

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-2.0020
RULE TITLE: Charter School Capital Outlay
PURPOSE AND EFFECT: The purpose of the rule development is to clarify the statutory eligibility requirements and revise the process by which charter school capital outlay plans are approved by the Department of Education. The effect of the development will be a more clearly defined process which is consistent with Section 1013.62(1), Florida Statutes.
SUBJECT AREA TO BE ADDRESSED: Eligibility criteria.
RULEMAKING AUTHORITY: 1002.33(27) FS.
LAW IMPLEMENTED: 1013.62 FS.

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

DATE AND TIME: February 15, 2013, 10:00 a.m. – 11:00 a.m. The call will be extended beyond 11:00 if there is still participation at that time.

PLACE: Via conference call 1(888)670-3525. Participant code: 1569959717

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Adam Miller, Director of Charter Schools, Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 1044, Tallahassee, FL 32399, adam.miller@fldoe.org

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.190
RULE TITLE: Independent Laboratory Services
PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.190 is to incorporate by reference the Florida Medicaid Independent Laboratory Services Coverage and Limitations Handbook, December 2012. The handbook provides coverage for new procedures including Oncotype Dx® and criteria for reimbursement and incorporates a fee schedule. It includes independent laboratory provider qualifications, enrollment requirements, and services coverage and limitations.

SUBJECT AREA TO BE ADDRESSED: Independent Laboratory Services.

An additional area to be addressed during the workshop will be the potential regulatory impact the amendment to Rule 59G-4.190, F.A.C., will have as provided for under Sections 120.54 and 120.541, F.S.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.9081, 409.912, 409.913 FS.

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

DATE AND TIME: Wednesday, February 13, 2013, 1:30 p.m. – 2:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, Florida 32308-5407

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Carol Roberts at the Bureau of Medicaid Services, (850)412-4214. 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 IS: Carol Roberts, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4214, e-mail: carol.roberts@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.190 Independent Laboratory Services.

(1) This rule applies to all freestanding clinical laboratories enrolled in the Medicaid program.

(2) All independent laboratory providers enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Independent Laboratory Services Coverage and Limitations Handbook, December 2012, October 2003, updated January 2005 1 and January 2007, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS 1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. The Both handbooks is are available from the Medicaid fiscal agent's Web site at www.mymedicaid-florida.com website at <http://florida.medicaid.aes-inc.com>. Select Public Information for Providers, then Click on Provider Support, and then on Provider Handbooks. A paper copy Paper copies of the handbooks may be obtained by calling the Provider Services Contact Center at 1(800)289-7799 and selecting Option 7 Provider Enrollment at (800)377-8216.

Rulemaking Specific Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.9081, 409.912, 409.913 FS. History—New 1-1-77, Amended 10-11-81, Formerly 10C-7.41, Amended 6-30-92, Formerly 10C-7.041, Amended 9-28-94, 1-9-96, 10-20-96, 9-14-97, 3-22-00, 5-16-01, 2-14-02, 8-25-03, 9-3-03, 10-27-03, 8-18-05, 5-7-07, _____.

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: 64B11-4.001 RULE TITLE: Use of Prescription Devices
PURPOSE AND EFFECT: To clarify training and supervision requirements for electrical stimulation and ultrasound devices.
SUBJECT AREA TO BE ADDRESSED: Training and supervision.
RULEMAKING AUTHORITY: 468.203(4), 468.204 FS.
LAW IMPLEMENTED: 468.203(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Department of Health, 4052 Bald Cypress Way Bin #C05, Tallahassee, Florida 32399-0797

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: 64E-11.015 RULE TITLE: Afterschool Meal Program
PURPOSE AND EFFECT: To update rules to be consistent with changes in Section 381.0072, F.S. in accordance with HB 2012 1263 (Fla. Session Law 2012-184).
SUBJECT AREA TO BE ADDRESSED: Food safety and sanitation standards for Afterschool Meal Program entities.
RULEMAKING AUTHORITY: 154.06, 381.0072 FS.
LAW IMPLEMENTED: 154.06, 381.0072 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: Ric Mathis, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1710, (850)245-4444, x2337

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

**Section II
Proposed Rules**

STATE BOARD OF ADMINISTRATION

RULE NOS.: 19-8.029, 19-8.030 RULE TITLES: Insurer Reporting Requirements, Insurer Responsibilities

PURPOSE AND EFFECT: The State Board of Administration, Florida Hurricane Catastrophe Fund, seeks to amend the rules listed above to implement Section 215.555, Florida Statutes.

SUMMARY: Rule 19-8.029, F.A.C., is promulgated to implement Section 215.555(5), Florida Statutes, regarding the reporting by insurers of insured values under covered policies to the Florida Hurricane Catastrophe Fund for the 2013/2014 contract year and to adopt the 2013/2014 Interim and Proof of Loss forms and the 2013/2014 Detailed Claims Listing Instructions. Rule 19-8.030, F.A.C., Insurer Responsibilities, is being amended to adopt the 2013/2014 Exposure and Loss Reimbursement Examination Advance Preparation Instructions and to adopt the 2013/2014 Interim and Proof of Loss forms.

OTHER RULES INCORPORATING THESE RULES: There are no other rules which incorporate these two rules. However, Rule 19-8.029, F.A.C., is referenced in Rules 19-8.028 and 19-8.030, F.A.C., as follows: Rule 19-8.028(2)(f) F.A.C., Reimbursement Premium Formula, and Rule 19-8.030(3)(i), (8) and (11), F.A.C., Insurer Responsibilities.

EFFECT ON THOSE OTHER RULES: There is no impact on the two rules which reference Rule 19-8.029, F.A.C.

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: Upon review of the proposed changes to these two rules and the incorporated forms, the State Board of Administration of Florida has determined that neither rule meets the requirements for ratification by the legislature. The changes to these rules do not have an adverse impact on small business and do not directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate within 1 year of

implementation. The changes to these rules also do not directly or indirectly have an adverse impact on economic growth, private sector job creation or employment, or private sector investment, business competitiveness or innovation or increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of either rule.

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: 215.555(3) FS.

LAW IMPLEMENTED: 215.555(2), (3), (4), (5), (6), (7), (10), (17) 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:

DATE AND TIME: February 18, 2013, 9:00 (ET) to conclusion of meeting.

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida 32308

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: Tracy Allen, 1801 Hermitage Blvd., Tallahassee, FL 32308, (850)413-1341, tracy.allen@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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tracy Allen at the number or email listed above

THE FULL TEXT OF THE PROPOSED RULE IS:

19-8.029 Insurer Reporting Requirements.

