

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

RULE NOS.: RULE TITLES:

- 5C-30.003 Penalties
- 5C-30.004 Incorporated Materials

PURPOSE AND EFFECT: The purpose of the rule is to include penalties for violation of Rule Chapter 5C-31, F.A.C., Cattle Identification.

SUBJECT AREA TO BE ADDRESSED: This rule will provide penalties related to Rule Chapter 5C-31, F.A.C., Cattle Identification.

RULEMAKING AUTHORITY: 570.07(23), 585.002(4), 585.08(2)(a) FS.

LAW IMPLEMENTED: 570.07(15), 570.36(2), 585.003, 585.007(1), 585.08(2)(a), 585.145(1), (2), 585.16, 585.23, 585.40 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 IS: Mr. Stephen Monroe, Division of Animal Industry, 407 South Calhoun Street, Tallahassee, Florida 32399-0800, phone: (850)410-0900, fax: (850)410-0929

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.: RULE TITLES:

- 59A-4.103 Licensure, Administration and Fiscal Management
- 59A-4.106 Facility Policies
- 59A-4.107 Physician Services
- 59A-4.1075 Medical Director
- 59A-4.108 Nursing Services
- 59A-4.109 Resident Assessment and Care Plan
- 59A-4.110 Dietary Services
- 59A-4.112 Pharmacy Services
- 59A-4.118 Medical Records
- 59A-4.122 Physical Environment

- 59A-4.123 Risk Management and Quality Assurance
- 59A-4.126 Disaster Preparedness
- 59A-4.128 Evaluation of Nursing Homes and Licensure Status
- 59A-4.1288 Exception
- 59A-4.130 Fire Prevention, Fire Protection, and Life Safety
- 59A-4.133 Plans Submission and Review and Construction Standards
- 59A-4.134 Plans Submission and Fee Requirements
- 59A-4.150 Geriatric Outpatient Nurse Clinic
- 59A-4.165 Nursing Home Guide
- 59A-4.202 Quality of Care
- 59A-4.204 Turnover Ratio
- 59A-4.206 Termination and Frequency of Review

PURPOSE AND EFFECT: The purpose of the rule development is to update rule language to comport with authorizing statutes, revise technical errors and update references.

SUBJECT AREA TO BE ADDRESSED: The Agency proposes to amend Rule 59A-4.103, F.A.C., to include specifications regarding the issuance of partial inactive licenses for alternative uses pursuant to Section 400.0712, Florida Statutes (F.S.). Other changes to this section include the incorporation of modifications to the licensure application and technical changes clarifying the submission process for required reports to the Agency. Amendments to Rule 59A-4.106, F.A.C., include providing a web address for obtaining transfer and discharge forms, deleting a reference to services provided by the Department of Children and Families, incorporating references to federal guidelines and providing a specific address to obtain copies of “Health Care Advance Directives.” Amendments to Rule 59A-4.1075, F.A.C., include update of statutory references and technical changes. Amendments to Rule 59A-4.108, F.A.C., updates statutory references for facility staffing in accordance with state law, and establishes requirements for requesting the use of licensed nurses to perform licensed nursing and certified nursing assistant’s duties. Amendments to Rule 59A-4.109, F.A.C., include update of statutory references and technical changes.

Amendments to Rule 59A-4.110, F.A.C., include a change to the position title of director of food service and replace the outdated references to the Dietary Managers training and certification process. Amendments to Rule 59A-4.112, F.A.C., include changes to meet the statutory requirements of the Emergency Drug Kit. Amendments to Rule 59A-4.118, F.A.C., include the removal of the requirement for nursing homes to contract with a medical records consultant and credentialing organizations. Amendments to Rule 59A-4.122, F.A.C., includes details for the placement of a resident’s bed and further defines the requirement for a closet and comfortable room temperatures and physical plant

maintenance. Amendments to Rule 59A-4.123, F.A.C., eliminate the 1-day Adverse Incident Reporting and Form and provides for electronic submission of the 15-day Adverse Incident form.

Amendment to Rule 59A-4.126, F.A.C., provide language regarding the submission of the emergency management plan, testing of this plan, and procedures and notifications for evacuation, overcapacity and re-occupancy of the nursing home structure during a disaster. An amendment to Rule 59A-4.128, F.A.C., removes the measurement of deficiencies in terms of scope and severity for state licensure. Amendments to Rule 59A-4.1288, F.A.C., incorporate references to federal regulations established since 1991. Amendments to Rule 59A-4.130, F.A.C., provide revised language to conform to code edition changes and retain language not included in the Florida Building Code. Amendments to Rule 59A-4.133, F.A.C., provides language to reference the Florida Building Code to conform to statutory changes, and deletes all other requirements. Rule 59A-4.134, F.A.C., revises the requirements for construction plans submission to conform to codes and statutory changes. Amendments to Rule 59A-4.150, F.A.C., delete or correct several recurring or obsolete definitions and references throughout the section and add to the list of professionals authorized to staff a geriatric outpatient clinic. Amendments to Rule 59A-4.165, F.A.C., replace the reference to a 45-month reporting period in the Nursing Home Guide with language that cites the time period defined in Section 400.191, F.S. Amendments to Rule 59A-4.202, F.A.C., removes the Nursing Home Guide ranking as a quality of care criteria for Gold Seal award. Amendment to Rule 59A-4.204, F.A.C., removes reference to repealed language. Amendments to Rule 59A-4.206, F.A.C., provides language to terminate Gold Seal award applicants upon the occurrence of a disqualifying event, filing of a petition of bankruptcy and fails to maintain a qualifying Quality of Care rank criteria. Other revisions are made throughout the Chapter to correct technical errors and update references.

