

Copies of the petition may be obtained from: G. W. Harrell, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN THAT on May 25, 2010, the Board of Pharmacy has received the petition for declaratory statement from Jeffrey Gibbs. The petition seeks the agency's opinion as to the applicability of Rule 64B16-27.700, F.A.C., as it applies to the petitioner.

The petition requests the Board to issue a declaratory statement regarding the applicability of Rule 64B16-27.700, F.A.C., and whether the rule would permit a non-resident pharmacy to compound medications for use in a doctor's office.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

NOTICE IS HEREBY GIVEN THAT the Department of Health, Division of Emergency Medical Operations, Bureau of Emergency Medical Services has issued an order disposing of the petition for declaratory statement filed by the North Naples Fire Control and Rescue District on April 9, 2010. The following is a summary of the agency's disposition of the petition:

The petition was denied in part and granted in part as follows: 1. Questions 1 through 4 in the petition concern the actions of a person other than the Petitioner. A declaratory statement is not the appropriate means to determine the conduct of another person. Rule 28-105.001, F.A.C. Therefore, the petition as regards these questions is DENIED. 2. Question 5 in the petition requires an interpretation of corporate law, a matter over which the Department has no authority. Rule 28-105.001, F.A.C. Therefore, the petition as regards this question is DENIED. 3. Question 6 inquires as to whether the Petitioner can limit a medical director's authority by providing that all training requirements be developed with a third party. The petition regarding this question is GRANTED. The answer is NO. The statutory authority is the medical director's alone and is not shared or limited by external agreements. In re: Miami-Dade Fire Rescue, Petition for Declaratory Statement, DOH 2007-0102.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Melia Jenkins, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin #C18, Tallahassee, FL 32399, Fax: (850)488-9408, [Melia\\_Jenkins@doh.state.fl.us](mailto:Melia_Jenkins@doh.state.fl.us).

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has issued an order disposing of the petition for declaratory statement filed by Eric A. Neilinger on May 4, 2010. The following is a summary of the agency's disposition of the petition:

The Petitioner asks in several different ways whether the local authority having jurisdiction has the discretion to deny the use of the AES brand radio mesh network as an alternative means of emergency resources notification. The answer is yes. The petitioner must demonstrate to the satisfaction of the local authority having jurisdiction that the system is functionally equivalent to the requirements set forth in Rule 69A-48.008, Florida Administrative Code.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604 or (850)413-4238; Fax: (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises) or by e-mailing your request to: [Lesley.Mendelson@myfloridacfo.com](mailto:Lesley.Mendelson@myfloridacfo.com).

**Section VIII  
Notices 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 have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**