(1) through (3) No change.

(4) Data Call Forms

~~(a) For the 2004/2005 Contract Year, the reporting shall be in accordance with the following: Form FHCF-D1A, "Amended Florida Hurricane Catastrophe Fund 2004 Data Call," rev. 05/11/04 and UNICEDE@PX Data Exchange Format, Version 4.0.0." The two forms identified in the immediately preceding sentence are hereby adopted and incorporated by reference. A new participant shall report its actual exposure as of December 31 of the Contract Year on or before March 1 of the Contract Year, to the Administrator.~~

(b) For the 2005/2006 Contract Year, the reporting shall be in accordance with the following: Form FHCF-D1A, "Florida Hurricane Catastrophe Fund 2005 Data Call," rev. 05/05 and "UNICEDE@PX Data Exchange Format, Version 4.0.0." The two forms identified in the immediately preceding sentence are

~~hereby adopted and incorporated by reference. The forms may be obtained from the Fund's Administrator at the address stated in subsection (6) below. A new participant writing covered policies after June 1 but prior to December 1, shall report its actual exposure as of December 31 of the Contract Year on or before March 1 of the Contract Year, to the Administrator.~~

~~(c) For the 2006/2007 Contract Year, the reporting shall be in accordance with Form FHCF-D1A, "Florida Hurricane Catastrophe Fund 2006 Data Call," rev. 05/06, hereby adopted and incorporated by reference. The form may be obtained from the Fund's Administrator at the address stated in subsection (6) below. A new participant writing covered policies on or after June 1 but prior to December 1, shall report its actual exposure as of December 31 of the Contract Year on or before March 1 of the Contract Year, to the Administrator.~~

~~(d) For the 2007/2008 Contract Year, the reporting shall be in accordance with Form FHCF-D1A, "Florida Hurricane Catastrophe Fund 2007 Data Call," rev. 05/07, hereby adopted and incorporated by reference. The form may be obtained from the Fund's Administrator at the address stated in subsection (6) below. A new participant writing covered policies on or after June 1 but prior to December 1, shall report its actual exposure as of December 31 of the Contract Year on or before March 1 of the Contract Year, to the Administrator.~~

~~(e) For the 2008/2009 Contract Year, the reporting shall be in accordance with Form FHCF-D1A, "Florida Hurricane Catastrophe Fund 2008 Data Call," rev. 05/08, hereby adopted and incorporated by reference. The form may be obtained from the Fund's Administrator at the address stated in subsection (6) below. A new participant writing covered policies on or after June 1 but prior to December 1, shall report its actual exposure as of December 31 of the Contract Year on or before March 1 of the Contract Year, to the Administrator.~~

~~(a)(f) For the 2009/2010 Contract Year, the reporting shall be in accordance with Form FHCF-D1A, "Florida Hurricane Catastrophe Fund 2009 Data Call," rev. 05/09, hereby adopted and incorporated by reference. The form may be obtained from the Fund's Administrator at the address stated in subsection (6) below. A new participant writing covered policies on or after June 1 but prior to December 1, shall report its actual exposure as of December 31 of the Contract Year on or before March 1 of the Contract Year, to the Administrator.~~

~~(b)(g) For the 2010/2011 Contract Year, the reporting shall be in accordance with Form FHCF-D1A, "Florida Hurricane Catastrophe Fund 2010 Data Call," rev. 05/10, hereby adopted and incorporated by reference into this rule. The form may be obtained from the Fund's Administrator at the address stated in subsection (6) below. A new participant writing covered policies on or after June 1 but prior to December 1, shall report its actual exposure as of December 31 of the Contract Year on or before March 1 of the Contract Year, to the Administrator.~~

~~(c)~~^(h) For the 2011/2012 Contract Year, the reporting shall be in accordance with Form FHCF-D1A, "Florida Hurricane Catastrophe Fund 2011 Data Call," rev. 01/11, <http://www.flrules.org/Gateway/reference.asp?No=Ref-00413>, is hereby adopted and incorporated by reference into this rule. The form may be obtained from the Fund's Administrator at the address stated in subsection (6) below. A new participant writing covered policies on or after June 1 but prior to December 1, shall report its actual exposure as of December 31 of the Contract Year on or before March 1 of the Contract Year, to the Administrator.

~~(d)~~⁽ⁱ⁾ For the 2012/2013 Contract Year, the reporting shall be in accordance with Form FHCF-D1A, "Florida Hurricane Catastrophe Fund 2012 Data Call," rev. 01/12, <http://www.flrules.org/gateway/reference.asp?No=Ref-01193>, is hereby adopted and incorporated by reference into this rule. The form may be obtained from the Fund's Administrator at the address stated in subsection (6) below. A new participant writing covered policies on or after June 1 but prior to December 1, shall report its actual exposure as of December 31 of the Contract Year on or before March 1 of the Contract Year, to the Administrator. For the 2012/2013 Contract Year, a new participant had the option of reporting its actual exposure as of November 30 of the Contract Year on or before February 1 of the Contract Year.

(e) For the 2013/2014 Contract Year, the reporting shall be in accordance with Form FHCF-D1A, "Florida Hurricane Catastrophe Fund 2013 Data Call," rev. XX/13, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, is hereby adopted and incorporated by reference into this rule. The form may be obtained from the Fund's Administrator at the address stated in subsection (6) below. A new participant writing covered policies on or after June 1 but prior to December 1, shall report its actual exposure as of November 30 of the Contract Year on or before February 1 of the Contract Year, to the Administrator.

(5) Loss Reimbursement Reporting Requirements.

(a) through (b) No change.

(c) Companies must submit a detailed claims listing to support the losses reported in the FHCF-L1B, Proof of Loss Report, at the same time it submits its first Proof of Loss Report for a specific Covered Event that qualifies the Company for reimbursement under that Covered Event, and should be prepared to supply a detailed claims listing for any subsequent Proof of Loss Report upon request. The requirements and instructions for the detailed claims listing are outlined in Form FHCF-DCL, "Detailed Claims Listing Instructions," for the applicable Contract Year, as specified in subsection (7) herein. If the Company submits its Proof of Loss Reports electronically through the FHCF's Online Claims System at www.sbafla.com/fhcf, the detailed claims listing may be attached to the Company's submission.

~~(d)~~^(e) As a result of reports submitted on Form FHCF-L1B, reimbursements to insurers shall be adjusted in accordance with Section 215.555(4)(d)1., F.S., which requires the Fund to pay additional amounts to insurers and insurers to return overpayments to the Fund, based on the most recent calculation of losses.