RULEMAKING AUTHORITY: 400.23 FS.

LAW IMPLEMENTED: 400.011, 400.022, 400.141, 400.142, 400.23 FS.

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

DATE AND TIME: November 14, 2013, 9:30 a.m. – 11:00 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Terrosa Buie, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308, LTCStaff@ahca.myflorida.com

Section II Proposed Rules

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-28.009 Continuing Education

PURPOSE AND EFFECT: The Board proposes this rule amendment to revise and clarify the requirements for continuing education.

SUMMARY: The proposed rule amendments are necessary to delete unnecessary language and to clarify the continuing education requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 456.013(7), (8), (9), 480.035(7), 480.0415 FS.

LAW IMPLEMENTED: 456.013(7), (8), (9), 480.0415 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: Anthony Jusevitch, Executive Director, Board of Acupuncture/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 64B7-28.009 follows. See Florida Administrative Code for present text)

64B7-28.009 Continuing Education.

(1) During each biennium, each licensee shall complete a minimum of one classroom hour of continuing education from a Board-approved provider for each month the license is active. Graduates of a Board-approved massage therapy school who are renewing their license for the first time shall complete a course of two classroom hours on prevention of medical errors that meets the requirements of Section 456.013(7), F.S. If the prevention of medical errors course completed during the course of study at the Board-approved massage school meets the requirements of Section 456.013(7), F.S., that course will satisfy the requirement of this rule.

(2) The continuing education shall include the following:

(a) At least one half of the classroom hours of instruction must be relevant to and focus on massage therapy techniques, must be in the presence of the instructor, must include hands-on participation by the licensee and/or demonstration by the instructor, and may include:

1. History of massage therapy.
2. Human anatomy.
3. Human physiology.
4. Human kinesiology, or
5. Human pathology

(b) Two classroom hours of instruction on prevention of medical errors that meet the requirements of Section 456.013(7), F.S.

(c) Two classroom hours of instruction in professional ethics.

(d) Two classroom hours of instruction on Chapters 456 and 480 of the Florida Statutes and the rules promulgated by the Board. This requirement may be satisfied by attending four continuous hours of a meeting of the Board, provided the licensee does not have a disciplinary or licensure matter on the agenda and the licensee signs in and out of the meeting to demonstrate compliance.

(3) The remaining classroom hours may be satisfied by completing instruction in:

(a) Communications with clients and other professionals.

(b) Insurance relating to third party payment or reimbursement for services.

(c) Psychological dynamics of the client-therapist relationship.

(d) Risk management including charting, documentation and record keeping.

(e) Infection control.

(f) Practice management.

(g) Cardio-pulmonary resuscitation if the course is instructed by persons certified by the American Red Cross, the American Heart Association or the American Safety and Health Institute.

Rulemaking Authority 456.013(7), (8), (9), 480.035(7), 480.0415 FS. Law Implemented 456.013(7), (8), (9), 480.0415 FS. History-New 4-21-86, Amended 2-25-88, 8-29-88, 1-30-90, 10-2-90, Formerly 21L-28.009, Amended 8-16-94, 6-5-95, 2-12-97, Formerly 61G11-28.009, Amended 8-16-98, 3-15-99, 9-20-99, 11-28-02, 2-13-05, 3-1-07, 5-1-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Massage Therapy

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Board of Massage Therapy

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: July 25, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: October 7, 2013

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-28.010 Requirements for Board Approval of Continuing Education Programs

PURPOSE AND EFFECT: The board proposes to amend the fee requirements regarding the requirements for board approval of continuing education.

SUMMARY: The proposed rule amendments are necessary to update the fee requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 456.013(8), (9), 456.025(7), 456.036, 480.35(7), 480.0415 FS.

LAW IMPLEMENTED: 456.013(8), (9), 456.025(7), 456.036, 480.0415 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: Anthony Jusevitch, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-28.010 Requirements for Board Approval of Continuing Education Programs.

(1) ~~For the purpose of renewing or reactivating a license credit will be approved for programs which are offered by providers whose programs are approved by the Board.~~ In order to receive Board approval as a provider to provide one or more programs, an applicant shall:

(a) Submit a completed Massage Continuing Education Programs Provider Registration Application, Form B: Course Offering Data Form, Form # DH-MQA 1258 (rev. 7/13/13) BMT-B, and Massage Continuing Education Provider Application – Form C: Instructor Qualifications Form, Form # DH-MQA 1259 (rev. 7/13/13) Supplemental Program/Instructor Information, BMT-C, incorporated herein by reference, and a non-refundable application fee of \$100.00 ~~250.00. The forms will be effective 12-13-05, Copies copies of the forms which may be obtained from the Board office at: 4052 Bald Cypress Way, BIN #C06, Tallahassee, Florida~~

~~32399-3256~~ at the following website https://www.cebroker.com/public/pb_educational_providers.aspx or http://www.flrules.org/Gateway/reference.asp?No=Ref.

(b) Sign and abide by written agreement to:

1. Provide an identifiable person to be responsible for ensuring that each program presented under their Board of Massage Therapy provider registration number meets program requirements set forth in subsection (2) or (3) below.

