:

CON #10525, Received: 04/12/2018

County: St. Johns, Service District: 4-3