(6) All the forms adopted and incorporated by reference in this rule may be obtained from: Administrator, Florida Hurricane Catastrophe Fund, Paragon Strategic Solutions Inc., 8200 Tower, 5600 West 83rd Street, Suite 1100, Minneapolis Minnesota, MN 55437, or from the FHCF website www.sbafla.com/fhcf.

(7) Loss Reporting Forms.

(a) For the 2005/2006 and earlier Contract Years the applicable Interim Loss Report is that form that was in effect for the Contract Year as reflected by the revision date on the form. For example, the applicable Interim Loss Report for the Contract Year 2004-2005 is the FHCF-L1A, with the revision date of 05/04.

~~(b) For the 2006/2007 Contract Year, the applicable Interim Loss Report is the "Contract Year 2006 Interim Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1A, rev. 05/06, which is hereby adopted and incorporated by reference. The applicable Proof of Loss Report is the "Contract Year 2006 Proof of Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1B, rev. 05/06, which is hereby adopted and incorporated by reference.~~

~~(c) For the 2007/2008 Contract Year, the applicable Interim Loss Report is the "Contract Year 2007 Interim Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1A, rev. 05/07, which is hereby adopted and incorporated by reference. The applicable Proof of Loss Report is the "Contract Year 2007 Proof of Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1B, rev.05/07, which is hereby adopted and incorporated by reference.~~

~~(d) For the 2008/2009 Contract Year, the applicable Interim Loss Report is the "Contract Year 2008 Interim Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1A, rev. 05/08, which is hereby adopted and incorporated by reference. The applicable Proof of Loss Report is the "Contract Year 2008 Proof of Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1B, rev. 05/08, which is hereby adopted and incorporated by reference. The forms may be obtained from the Fund's Administrator at the address stated in subsection (6) above.~~

~~(e) For the 2009/2010 Contract Year, the applicable Interim Loss Report is the "Contract Year 2009 Interim Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1A, rev. 05/09, which is hereby adopted and incorporated by reference. The applicable Proof of Loss Report is the "Contract Year 2009 Proof of Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1B, rev. 05/09,~~

which is hereby adopted and incorporated by reference. The forms may be obtained from the Fund's Administrator at the address stated in subsection (6) above.

~~(f) For the 2010/2011 Contract Year, the applicable Interim Loss Report is the "Contract Year 2010 Interim Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1A, rev. 05/10, which is hereby adopted and incorporated by reference into this rule. The applicable Proof of Loss Report is the "Contract Year 2010 Proof of Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1B, rev. 05/10, which is hereby adopted and incorporated by reference into this rule. The forms may be obtained from the Fund's Administrator at the address stated in subsection (6) above.~~

~~(g) For the 2011/2012 Contract Year, the applicable Interim Loss Report is the "Contract Year 2011 Interim Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1A, rev. 01/11, <http://www.flrules.org/Gateway/reference.asp?No=Ref-00415>, which is hereby adopted and incorporated by reference into this rule. The applicable Proof of Loss Report is the "Contract Year 2011 Proof of Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1B, rev. 01/11, <http://www.flrules.org/Gateway/reference.asp?No=Ref-00414>, which is hereby adopted and incorporated by reference into this rule. The forms may be obtained from the Fund's Administrator at the address stated in subsection (6) above.~~

~~(b)(h) For the 2012/2013 Contract Year, the applicable Interim Loss Report is the "Contract Year 2012 Interim Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1A, rev. 01/12, <https://www.flrules.org/gateway/reference.asp?NO=Ref-01194>, which is hereby adopted and incorporated by reference into this rule. The applicable Proof of Loss Report is the "Contract Year 2012 Proof of Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1B, rev. 01/12, <https://www.flrules.org/gateway/reference.asp?NO=Ref-01195>, which is hereby adopted and incorporated by reference into this rule. The forms may be obtained from the Fund's Administrator at the address stated in subsection (6) above.~~

(c) For the 2013/2014 Contract Year, the applicable Interim Loss Report is the "Contract Year 2013 Interim Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1A, rev. XX/13, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, which is hereby adopted and incorporated by reference into this rule. The applicable Proof of Loss Report is the "Contract Year 2013 Proof of Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1B, rev. XX/13, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, which is hereby adopted and incorporated by reference into this rule. The applicable Detailed Claims Listing Instructions is the "Contract Year 2013 Detailed Claims Listing Instructions, XX/13, [\[flrules.org/Gateway/reference.asp?No=Ref-XXXXX\]\(http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX\), which is hereby adopted and incorporated by reference into this rule. These forms may be obtained from the Fund's Administrator at the address stated in subsection \(6\) above.](http://www.</u></p>
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(8) Company Contact Information: Companies must submit Form FHCF C-1, Company Contact Information, rev. 05/10, which is hereby adopted and incorporated by reference into this rule, by June 1 of each Contract Year. This form must be updated by the Company as the information provided thereon changes. The FHCF shall have the right to rely upon the information provided by the Company to the FHCF on this form until receipt by the FHCF of a new properly completed and notarized Form FHCF C-1 from the Company. The form may be obtained from the Fund's Administrator at the address stated in subsection (6) above.

Rulemaking Authority 215.555(3) FS. Law Implemented 215.555(2), (3), (4), (5), (6), (7), (15) FS. History—New 5-17-99, Amended 6-19-00, 6-3-01, 6-2-02, 11-12-02, 5-13-03, 5-19-04, 8-29-04, 5-29-05, 5-10-06, 5-8-07, 6-8-08, 3-30-09, 8-2-09, 3-29-10, 8-8-10, 7-20-11, 5-22-12, _____.

19-8.030 Insurer Responsibilities.

(1) through (5)(b) No change.

(c) New Participants during the period of June 1 through November 30:

1. For the 2012/2013 and earlier Contract Years, those those Insurers that first begin writing Covered Policies from June 1 through November 30 of a Contract Year must complete and submit the Data Call, correctly completed, by March 1 of the Contract Year. For the 2012/2013 Contract Year, such an Insurer had the option of reporting its actual exposure as of November 30 of the Contract Year on or before February 1 of the Contract Year.

2. For the 2013/2014 and subsequent Contract Years, Insurers that first begin writing Covered Policies from June 1 through November 30 of a Contract Year must correctly complete and submit the Data Call by February 1 of the Contract Year.

(d) through (6)(a) No change.