2. through 4. No change.

(2) Each continuing education program presented to meet the requirements of paragraph 64B7-28.009(2)(a), F.A.C., for license renewal credit or to satisfy initial licensure requirements shall:

(a) Be taught via live classroom instruction including hands-on instruction and/or demonstration ~~Meet the standards of subsection 64B7-28.009(2), paragraph (3)(a), (b) or (c), F.A.C.;~~

(b) through (c) No change.

~~(d) Provided, however, that approved courses in areas other than massage theory, history, and techniques may be instructed by a person who meets at least one of the following criteria:~~

1. ~~Holds a minimum of a bachelor's degree from a college or university which is accredited by a regional accrediting body recognized by the U.S. Department of Education or a substantially equivalent accrediting body of a foreign sovereign state, with a major in a subject directly related to the content of the program to be offered, or~~

2. ~~Has, within the last five years of practical experience, had a minimum of two years teaching experience in the subject matter to be offered, or~~

3. ~~Has taught the same courses on this approved subject a minimum of 3 times in the past 2 years before a professional convention, professional group, or at a massage therapy school, or~~

4. ~~Has completed specialized training in the subject matter and has a minimum of two years of practical experience in the subject.~~

(3) Each continuing education program presented to meet the requirements of paragraph 64B7-28.009(2)(b), (c), (d) or (3), F.A.C., shall:

(a) Be taught via live classroom instruction or by correspondence, home study, video or digital media, or distance learning;

(b) Have stated learning objectives;

(c) Include a test graded by the provider if the course is not taught via live classroom instruction;

(d) Be instructed by a person who meets at least one of the following criteria:

1. Holds a minimum of a bachelor's degree from a college or university which is accredited by a regional accrediting body recognized by the U.S. Department of Education or a substantially equivalent accrediting body of a foreign sovereign state, with a major in a subject directly related to the content of the program to be offered, or

2. Has, within the last five years of practical experience, had a minimum of two years teaching experience in the subject matter to be offered, or

3. Has taught the same courses on this approved subject a minimum of 3 times in the past 2 years before a professional convention, professional group, or at a massage therapy school, or

4. Has completed specialized training in the subject matter and has a minimum of two years of practical experience in the subject.

~~(4)(3)~~ The Board retains the right and authority to audit and/or monitor programs given by any provider. The Board will reject individual programs given by a provider if the provider has disseminated any false or misleading information in connection with the continuing education program, or if the program provider has failed to conform to and abide by the written agreement and rules of the Board.

~~(5)(4)~~ One classroom hour of continuing education is defined as no less than 50 uninterrupted minutes of learning.

~~(6)(5)~~ Presenters/moderators/instructors of courses shall not receive credit for courses they present.

~~(6) A provider of Board approved programs must submit a completed application for supplemental courses, form # BMT B and C, to the Board office prior to offering such courses for credit. The submitted information must also identify any new continuing education instructor and show that such instructor meets the criteria set forth in this rule. Whenever an instructor and his/her course have obtained approval by the Board, the instructor may teach the course at any time, in whole or in part, so long as the materials being taught do not deviate from the course materials originally approved, there is no change of instructor, and the documentation of attendance clearly indicates the original course approval number and the hours of credit given for this version of the course. Therefore, the number of continuing education hours awarded for the course may be the original number of hours approved, or less. An increase of the number of continuing education hours awarded will require submission of form # BMT B for approval of a course.~~

(7) No change.

(8) Provider registration numbers must be renewed biennially on or before August 31 of the biennial renewal year. The provider must return the renewal form provided by the department together with a renewal fee of ~~\$50.00~~ 250.00. If the renewal form and renewal fee are not received by the department on or before August 31 of the biennial year, the provider must submit a new application for approval of any continuing education programs offered for license renewal or initial licensure requirements, and, if any programs are approved, receive a new provider registration number.

(9) No change.

Rulemaking Specific Authority 456.013(8), (9), 456.025(7), 456.036, 480.035(7), 480.0415 FS. Law Implemented 456.013(8), (9), 456.025(7), 456.036, 480.0415 FS. History—New 4-21-86, Amended 9-14-87, 8-29-88, 2-8-89, 3-12-90, 1-3-91, Formerly 21L-28.010, Amended 9-30-93, 8-16-94, 6-12-95, 2-12-97, Formerly 61G11-28.010, Amended 2-18-98, 10-26-98, 9-20-99, 11-4-99, 11-21-02, 10-12-03, 12-13-05, 7-5-06, 2-25-07, 5-8-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Massage Therapy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 25, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 7, 2013

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NOS.:	RULE TITLES:
65A-1.704	Family-Related Medicaid Eligibility Determination Process
65A-1.707	Family-Related Medicaid Income and Resource Criteria
65A-1.708	Family-Related Medicaid Budgeting Criteria

PURPOSE, EFFECT AND SUMMARY: The proposed rules adopt federal standards regarding Family-Related Medicaid eligibility policies to implement the requirements of the Affordable Care Act.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: : 409.902, 409.903, 409.904, 409.919 FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 120.54(6), F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: Vonsenita Tranquille, Economic Self-Sufficiency Program, (850)717-4128, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, vonsenita_tranquille@dcf.state.fl.us

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 65A-1.704 follows. See Florida Administrative Code for present text.)