(b) New Participants during the period of June 1 through November 30: Those Insurers that first begin writing Covered Policies from June 1 through November 30 of a Contract Year must submit a payment of \$1,000 on or before the date indicated on the invoice. Once a New Participant's Data Call, ~~which is filed on or before March 1 of the Contract Year,~~ has been reviewed by the Administrator and the Company's actual Reimbursement Premium has been determined on its actual exposure, an invoice with the amount due, if any, will be sent to the Company by the Administrator. Payment, if any amounts are shown as due on the invoice, is due within 30 days from the date on the invoice. In no event will the Premium be less than the \$1,000.

(c) through (7)(a)2. No change.

~~3. For the 2006/2007 Contract Year, the applicable exposure examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2006 Advance Preparation Instructions," FHCF-EAP1, rev. 5/06. The applicable loss examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year XXXX Advance Preparation Instructions," FHCF-LAP1, rev. 05/06.~~

~~4. For the 2007/2008 Contract Year, the applicable exposure examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2007 Advance Preparation Instructions," FHCF-EAP1, rev. 05/07. The applicable loss examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year XXXX Advance Preparation Instructions," FHCF-LAP1, rev. 05/07.~~

~~5. For the 2008/2009 Contract Year, the applicable exposure examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2008 Advance Preparation Instructions," FHCF-EAP1, rev. 05/08. The applicable loss examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year XXXX Advance Preparation Instructions," FHCF-LAP1, rev. 05/08.~~

~~3.6. For the 2009/2010 Contract Year, the applicable exposure examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2009 Advance Preparation Instructions," FHCF-EAP1, rev. 05/09. The applicable loss examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year XXXX Advance Preparation Instructions," FHCF-LAP1, rev. 05/09.~~

~~4.7. For the 2010/2011 Contract Year, the applicable exposure examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2010 Advance Preparation Instructions," FHCF-EAP1, rev. 05/10. The applicable loss examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year 2010 Advance Preparation Instructions," FHCF-LAP1, rev. 05/10.~~

~~5.8. For the 2011/2012 Contract Year, the applicable exposure examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2011 Advance Preparation Instructions," FHCF-EAP1, rev. 01/11, <http://www.flrules.org/Gateway/reference.asp?No=Ref-00416>. The applicable loss examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year~~

2011 Advance Preparation Instructions," FHCF-LAP1, rev. 01/11, <http://www.flrules.org/Gateway/reference.asp?No=Ref-00417>.

~~6.9. For the 2012/2013 Contract Year, the applicable exposure examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2012 Advance Preparation Instructions," FHCF-EAP1, rev. 01/12, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01191>. The applicable loss examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year 2012 Advance Preparation Instructions," FHCF-LAP1, rev. 01/12, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01192>.~~

~~7. For the 2013/2014 Contract Year, the applicable exposure examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2013 Advance Preparation Instructions," FHCF-EAP1, rev. XX/13, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. The applicable loss examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year 2013 Advance Preparation Instructions," FHCF-LAP1, rev. XX/13, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.~~

~~8.40. These forms are hereby adopted and incorporated by reference into this rule. Copies of these forms may be obtained from the FHCF website, www.sbafla.com/fhcf or by contacting the State Board of Administration. The mailing address is P. O. Box 13300, Tallahassee, Florida 32317-3300. The street address is 1801 Hermitage Blvd., Tallahassee, Florida 32308.~~

~~(b) through (7)(d) No change.~~

~~(8) Loss Reporting. Participating Insurers are required to file the following two types of loss reports at the times prescribed in Rule 19-8.029, F.A.C. Form FHCF-L1A, "Florida Hurricane Catastrophe Fund Interim Loss Report," for the applicable Contract Year and Form FHCF-L1B, "Florida Hurricane Catastrophe Fund Proof of Loss Report," for the applicable Contract Year as adopted in Rule 19-8.029, F.A.C.~~

~~(a) These forms are hereby adopted and incorporated by reference into this rule and may be obtained from the Fund's Administrator, Paragon Strategic Solutions Inc., 8200 Tower, 5600 West 83rd Street, Suite 1100, Minneapolis, Minnesota 55437.~~

~~(b) Companies must submit a detailed claims listing (in a delimited ASCII format) to support the losses reported in the FHCF-L1B, Proof of Loss Report, at the same time it submits its first Proof of Loss Report for a specific Covered Event that qualifies the Company for reimbursement under that Covered Event, and should be prepared to supply a detailed claims listing for any subsequent Proof of Loss Report upon request. Refer to Form FHCF-LAP1 for the required file layout. The Proof of Loss Report and the detailed claims listing are~~

~~required to be sent to the FHCF Administrator, Paragon Strategic Solutions Inc., at the address listed above. If your Company submits its Proof of Loss Reports electronically through the FHCF's Online Claims System at www.sbafla.com/fhcf, the detailed claims listing may be attached to the Company's submission.~~

(9) through (10) No change.

(11) Company Contact Information: Companies must submit Form FHCF C-1, Company Contact Information, as adopted and incorporated into Rule 19-8.029, F.A.C., by June 1 of each Contract Year to the FHCF Administrator, Paragon Strategic Solutions Inc., 8200 Tower, 5600 West 83rd Street, Suite 1100, Minneapolis, Minnesota 55437. This form must be updated by the Company as the information provided thereon changes. The FHCF shall have the right to rely upon the information provided by the Company to the FHCF on this form until receipt by the FHCF of a new properly completed and notarized Form FHCF C-1 from the Company.

Rulemaking Authority 215.555(3) FS. Law Implemented 215.555 FS. History—New 5-13-03, Amended 5-19-04, 5-29-05, 5-10-06, 5-8-07, 8-13-07, 6-8-08, 3-30-09, 3-29-10, 8-8-10, 7-20-11, 5-22-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jack E. Nicholson, FHCF Chief Operating Officer, State Board of Administration of Florida

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Trustees of the State Board of Administration of Florida

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 23, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 20, 2012

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-3.001 Sanitation and Safety Requirements

PURPOSE AND EFFECT: To amend the height requirements for balcony inspection qualification, adopt an updated form, and replace “resort condominiums” and “resort dwellings” with “vacation rental”.

SUMMARY: The proposed rule removes the 17 feet vertical distance and adds platforms to the balcony inspection requirement, adopts an updated form, corrects department contact information, and replaces “resort” lodging classifications, with “vacation rentals”.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: N/A

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 economic review conducted by the agency.

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: 509.032, 509.2112 FS.

LAW IMPLEMENTED: 509.032, 509.211, 509.2112, 509.221 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: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-1133, Michelle.Comingore@dbpr.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-3.001 Sanitation and Safety Requirements.

The following requirements and standards shall be met by all public lodging establishments.

(1) through (4) No change.

(5) Balcony Inspection.

(a) As provided in Section 509.2112, F.S., every public lodging establishment which is 3 or more stories in height, ~~or which has a vertical distance of 17 feet or more from the lowest grade level to any balcony~~ must submit to the division a certificate stating that any and all balconies, platforms, stairways, and railways have been inspected by a person who, through education and experience, is competent to inspect multi-story buildings and found by such person to be safe, secure, and free of defects. The term “balcony” is defined as a landing or porch that is accessible to or used by the public and shall include those portions of a building which are unenclosed, except by a railing, guardrail system, balustrade, or parapet. It shall also include those portions of a building which are enclosed by screening or other non-permanent building material.

(b) No change.

(c) Certification of inspection shall be submitted on DBPR HR-7020 ~~HR-7200~~, CERTIFICATE OF BALCONY INSPECTION (<https://www.flrules.org/Gateway/reference>).

asp?No=Ref-02202), incorporated herein by reference and effective 2012 November 14 July 1, 2008. Copies of this form are available from the Division of Hotels and Restaurants Internet website www.MyFloridaLicense.com/dbpr/hr; by e-mail request submitted at www.myfloridalicense.com/contactus to call.center@dbpr.state.fl.us; by phone request to the department at (850)487-1395; or upon written request to the Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1014.

(d) through (f) No change.

(6) Exemptions - Vacation rentals and Resort condominiums, nontransient apartments and resort dwellings are exempt from subsection (1) of this rule. Establishments opting to provide any of the services listed in subsection (1) of this rule shall comply with the requirements described herein. Nontransient apartments are exempt from paragraph (2)(a) of this rule.

Rulemaking Authority 509.032, 509.2112 FS. Law Implemented 509.032, 509.211, 509.2112, 509.221 FS. History--Amended 1-20-63, Revised 2-4-71, Amended 9-19-84, Formerly 7C-3.01, Amended 12-31-90, Formerly 7C-3.001, Amended 3-31-94, 9-25-96, 1-18-98, 8-12-08, 3-24-10, 8-10-11,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bill Veach, Director, Division of Hotels and Restaurants, Department of Business and Professional Regulation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 16, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 13, 2012

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-14.0038
RULE TITLE: Direct Supervision of a Qualified Anesthetist

NOTICE OF PUBLIC HEARING

The Board of Dentistry announces a hearing regarding the above rule, as noticed in Vol. 39, No. 4, January 7, 2013 Florida Administrative Register.

DATE AND TIME: Friday, February 22, 2013, 7:30 a.m., or as soon thereafter as can be heard.

PLACE: : Wyndham Tampa Westshore Hotel, 700 North Westshore Boulevard, Tampa, Florida 33609, (813)289-8200.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pursuant to a request for hearing, the hearing is being held to hear public comments, arguments, and oral evidence regarding the rule and to receive any presentation of evidence.

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: Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3254. 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 CHILDREN AND FAMILY SERVICES

Domestic Violence

Table with 2 columns: RULE NOS. (65H-2.001 to 65H-2.012) and RULE TITLES (Purpose, Definitions, Program Application Requirements, etc.)

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 5, January 8, 2013 issue of the Florida Administrative Register.

The Agency has determined that the proposed rule repeal 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 2012 Legislature in Chapter 2012-147 repealed the Department of Children and Families rulemaking authority for the certification and monitoring of batterer intervention programs. Therefore, since the goal is to eliminate the department's governance of batterer intervention programs the repeal of this rule chapter would not impose an adverse economic impact, regulatory increases, or require legislative ratification.

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NO.: 68-1.010
 RULE TITLE: General Regulations Relating to Licenses, Permits and Other Authorizations

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 38, No. 14, April 6, 2012 issue of the Florida Administrative Register.

68-1.010 General Regulations Relating to Licenses, Permits and Other Authorizations.

(1) No change.

(2) Applications for any license, permit or other authorization issued by the Commission shall, when the factors enumerated in subsection (5) warrant denial, may be denied based upon any of the following grounds:

(a) through (c) No change.

~~In determining whether denial is appropriate based on the grounds listed in paragraphs (2)(a)-(c), the Commission shall consider the factors enumerated in subsection (5) hereof.~~

(3) No change.

(4) When a person issued any license, permit or other authorization by the Commission fails ~~Failure~~ to comply with any of the provisions of subsection (3), the Commission shall suspend, revoke, or deny a request for ~~may result in the suspension, revocation or non-renewal of~~ any license, permit or other authorization based on the factors in subsection (5) below. In addition, the Commission shall ~~may~~, subject to consideration of the factors listed in subsection (5) hereof, suspend, revoke, or deny renewal of any license, permit or other authorization issued by the Commission if the licensee or permittee defaults on his appearance bond, or receives a disposition other than dismissal or acquittal of a violation of Chapter 379, F.S., or the rules of the Commission, or if such violation is disposed of under Section 921.187, F.S., regardless of adjudication. A plea of nolo contendere shall be considered a violation for purposes of disciplinary action imposed under Chapter 379, F.S., and the rules of the Commission.

(5) Except for the denial of an application pursuant to subsection (1), the following factors shall be considered by the Commission in determining whether to deny, suspend, revoke or deny renewal of any license, permit or other authorization:

- (a) The severity of the conduct;
- (b) The danger to the public created or occasioned by the conduct;
- (c) The existence of prior violations of Chapter 379, F.S., or the rules of the Commission;
- (d) The length of time a licensee or permittee has been licensed or permitted;

(e) The effect of denial, suspension, revocation or non-renewal upon the applicant, licensee, or permittee's existing livelihood;

(f) Attempts by the applicant, licensee or permittee to correct or prevent violations, or the refusal or failure of the applicant, licensee or permittee to take reasonable measures to correct or prevent violations;

(g) Related violations by an applicant, licensee or permittee in another jurisdiction;

(h) The deterrent effect of denial, suspension, revocation or non-renewal;

(i) Any other mitigating or aggravating factors that reasonably relate to public safety and welfare or the management and protection of natural resources for which the Commission is responsible.

(6) The provisions of this rule shall not be construed so as to prohibit, limit, or otherwise affect any civil action or criminal prosecution, so as to limit the ability of the Commission to enter into binding stipulations with affected parties in accordance with Section 120.57(3), F.S., or so as to affect the authority of a court or the Commission to require forfeiture of any license, permit or other authorization issued pursuant to Chapter 379, F.S., as provided by law.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.1025, ~~379.361, 379.362~~ FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.408 FS. History--New _____

**Section IV
Emergency Rules**

NONE

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-4.042: Formal Determination of Wetlands and Other Surface Waters

NOTICE IS HEREBY GIVEN that on January 18, 2013, the Southwest Florida Water Management District, received a petition for a variance or waiver.