65A-1.704 Family-Related Medicaid Eligibility Determination Process.

The Department adopts the following federal eligibility determination processing standards: 42 C.F.R. §435.910(a), 42 C.F.R. §435.910(b)(2) and (3), and (e)(1)-(3), 42 C.F.R. §435.910(f) and (g). The Department adopts the following federal eligibility determination processing standards: 42 C.F.R. §435.911(a), (b)(1)(i)-(iii), 42 C.F.R. §435.911(c)(2) and (3), 42 C.F.R. §435.911(d)(1)-(3). The Department adopts the following federal eligibility determination processing standards: 42 C.F.R. §435.912. The Department adopts the following federal eligibility determination processing standards: 42 C.F.R. §435.916 (a)(1), 42 C.F.R. §435.916(a)(2)(i)-(ii), 42 C.F.R. §435.916(a)(3)(i)(A)-(C), 42 C.F.R. §435.916(a)(3)(ii)-(iv); 42 C.F.R. §435.916(b)(1) and (2), 42 C.F.R. §435.916(c); 42 C.F.R. §435.916(d)(1)(i) and (ii); 42 C.F.R. §435.916(d)(2); 42 C.F.R. §435.916(e) and (g). The Department adopts the following federal eligibility determination processing standards: 42 C.F.R. §435.945(a), (b) and (f). The Department adopts the following federal eligibility determination processing standards: 42 C.F.R. §435.952. The Department adopts the following federal eligibility determination processing standards: 42 C.F.R. §435.956(c)(1) and (2), 42 C.F.R. §435.956(d), (e) and (f).

THIS RULE SHALL TAKE EFFECT ON JANUARY 1, 2014.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.903, 409.904, 409.919 FS. History—New 10-8-97, Amended 2-7-01, 10-21-01, 4-1-03, 2-4-04, 6-26-08, 8-10-10, 1-1-14.

(Substantial rewording of Rule 65A-1.707 follows. See Florida Administrative Code for present text.)

65A-1.707 Family-Related Medicaid Income ~~and~~ Resource Criteria.

The Department adopts the following federal eligibility income standards: 42 C.F.R. §435.118(b), 42 C.F.R. §435.118(c)(1)(i) and (ii), 42 C.F.R. §435.118(c)(2)(i)-(iii).

The Department adopts the following federal eligibility income standards: 42 C.F.R. §435.603(a)(1)-(3), 42 C.F.R. §435.603(b) and (c), 42 C.F.R. §435.603(d)(1)-(3), 42 C.F.R. §435.603(e)(1) and (2), 42 C.F.R. §435.603(e)(3)(i) and (ii), 42 C.F.R. §435.603(e)(3)(iii)(A) and (B), 42 C.F.R. §435.603(e)(3)(iv)(A) and (B), 42 C.F.R. §435.603(e)(3)(v) and (vi), 42 C.F.R. §435.603(f)(1), 42 C.F.R. §435.603(f)(2)(i) and (ii), 42 C.F.R. §435.603(f)(2)(iii)(A) and (B), 42 C.F.R. §435.603(f)(3)(i)-(iii), 42 C.F.R. §435.603(f)(3)(iv)(A) and (B), 42 C.F.R. §435.603(f)(4) and (5). The Department adopts the following federal eligibility income standards: 42 C.F.R. §435.831(a)(2) and (3), and 42 C.F.R. §435.831(b)(1).

THIS RULE SHALL TAKE EFFECT ON JANUARY 1, 2014.

Rulemaking Authority 409.919 FS. Law Implemented 409.903, 409.919 FS. History—New 10-8-97, Amended 2-15-01, 11-23-04, 2-20-07, 5-6-08, 6-4-12, 1-1-14.

(Substantial rewording of Rule 65A-1.708 follows. See Florida Administrative Code for present text.)

65A-1.708 Family-Related Medicaid Budgeting Criteria.

The Department adopts the following federal eligibility budgeting standards: 42 C.F.R. §435.603(g)(1) and (2), 42 C.F.R. §435.603(h)(1)-(3), and 42 C.F.R. §435.603(i). The Department adopts the following federal eligibility budgeting standards: 42 C.F.R. §435.831.

THIS RULE SHALL TAKE EFFECT ON JANUARY 1, 2014.

Rulemaking Authority 409.919 FS. Law Implemented 409.903, 409.904, 409.919 FS. History—New 10-8-97, Amended 2-15-01, 10-16-07, 1-1-14.

Section III

Notice of Changes, Corrections and Withdrawals

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-35.090
 RULE TITLE: Background Screening; Prohibited Offenses.
 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. 39, No. 213, October 31, 2013 issue of the Florida Administrative Register.

The following changes were made on the Application for Exemption, AHCA Form 3110-0019:

Pg. 7, the following paragraphs were added:

**Pursuant to §837.06, F.S., whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of*

a misdemeanor of the second degree, punishable as provided in §775.082, F.S., or §775.083, F.S.

***The collection of social security numbers is imperative for the performance of the Agency's duties and responsibilities in accordance with §119.071(5)(a)2.b., F.S. relating to health care provider licensure under §408.809, F.S. and Medicaid enrollment under §409.907, F.S. Your social security number will be used to secure the proper identification of persons listed on this application.*

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Office on Homelessness

- | | |
|------------|--|
| RULE NOS.: | RULE TITLES: |
| 65I-1.001 | Definitions |
| 65I-1.002 | Eligibility Factors Other Than Income |
| 65I-1.003 | Determination of Eligibility Based on Income |
| 65I-1.004 | Income |
| 65I-1.005 | Verification |
| 65I-1.006 | Program Administration |
| 65I-1.007 | Eligible Payments |
| 65I-1.008 | Ineligible Payments |
| 65I-1.009 | Type and Amount of Assistance |

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 212, October 30, 2013 issue of the Florida Administrative Register.

The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated October 22, 2013.

The correction is as follows:

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Esther Jacobo, Interim Secretary, Dept. of Children and Families

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 28, 2013

THE PERSON TO BE CONTACTED REGARDING THIS RULE REPEAL IS: Tom Pierce, Director, Office on Homelessness, Department of Children and Family Services, 1317 Winewood Blvd., Tallahassee, FL 32399-0700

**Section IV
Emergency Rules**

NONE

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: **RULE TITLE:**

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on October 23, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Park Tower at Avalon. Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-351).

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 October 24, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Arbors Office Park (Bldg. 1625). Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators with firefighters' emergency operations 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 (VW2013-355).

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 October 24, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Harris Technology Center. Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-356).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on October 28, 2013, the Department issued a Final Order that was in response to a Petition for Variance from Ocala Hilton Hotel, filed August 21, 2013, and advertised on August 26, 2013 in Vol. 39, No. 166, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 2.2.1, ASME A17.3, 1996 edition, and Rule 101.2, ASME A17.1, 1985 edition as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators equipment in machine room and enclosures because the Petitioner has not demonstrated that the purpose of the underlying statute has been met or that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-281).

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, (850)488-1133.

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 October 28, 2013, the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from Seaside Plaza, filed October 8, 2013, and advertised on October 11, 2013 in Vol. 39, No. 199, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators with firefighters' emergency operations because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-342).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on October 28, 2013, the Division issued an order. The Final Order was in response to a Petition for a Variance from Parker Lakeland Medical Center, filed October 3, 2013, and advertised on October 8, 2013 in Vol. 39, No. 196, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.1, 2.18.5.1 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the purpose of the

underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-335).

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 HEALTH

Board of Massage Therapy

RULE NOS.:RULE TITLES:

64B7-32.002 Proof of Graduation

64B7-32.003 Minimum Requirements for Board Approved Massage Schools

NOTICE IS HEREBY GIVEN that on September 30, 2013, the Board of Massage, received a petition for Jenny D. Hernandez, seeking a variance or waiver of Rules 64B7-32.002 and 64B7-32.003. The Petitioner seeks the board's approval for a waiver of and recognize that Lauterstein-Conway Massage School is a Nationally Certified School, and requests a waiver requiring proof of graduation as Petitioner has exceeded the credit hour requirements. The Board will address this petition at its next scheduled meeting.

Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Jusevitch, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, within 14 days of publication of this notice.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

The Florida Council on the Social Status of Black Men and Boys announces a public meeting to which all persons are invited.

DATES AND TIME: November 21-22, 2013, 9:00 a.m. – 5:00 p.m.

PLACE: Rosen Shingle Creek, 9939 Universal Boulevard, Orlando, Florida 32819, telephone: (850)414-3369, toll-free dial-in number: 1(888)670-3525, conference code: 8470026713

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to,

homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

A copy of the agenda may be obtained by contacting: visiting <http://www.cssbmb.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: the Bureau of Criminal Justice Programs at (850)414-3300. 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: the Bureau of Criminal Justice Programs at (850)414-3300.

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

The Council on the Social Status of Black Men and Boys announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, November 18, 2013, 5:00 p.m. – 6:00 p.m.

PLACE: Toll-free dial-in number: 1(888)670-3525, participant code: 8519855825

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

A copy of the agenda may be obtained by contacting: <http://www.cssbmb.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 days before the workshop/meeting by contacting: Bureau of Criminal Justice Programs at (850)414-3300. 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: Bureau of Criminal Justice Programs at (850)414-3300.

DEPARTMENT OF EDUCATION

State Board of Education

The State Advisory Committee for the Education of Exceptional Students announces public meetings to which all persons are invited.

DATES AND TIMES: December 9, 2013, 8:30 a.m. – 9:30 a.m., Executive Committee; December 9, 2013, 10:00 a.m. – 5:00 p.m. and December 10, 2013, 8:30 a.m. – 12:00 Noon, SAC. Opportunity for Public Comment will be provided December 10, 2013, 11:00 a.m. onsite or by phone, 1(888)339-2688, passcode (27695873)

PLACE: Hotel Duval, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics include Bureau of Exceptional Education and Student Services Update; Bureau Strategic Plan, Post-Secondary Transition Update, Effective Instructional Design and Implementation for Students with Intensive Needs Restraint and Seclusion, and Parent Website Demonstration.

A copy of the agenda may be obtained by contacting: State Advisory Committee, Bureau of Exceptional Education and Student Services, Florida Department of Education, 325 West Gaines Street, Suite 614, Tallahassee, Florida 32399-0400.

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 28 days before the workshop/meeting by contacting: Tonya Milton, Bureau of Exceptional Education and Student Services at (850)245-0475. 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: Tonya Milton, Bureau of Exceptional Education and Student Services at (850)245-0475.

DEPARTMENT OF TRANSPORTATION

The Florida’s Turnpike Enterprise announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, November 21, 2013, 5:30 p.m.