Petitioner's Name: Carlos Beruff; Rule 40D-4.042, F.A.C. Nature of the rule for which variance or waiver is sought: formal determination of wetlands and other surface waters.

Any interested person or other agency may submit written comments within 14 days after the publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Amy Brennan, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, x. 4658, amy.brennan@swfwmd.state.fl.us.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-4.042: Formal Determination of Wetlands and Other Surface Waters

NOTICE IS HEREBY GIVEN that on January 18, 2013, the Southwest Florida Water Management District, received a petition for a variance or waiver.

Petitioner’s Name: Timothy A. Knowles, Trustee, Land Trust No. 32. Rule 40D-4.042, F.A.C. Nature of the rule for which variance or waiver is sought: formal determination of wetlands and other surface waters.

Any interested person or other agency may submit written comments within 14 days after the publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Amy Brennan, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, x. 4658, amy.brennan@swfwmd.state.fl.us.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On January 22, 2013 the Division issued an order. The Final Order was in response to a Petition for a Variance from CA’D ZAN MANSION, filed November 8, 2012, and advertised in Vol. 38, No. 72, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.27.3 ASME A17.1, 2004 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by Rule 61C-5.001(1)(a) Florida Administrative Code that requires upgrading the elevators for firefighters’ emergency operations automatic elevators because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-360).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on January 22, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Holiday Inn. Petitioner seeks a variance of the requirements of an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2013-024).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on January 22, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Alford Inn at Rollins at 300 E. New England Ave, Winter Park, FL. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.1, 2.20.9 and 2.24.2 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes, wedge shackles to secure the steel ropes and grooved sheaves of a minimum pitch diameter which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2013-023).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

Section VI

Notices of Meetings, Workshops and Public Hearings

EXECUTIVE OFFICE OF THE GOVERNOR

The Florida Gubernatorial Fellows Board of Directors announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 6, 2013, 2:00 p.m.

PLACE: Conference Call

Call in Number: (888)670-3525, passcode: 1281908283#

GENERAL SUBJECT MATTER TO BE CONSIDERED: AI Hoffman Service Award Recipients; Future Fellow Placements; New Website Launch; Executive Director Updates on Recruiting and the MOU.

A copy of the agenda may be obtained by contacting: Ted Stratton, Executive Director, Ted.Stratton@eog.myflorida.com, (850)717-9224.

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, February 13, 2013, 3:00 p.m. – 5:00 p.m.

PLACE: East Central Florida Regional Planning Council

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Wekiva Commission to discuss implementation of the recommendations of the Wekiva River Basin Coordinating Committee.

A copy of the agenda may be obtained by contacting: Tara McCue at (407)262-7772 or tara@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 2 days before the workshop/meeting by contacting: Tara McCue at (407)262-7772. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The Central Florida Water Initiative (CFWI), Steering Committee consists of a Governing Board member from the St. Johns River Water Management District, South Florida Water Management District, and Southwest Florida Water Management District each, and a representative from each of the following: The Florida Department of Environmental Protection, Florida Department of Agricultural and Consumer Services, Tohopekaliga (Toho) Water Authority. Toho's representative also represents other water supply utilities within the Central Florida Coordination Area. The CFWI Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 1, 2013, 9:30 a.m. – 12:00 noon

PLACE: Toho Water Authority, 951 Martin Luther King Boulevard, Kissimmee, FL 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED: The CFWI Steering Committee is a collaborative effort among government agencies formed to address water resource issues in the area known as the Central Florida Coordination Area. The CFWI Steering Committee will consider matters appearing on the agenda for the meeting or matters added to the agenda as determined by the Chair of the Committee. Additional information about this effort may be found at <http://cfwiwater.com>.

NOTE: One or more additional Governing Board members from each of the three districts named above may attend and participate in the meeting of the CFWI Steering Committee.

A copy of the agenda may be obtained by contacting: John Shearer, Shearer Consulting Inc., 1917 Wingfield Drive, Longwood, FL 32779, (321)297-7372, email: johnshearer@cfl.rr.com or <http://cfwiwater.com/> seven days before the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Nilsa Diaz, Executive Assistant to the Executive Director, Tohopekaliga Water Authority, (407)944-5000. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

For more information, you may contact: Woody Boynton Jr., Assistant Executive Director, St. Johns River Water Management District, P. O. Box 1429, Palatka, FL 32178-1429, (386)329-4101, email: wboynton@sjrwmd.com; Dean Powell, Chief of Water Supply Bureau, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6787, email: dpowell@sfwmd.gov; Rand Frahm, Planning Manager, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, email: rand.frahm@watermatters.org; John Shearer, Shearer Consulting Inc., 1917 Wingfield Drive, Longwood, FL 32779, (321)297-7372, email: johnshearer@cfl.rr.com.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The St. Johns River Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 12, 2013, at the Governing Board meeting upon conclusion of the Regulatory Committee.

PLACE: District Headquarters, Executive Building, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public hearing to receive public testimony regarding the District's Florida Forever Work Plan Annual Update pursuant to Section 373.139(3) and 373.199(7), Florida Statutes.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Kyia Tiffany, 4049 Reid Street, Palatka, FL 32177, or by phone at (386)329-4101, or by visiting the District's website at floridaswater.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk, (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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.

OMNI COMMUNICATIONS

The Florida Department of Transportation District One announces a public hearing to which all persons are invited.

DATE AND TIME: February 12, 2013, 5:00 p.m. – 7:00 p.m.

PLACE: Art Center Sarasota, 707 N. Tamiami Trail, Sarasota, FL 34236

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FDOT is hosting a public hearing for the Project Development and Environment (PD&E) Study being conducted for US 41 from 10th Street to 14th Street.

The hearing gives people the opportunity to express their views about proposed alternatives for transportation improvements in this segment of US 41. An informal open house begins at 5:00 p.m. The formal public hearing starts at 6:00 p.m. and includes a presentation about the study and proposed alternatives followed by a public comment period.

The study is part of an overall plan to enhance mobility within downtown Sarasota, Florida. The proposed improvements along US 41 include two-lane roundabouts at 10th Street and at 14th Street, narrower travel lanes, bicycle lanes, pedestrian crossings, enhanced sidewalks, a multi-use recreational trail, and enhanced bus facilities. The bus facility enhancements include: bus landing pads, bus shelters, bus benches, bike racks, and a new bus bay adjacent to Centennial Park. Small areas of land are required for the project from the Sarasota Lawn Bowling Club, Municipal Auditorium, Centennial Park,

and Whitaker Gateway Park. Portions of these improvements will occur within the boundary of the Central Cocoanut Historic District. As part of the project development process and in accordance with Section 4(f) of the Department of Transportation Act of 1966, FDOT is seeking comments from the public concerning the effects of the project on the activities, features and attributes of the recreational resources.