PLACE: Cutler Bay Town Hall, Council Chambers, 10720 Caribbean Blvd., Suite 115, Cutler Bay, Florida 33189

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to discuss the widening of Florida’s Turnpike up to eight lanes from Campbell Drive to U.S. 1. Improvements include interchange modifications, intersection improvements, access modifications, and bridge widening. The Public Hearing will also serve as a Public Information meeting for the proposed Design-Build project to widen the turnpike to six lanes between SW 288th Street and SW 216th Street. Express lanes will be added within the study limits of each project.

A copy of the agenda may be obtained by contacting: Mr. Henry Pinzon, P.E., Project Manager, Florida’s Turnpike Enterprise, P. O. Box 613069, Ocoee, Florida 34761, phone: (407)264-3802, email: henry.pinzon@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 seven days before the workshop/meeting by contacting: Mr. Henry Pinzon at (407)264-3802 or by email at henry.pinzon@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).

REGIONAL PLANNING COUNCILS

Northeast Florida Regional Planning Council

The Northeast Florida District IV Local Emergency Planning Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 12, 2013, 10:00 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Quarterly Meeting of the District IV Local Emergency Planning Committee (LEPC). Notice is also given that one or more members of Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes may attend and/or speak at this meeting.

A copy of the agenda may be obtained by contacting: Eric Anderson, (eanderson@nefrc.org), (904)279-0880, ext. 178.

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 72 hours before the workshop/meeting by contacting: Bonnie Magee, (bmagee@nefrc.org), (904)279-0880, ext. 148. 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: The Northeast Florida Regional Council at (904)279-0880.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers announces public meetings to which all persons are invited.

DATES AND TIMES: December 4, 2013, 1:00 p.m. (EST) or soon thereafter, and/or December 5, 2013, 8:30 a.m. (EST) or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the board.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rebecca Sammons. 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 Rebecca Sammons.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Application Committee and/or Educational Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: December 4, 2013 at the conclusion of the FBPE Board Meeting, which begins at 9:00 a.m. or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review applications for licensure and other general business of the committees.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rebecca Sammons. 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: Rebecca Sammons.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Engineers Management Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: December 4, 2013, 9:00 a.m. (EST) or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the corporation. This meeting may be accessed by conference call. If you would like to participate in the call, please contact Rebecca Sammons at (850)521-0500, ext. 114 at least 48 hours prior to the date of the meeting.

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Nominating Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 21, 2013, 2:00 p.m. (EST) or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: nominate a chair and vice chair for 2014 and/or general business of the committee.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rebecca Sammons. 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: Rebecca Sammons.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Probable Cause Panel of the Florida Real Estate Commission announces a hearing to which all persons are invited.

DATE AND TIME: Monday, November 18, 2013, 2:30 p.m. or soonest thereafter

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Probable Cause Panel will meet to conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Probable Cause Panel or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772, (407)481-5662. Only public portions of the agenda are available upon request.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate, (407)481-5662. 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

The Division of Recreation and Parks announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 8, 2013, 8:30 a.m. (ET)

PLACE: "Building 8" Silver Springs State Park, 5656 E Silver Springs Blvd., Silver Springs, FL 34488

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Tour of Silver Springs State Park and follow up discussion for the advisory group members.

A copy of the agenda may be obtained by contacting: Sally Lieb, Park Manager, Silver Springs State Park, 1425 N.E. 58th Avenue, Ocala, Florida 34470, phone number: (352)236-7152,

fax number: (352)236-7150 or email: Sally.Lieb@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: Sally Lieb, Park Manager, Silver Springs State Park, 1425 N.E. 58th Avenue, Ocala, Florida 34470, phone number: (352)236-7152, fax number: (352)236-7150 or email: Sally.Lieb@dep.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: Sally Lieb, Park Manager, Silver Springs State Park, 1425 N.E. 58th Avenue, Ocala, Florida 34470, phone number: (352)236-7152, fax number: (352)236-7150 or email: Sally.Lieb@dep.state.fl.us.

DEPARTMENT OF HEALTH

Office of Statewide Research

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

DATE AND TIME: November 14, 2013, 3:00 p.m. – 5:00 p.m.

PLACE: Conference call: 1(888)670-3525, conference code: 2922384719

GENERAL SUBJECT MATTER TO BE CONSIDERED: Biomedical Research Advisory Council meeting pertaining to the James and Esther King Biomedical Research Program and the Bankhead-Coley Cancer Research Program.

A copy of the agenda may be obtained by contacting: Sarah Hofmeister, Public Health Research Unit, Division of Community Health Promotion, (850)245-4585.

For more information, you may contact: Sarah Hofmeister, Public Health Research Unit, Division of Community Health Promotion, (850)245-4585.

NORTHWOOD SHARED RESOURCE CENTER

The Northwood Shared Resource Center (NSRC) Finance and Auditing Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 8, 2013, 9:00 a.m. – 11:00 a.m.

PLACE: Department of Juvenile Justice, Knight Building CR 1134, 2737 Centerview Drive, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Approval of Minutes, SOP Status Report, Midrange and Mainframe Professional Rates, Rate Based to Monthly Cost Recovery Billing, Direct Bills and Administrative Charges and Rate Changes: Mainframe, SQL Server, Midrange Storage.

A copy of the agenda may be obtained by contacting: Jane.Geier@nsrc.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 48 hours before the workshop/meeting by contacting: Jane.Geier@nsrc.myflorida.com, (850)487-9442. 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: Jane.Geier@nsrc.myflorida.com, (850)487-9442.

FLORIDA LEAGUE OF CITIES

The Florida Municipal Construction Insurance Trust announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 12, 2013, 2:00 p.m.

PLACE: Hyatt Regency Sarasota, 1000 Boulevard of the Arts, Sarasota, FL 34236

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Municipal Construction Insurance Trust general meeting conducted through the use of communications media technology, as authorized by Section 163.01(18), Florida Statutes. Persons interested in attending may do so in person at Hyatt Regency Sarasota, 1000 Boulevard of the Arts, Sarasota, FL 34236, where a communications media technology facility will be located.

A copy of the agenda may be obtained by contacting: Linda Bridges, email: lbridges@flcities.com or call (850)222-9684.

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: Linda Bridges, email: lbridges@flcities.com or call (850)222-9684. 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: Linda Bridges, email: lbridges@flcities.com or call (850)222-9684.

FLORIDA LEAGUE OF CITIES

The Florida Municipal Insurance Trust announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 13, 2013, 8:30 a.m.

PLACE: Hyatt Regency Sarasota, 1000 Boulevard of the Arts, Sarasota, FL 34236

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Municipal Insurance Trust general meeting conducted through the use of communications media technology, as authorized by Section 163.01(18), Florida Statutes. Persons interested in attending may do so in person at Hyatt Regency Sarasota, 1000 Boulevard of the Arts, Sarasota, FL 34236, where a communications media technology facility will be located.

A copy of the agenda may be obtained by contacting: Linda Bridges, email: lbridges@flcities.com or call (850)222-9684.

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 14 days before the workshop/meeting by contacting: Linda Bridges, email: lbridges@flcities.com or call (850)222-9684. 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: Linda Bridges, email: lbridges@flcities.com or call (850)222-9684.

COMVIA CORPORATION

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

DATE AND TIME: Tuesday, November 12, 2013, 5:00 p.m. – 6:30 p.m.

PLACE: NorthRidge Church, 2250 State Road 17 South, Haines City, FL 33844

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) is hosting an open house for the upcoming State Road (SR) 17 / S. 10th Street construction project in Haines City, FL.

As part of this project, 1.5 miles of SR 17 will be reconstructed to include eleven foot travel lanes, a two-way left turn lane with median modifications, street lighting, and sidewalks. Construction is scheduled mid November 2013 with completion late fall of 2015. Construction requires a detour of northbound traffic on SR 17; however, a detour is not expected for southbound traffic. Project staff will be available at the open house to discuss the project and answer questions.

Financial Project ID No.: 425251-1-52-01

A copy of the agenda may be obtained by contacting: There is no agenda for this meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Robin Parrish, Florida Department of Transportation, District One, 801 N. Broadway Street, Bartow, Florida 33830-3809, (863)519-2675 or robin.parrish@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: Janet Cook, public information officer at (863)712-6020 or janetcook@comviacorporation.com.

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

NONE

Section VIII

Notice of Petitions and Dispositions Regarding the Validity of Rules

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

NONE

Notice of Disposition of Petition for Administrative Determination has been filled 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 HIGHWAY SAFETY AND MOTOR VEHICLES

NEIL KIRKMAN BUILDING ELEVATOR 9 & 10
MODERNIZATION, A WING
INVITATION TO BID

Proposals are requested from qualified Elevator Contractors by the Department of Highway Safety and Motor Vehicles hereinafter referred to as owner, for the project referenced below:

PROJECT NO: 13049

PROJECT NAME & LOCATION: Neil Kirkman Building Elevator 9 & 10 Modernization, A Wing; 2900 Apalachee Parkway, Tallahassee, FL 32399

After the bid opening, the low bidder may be required to provide additional financial and bidding qualifications in accordance with Florida Administrative Code Rule 60D-5.004. These requirements are outlined in the Non-Technical Specifications Instruction to Bidders under Article B-22 "Qualifications for Award of Contract".

PUBLIC ENTITY CRIME INFORMATION STATEMENT: Under Section 287.017, Florida Statutes, a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services and/or construction or repair of a public building or public work and may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity for a period of 36 months from the date of being placed on the convicted vendor list.

DISCRIMINATION; DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES: Under Section 287.134(2), Florida Statutes, entities or affiliates who have been placed on the State of Florida's discriminatory vendor list may not submit a bid or proposal on this contract.

BID BOND: If the Base Bid or the Base Bid plus the sum of any alternates exceed \$100,000, the bidder shall enclose a certified check, cashier's check, treasurer's check, bank draft or Bid Bond in the amount of not less than five percent (5%) of the Bid, payable to the Owner as a guarantee for the purpose set out in Instructions to Bidders. (Failure to submit a bid bond will result in disqualification)

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount exceeds \$100,000.00, a Performance Bond and a Labor and

Material Payment Bond will be required and will be issued with the award of contract.

MANDATORY PRE-BID MEETING: The Neil Kirkman Building Tallahassee Florida

Date and Time: November 12, 2013, 2:00 p.m.

Place: 2900 Apalachee Parkway, Tallahassee Florida 32399-0500

SEALED BIDS WILL BE PUBLICLY OPENED AND READ ALOUD ON:

Date and Time: November 26, 2013, 2:00 p.m.