Additional information may be obtained by contacting the FDOT Project Manager, Aaron Kaster at (863)519-2495, by e-mail to aaron.kaster@dot.state.fl.us or by writing the Florida Department of Transportation, P. O. Box 1249, Bartow, FL 33831. For additional information, you may also visit the project Web site at www.us41roundabouts.com.

This public hearing is to be held in compliance with Title VI of the Civil Rights Act of 1964 and related statutes. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact Robin Parrish, District One Title VI Coordinator, at (863)519-2675 or by e-mail at robin.parrish@dot.state.fl.us, at least seven (7) days prior to the hearing. If you are hearing or speech impaired, please contact us using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

QUEST CORPORATION OF AMERICA, INC.

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

DATE AND TIME: Thursday, January 31, 2013, 10:00 a.m. – 12:00 p.m.

PLACE: Greater Orlando Aviation Authority (GOAA) Office, Carl T. Langford Board Room, One Jeff Fuqua Boulevard, Orlando, Florida 32827-4399. Bring your airport terminal parking pass to the meeting and GOAA will validate it for you.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Orlando International Airport (OIA) Connector Refresh Alternatives Analysis. This early Scoping Meeting is intended to invite agency comments on the scope and the Alternatives Analysis; including the project's purpose and need, transportation issues to be addressed, the range of alternatives, the transportation and community impacts and benefits to be considered, the capital and operation costs, and other factors that the public and agencies believe should be considered in analyzing the alternatives for this project. The Refresh Alternatives Analysis will evaluate options for providing transit service between the major activity centers in the study area and connectivity with the SunRail project, and develop information that will result in a recommended alternative to be

adopted by MetroPlan Orlando. The analysis will assess community consensus and the financial and policy support of the transit improvement alternative determined to best meet the current and future needs of a connector from the International-Drive Corridor to Orlando International Airport (OIA) and continuing to the Lake Nona – Medical City/Innovation Way areas, and along Osceola Parkway.

A copy of the agenda may be obtained by contacting: Eileen LaSeur, Consultant Public Involvement Coordinator at QCA, by phone: (407)883-8257, or by email: eileen@qcausa.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: Eileen LaSeur, (407)883-8257 or by email at eileen@qcausa.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

NONE

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

Section IX
Notices 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 VETERANS' AFFAIRS
 FDVA Health Information Technology System
 NOTICE OF INVITATION TO NEGOTIATE (ITN)
 STATE OF FLORIDA

FLORIDA DEPARTMENT OF VETERANS' AFFAIRS
 SOLICITATION NO.: FDVA-ITN-13-004N

The Florida Department of Veterans' Affairs (FDVA) is soliciting responses from qualified and responsible contractors for the project listed below.

Project Name: FDVA Health Information Technology System.
 Statement of Work: Successful contractor shall provide the necessary labor, materials, equipment, and supervision to provide an established, "hosted solution" (software as a service) health information technology system, conversion of current system data to new system, and subsequent monthly support services.

Background: FDVA is actively seeking business office software that can ensure electronic billing practices while maintaining the highest level of data integrity. The software must be designed to handle the functional, clinical and billing needs of skilled nursing care and related ancillary services. FDVA is currently comprised of six 120-bed skilled nursing facilities, a 149-bed domiciliary, a centralized executive headquarters, and a legislative executive branch located in the state capital. The system functionality will be sophisticated

enough to allow for single facility database and shared multi-functional master capabilities to integrate tables across the entire FDVA organization. The system shall have the capabilities to expand for future requirements including additional FDVA facilities and personnel, as well as, additional government requirements.

Instructions: This solicitation, including the timeline of events, is available for viewing and printing only through the State of Florida Vendor Bid System via www.myflorida.com. Interested parties in need of assistance with accessing the State of Florida Vendor Bid System shall directly contact the State Vendor Help Desk at phone number (866) 352-3776 or email address VendorHelp@MyFloridaMarketPlace.com.

Contact: Respondent questions regarding this solicitation must be submitted in writing to Tim Shaw, FDVA Contracting Administrator, via email address shawt@fdva.state.fl.us.

Florida Department of Veterans' Affairs
Mary Grizzle State Office Building
1351 Ulmerton Road, Suite 311-K
Largo, FL 33778
Jacksonville Port Authority

JACKSONVILLE PORT AUTHORITY
REQUEST FOR PROPOSALS – DESIGN BUILD SERVICES
REQUEST FOR PROPOSALS
DESIGN-BUILD SERVICES TO PROVIDE AND INSTALL NEW PASSENGER CANOPIES AT THE DAMES POINT CRUISE TERMINAL
JAXPORT PROJECT NO.: D2012-07
JAXPORT CONTRACT NO.: AE-1406

Technical Proposals will be received by the Jacksonville Port Authority until 2:00 PM (EST), Thursday, February 21, 2012, at which time they shall be opened in the Public Meeting Room of the Port Central Office Building, 2831 Talleyrand Avenue, Jacksonville, Florida 32206.

All proposals must be submitted in accordance with specifications and drawings for Contract No. AE-1406, which may be examined in the Procurement Department of the Jacksonville Port Authority, located on the second floor of the Port Central Office Building, 2831 Talleyrand Avenue, Jacksonville, Florida 32206. (Please telephone (904)357-3017 for information.)

A MANDATORY PRE-BID CONFERENCE AND SITE VISIT WILL BE HELD ON TUESDAY, JANUARY 29, 2013, AT 10:00 A.M. (EST), AT THE JAXPORT CRUISE TERMINAL, 9810 AUGUST DRIVE, JACKSONVILLE, FLORIDA 32226.

IF YOU PLAN TO ATTEND, YOU MUST CALL (904) 357-3017 TO HAVE YOUR NAME ADDED TO THE SECURITY ROSTER. THIS IS A RESTRICTED TERMINAL AND YOU MUST BE ON THE SECURITY ROSTER TO ENTER THE TERMINAL.

ATTENDANCE BY A REPRESENTATIVE OF EACH PROSPECTIVE BIDDER IS REQUIRED. A PROPOSAL WILL NOT BE ACCEPTED FROM ANY BIDDER WHO IS NOT REPRESENTED AT SUCH CONFERENCE.