Place: Modern Professional Engineering, 1600 Mill Street, Tallahassee, Florida 32310

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

ARCHITECT-ENGINEER: Modern Professional Engineering, 1600 Mill St., Tallahassee, Florida 32310, telephone: (850)545-2498.

Plans and specifications will be available for purchase at The Blueprint Shop in Tallahassee, FL, (850)224-2699.

DISABILITY ACCESS: Pursuant to the provisions of the Americans with Disabilities Act according to 286.26, F.S., any person requiring special accommodations to participate in this meeting/bid opening is asked to advise the agency at least 48 hours before the meeting by contacting Jeremy Parker at (850)545-2498. 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 MANAGEMENT SERVICES
 Division of Building Construction
 NE CM Continuing Contracts
STATE OF FLORIDA DEPARTMENT OF MANAGEMENT SERVICES
DIVISION OF REAL ESTATE DEVELOPMENT AND MANAGEMENT
PUBLIC ANNOUNCEMENT FOR CONSTRUCTION MANAGEMENT SERVICES
FOR CONTINUING CONTRACTS – NORTHEAST FLORIDA REGION

Project Number: NA
 Project Location: Northeast Florida Region
 The State of Florida, Department of Management Services Division of Real Estate Development and Management requests qualifications from Construction Management at Risk firms located in Northeast Florida. These contracts may be used for projects anywhere in the State of Florida; however, it

is anticipated that the firms selected during this process will be activated for projects in the northeast part of Florida. The Department of Management Services may enter into a contract with no less than three (3) construction management firms with responsibility for performance of construction contracts not to exceed \$2,000,000.00 per project.

Please visit the Department’s website http://www.myflorida.com/apps/vbs/vbs_www.main_menu and click on “Search Advertisements” – “Division of Real Estate Development and Management” Look for “Opportunities for Design and Construction Firms” and click on link.

Section XII
Miscellaneous

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Go Anywhere Scooters, LLC, for the establishment of ENFI motorcycles

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Classic Motorworks, Ltd. Inc., intends to allow the establishment of Go Anywhere Scooters, LLC, as a dealership for the sale of motorcycles manufactured by Royal Enfield Motors, Ltd. (line-make ENFI) at 9050 Navarre Parkway, Navarre, (Santa Rosa County), Florida 32566, on or after November 30, 2013.

The name and address of the dealer operator(s) and principal investor(s) of Go Anywhere Scooters, LLC, are dealer operator(s): Jerry Rogers, 6 Indian Bayou Drive, Destin, Florida 32541, principal investor(s): Jerry Rogers, 6 Indian Bayou Drive, Destin, Florida 32541.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Kevin Mahoney, Classic Motorworks Ltd. Inc., 1405 Cannon Circle, Suite 12, Faribault, Minnesota 55021.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

P&M Custom Cycles, d/b/a Venom Chopper and Cycles, for the establishment of DAIX motorcycles

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Pacific Rim International West, Inc., intends to allow the establishment of P&M Custom Cycles, d/b/a Venom Custom Chopper and Cycles as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co. Ltd. (line-make DAIX) at 16418 US Highway 19 North, Hudson, (Pasco County), Florida 34667, on or after November 30, 2013.

The name and address of the dealer operator(s) and principal investor(s) of P&M Custom Cycles, d/b/a Venom Custom Chopper and Cycles, are dealer operator(s): Dirk Smathers, 16418 US Highway 19 North, Hudson, Florida 34689; principal investor(s): Dirk Smathers, 16418 US Highway 19 North, Hudson, Florida 34689.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Harry Chang, Pacific Rim International West, Inc., 2181 East Francis Street, Ontario, California 91761.

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

PUBLIC SERVICE COMMISSION

NOTICE OF SECURITIES APPLICATION

The Florida Public Service Commission will consider at its November 14, 2013 Commission Conference, Docket No. 130244-EI, Application by Gulf Power Company (Gulf) for authority to issue and sell securities and to receive common equity contributions during the 12 months ending December 31, 2014. Pursuant to Section 366.04, Florida Statutes, and Chapter 25-8, Florida Administrative Code, Gulf seeks authority to receive equity funds from and/or issue common equity securities to the Southern Company (Southern), Gulf's parent company; issue and sell long-term debt and equity securities; and issue and sell short-term debt securities. The maximum amount of common equity contributions received from and common equity issued to Southern, the maximum amount of equity securities issued and the maximum principal amount of long-term debt securities issued will total not more than \$700 million. The maximum principal amount of short-term debt outstanding at any one time will total not more than \$375 million.

DATE AND TIME: Thursday, November 14, 2013. The Commission Conference begins at 9:30 a.m., although the time at which this item will be heard cannot be determined at this time

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32399-0850

PURPOSE: To take final action on Docket No. 130244-EI.

In accordance with the American with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service. For more information, please contact Martha F. Barrera, Office of the General Counsel, (850)413-6212.

DEPARTMENT OF JUVENILE JUSTICE

Policy and Procedure Updates

The Department of Juvenile Justice has posted one revised policy for comment and review: FDJJ 1520, Employee Training. The policy will be posted until November 13, 2013, on the Department's webpage at <http://www.djj.state.fl.us/partner/policies-resources/departments-policies/policies-under-review>. Directions for submitting comments can be found at the above webpage.

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.