IT IS MANDATORY THAT THE BIDDER SHALL ACKNOWLEDGE THE INCLUSION OF ALL ADDENDA. ACKNOWLEDGEMENT SHALL BE MADE BY INITIALS AND DATE. FAILURE TO ACKNOWLEDGE ALL ADDENDA SHALL RESULT IN REJECTION OF THE PROPOSAL.

PLEASE VISIT [HTTP://WWW.JAXPORT.COM/ABOUT-JAXPORT/CORPORATE-INFORMATION/PROJECTS-FOR-BID](http://WWW.JAXPORT.COM/ABOUT-JAXPORT/CORPORATE-INFORMATION/PROJECTS-FOR-BID) OR CALL THE PROCUREMENT DEPARTMENT AT (904) 357-3017, PRIOR TO THE BID OPENING TO DETERMINE IF ANY ADDENDA HAVE BEEN RELEASED ON THIS CONTRACT.

EARLY LEARNING COALITION OF BROWARD COUNTY, INC.

ELC of Broward County, Inc. Announces the Release of an Invitation to Negotiate ("ITN")

ELC of Broward County is seeking Competitive Sealed Replies to an ITN for delivery of Early Care and Education Services. Services to procure include coordinated system of Early Care and Education services and supports for children and may include services for Child Screening System Coordination; Child Outcome Development; and Scholarship Administration. Expected release: January 28, 2013 at 2:00 p.m. EST at www.elcbroward.org. All requirements for response will be posted on the website.

VOTUM CONSTRUCTION, LLC
Florida A&M University – Parking Structure Repairs
FLORIDA A & M UNIVERSITY PARKING STRUCTURE REPAIRS
BID INVITATION

We request your sealed bid for all labor, material, equipment, insurances and taxes necessary to perform your trade work as required in connection with the repairs to the Florida A&M University Parking Garage located at 1546 Wahnish Way, Tallahassee, FL 32307.

Project: Wahnish Way Parking Garage Repairs
1546 Wahnish Way
Tallahassee, FL 32307

Owner: Florida A&M University Board of Trustees
and Florida A&M University
2400 Wahnish Way, Suite 100
Tallahassee, FL 32307
Attn: Elston Peets
(850)599-3197
Elston.peets@famuedu

Architect/
Engineer: Hoy + Stark Architects
1350 Mark Street, Suite 209
Tallahassee, FL 32312
Attn: Patrick E Hoy, AIA
(850) 893-5971 Phone
(850) 893-3419 Fax
Pat.hoy@hoystark.com

Construction
Manager: Votum Construction, LLC
711 West Amelia Street, Suite 1
Orlando, FL 32805
Attn: Teska Dillard
(407) 704-1743 Phone
(407) 704-2854 Fax
tdillard@votumllc.com

Blueprints, specifications, addendums, bid modifications and bid form can be downloaded from the following links below:

https://dl.dropbox.com/u/53629125/12.130%20Drawings%20Final%20CDs_dropbox.pdf

https://dl.dropbox.com/u/53629125/12.130%20Drawings%20Final%20CDs_dropbox.pdf

<https://dl.dropbox.com/u/53629125/Addendum%201%2012102012%20.pdf>

<https://dl.dropbox.com/u/53629125/Addendum%202%2001142013.pdf>

<https://www.dropbox.com/sh/yh7hw0zxrdrkh6z/rNTR77X1pR/Bid%20Modification%20%231%201%2018%202013.pdf>

In preparation of your bid, the following instructions should be noted:

1. Seal Bids are due Friday, January 25, 2013 by 2:00 p.m. at Votum's office located at 711 West Amelia Street, Suite 1, Orlando, FL 32805. Faxed or emailed bids will not be accepted.
2. Bid Modification #1 issued January 18, 2013. Modifies Instructions to Bidders.
3. The Pre-Bid Meeting and tour will take place at the Parking Garage (Main Entrance) on Thursday, January 17, 2013 at 2:00 p.m.. The Pre-Bid Meeting is not mandatory.
4. PROJECT SCHEDULE: Construction starts immediately with Substantial Completion within 90 days.
5. Subcontractor will be required to furnish separate performance and payment bonds in the full amount of the contract price, the form and contents of such bonds and the surety or sureties thereon are to be satisfactory to Votum. Bonds may be required for all subcontracts with a value greater than \$100,000. The cost to supply these bonds shall be included to the base proposal.
6. The Owner may elect to utilize their tax exempt status for certain material.
7. Subcontractors are strongly encouraged to utilize MBE/WBE participation on the project in accordance with Votum's goals to purchase goods and employ the services of MBE/WBE organizations. The project goal is to achieve 20% MBE/WBE participation.
8. Subcontractors shall guarantee their offer for ninety (90) calendar days from the bid date.
9. All questions regarding this solicitation shall be written and faxed to the attention of Teska Dillard fax # (407)704-2854 or emailed at tdillard@votumllc.com.
10. FAILURE TO FILE A PROTEST WITHIN THE TIME PRESCRIBED IN SECTION 120.57(3), FLORIDA STATUTES, SHALL CONSTITUTE A WAIVER OF PROCEEDINGS UNDER CHAPTER 120, FLORIDA STATUTES. ALL BIDS/PROPOSALS/NEGOTIATIONS ACCEPTED BY THE STATE ARE SUBJECT TO THE STATES TERMS AND CONDITIONS AND ANY AND ALL ADDITIONAL TERMS AND CONDITIONS SUBMITTED

BY THE BIDDERS/PROPOSERS/ NEGOTIATION ARE REJECTED AND SHALL HAVE NO FORCE AND EFFECTS.

Votum reserves the right to reject any or all bids, any parts therein and reserves the right to award the Work to the most responsive bidder, at the sole discretion of Votum.

Section XII Miscellaneous

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notice of Receipt of Applications for Permit Coverage under the State's Generic Permit for MS4's

The Department announces receipt of the applications listed below for permit coverage under the Generic Permit for Stormwater Discharge from Phase II Municipal Separate Storm Sewer Systems from the Town of Indian River Shores, Volusia County and Patrick Air Force Base. The applications are being processed and are available for public inspection during

normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection in Tallahassee, Florida. Any comments related to noticed application, or objections to use the Generic Permit by any of the noticed applicants must be received by the Department within 14 days from the date of this notice. Comments may be mailed to the following address: Ms. Kathleen Downey, NPDES Stormwater Section, Department of Environmental Protection, 2600 Blair Stone Road, (M.S. 2500), Tallahassee, FL 32399-2400.

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.
