

Section I Notice of Development of Proposed Rules and Negotiated Rulemaking

FLORIDA PAROLE COMMISSION

RULE NO.: RULE TITLE:
23-21.002 Definitions
PURPOSE AND EFFECT: To update a definition to conform to most recent changes in objective parole guidelines.
SUBJECT AREA TO BE ADDRESSED: Recidivist Criminal Factor.
RULEMAKING AUTHORITY: 947.07 FS.
LAW IMPLEMENTED: 947.165 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: Sarah Rumph, (850)488-4460
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

Section II Proposed Rules

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NO.: RULE TITLE:
64B-4.001 Certification of Public Records Fee Rule
PURPOSE AND EFFECT: This rulemaking eliminates unnecessary language. The certification fee for public records remains \$25.00.
SUMMARY: The Department of Health is required to specify fees for the certification of public records. This rulemaking is intended to eliminate unnecessary information contained in the rule.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:
The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in Section 120.541(2)(a), F.S.

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: 456.004(5), 456.025(11) FS.

LAW IMPLEMENTED: 456.025(11) 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: Jennifer Wenhold, (850)245-4253, Jennifer.Wenhold@flhealth.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

64B-4.001 Certification of Public Records Fee Rule.
~~The fee for certification of a public record shall be \$25. Any person desiring certification of a public record by the custodian of records for the department or board within the department shall submit a certification fee of \$25 with each request. The certification fee is in addition to any duplicating fees that may apply.~~

~~Rulemaking Specific Authority 456.004(5), 456.025(11)(8) FS. Law Implemented 456.025(11) FS. History–New 11-9-98, Amended _____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lola Pouncey

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: John H. Armstrong, MD, FACS, Surgeon General and Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 14, 2014

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NOS.: RULE TITLES:
64B-6.001 Citations
64B-6.002 Issuance of Citations
64B-6.003 Penalties

PURPOSE AND EFFECT: This rulemaking eliminates language that is redundant of statutory language or has been identified as unnecessary.

SUMMARY: This rulemaking relates to citations, the issuance of citations, and penalties for unlicensed activities.

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: Based on the SERC checklist prepared by the Department, this proposed rulemaking will not have an adverse impact or effect regulatory costs in excess of \$1 million within five years as established in Section 120.541(2)(a), F.S.

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: 456.065 FS, 456.065(2)(b) FS.

LAW IMPLEMENTED: 456.065 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: Susie Love at (850) 245-4123

THE FULL TEXT OF THE PROPOSED RULE IS:

64B-6.001 Citations.

~~Rulemaking Specific Authority 456.065 FS. Law Implemented 456.065 FS. History–New 10-5-04, Repealed _____.~~

64B-6.002 Issuance of Citations.

(1) No change.

~~(2) The contents of the citation shall comply with the requirements of Section 456.065(2)(b), F.S.~~

~~(2)(3) No change.~~

~~(4) Each day that the unlicensed practice continues shall constitute a separate violation.~~

~~(5) The Department shall be entitled to recover the costs of investigation and prosecution in addition to the fine levied pursuant to the citation.~~

~~(6) The citation becomes a Final Order of the Department within 30 days of service if the subject fails to dispute the issuance.~~

~~Rulemaking Specific Authority 456.065 FS. Law Implemented 456.065 FS. History–New 10-5-04, Amended _____.~~

64B-6.003 Penalties.

For the purposes of this rule only, the following violations with accompanying penalty may be disposed of by citation:

(1) Violations that form the basis of a misdemeanor in the second degree, ~~as determined by the applicable statutes,~~ shall result in a penalty of \$500 for the first offense, ~~The fine for a second offense shall be \$1,000 for a second offense, and, A third offense or more shall be fined the maximum penalty of \$5,000 for a third offense or more.~~

(2) Violations that form the basis of a misdemeanor in the first degree, ~~as determined by the applicable statute,~~ shall result in a penalty of \$750 for the first offense, ~~The fine for a second offense shall be \$1,500 for a second offense, and, A third offense or more shall be fined the maximum penalty of \$5,000 for a third offense or more.~~

(3) Violations that form the basis of a felony in the third degree, ~~as determined by the applicable statute,~~ shall result in a penalty of \$1,000 for the first offense, ~~The fine for a second offense shall be \$2,000 for the second offense, and, A third offense or more shall be fined the maximum penalty of \$5,000 for a third offense or more.~~

(4) Violations that form the basis of a felony in the second degree, ~~as determined by the applicable statute,~~ shall result in a penalty of \$5,000, ~~the maximum allowed per incident or violation.~~

~~(5) The costs the Department may recover for the investigation and prosecution shall be the actual dollar amount up to and including the day of service of the citation. If personal service is the method of service, the Department investigator will determine the actual cost at the time of service of the citation on the subject.~~

~~Rulemaking Specific Authority 456.065 FS. Law Implemented 456.065 FS. History–New 10-5-04, Amended _____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Susie Love

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: John H. Armstrong, M.D., FACS

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2014
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 14, 2014

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NO.: 64B-9.002
 RULE TITLE: Physician Survey Procedures

PURPOSE AND EFFECT: This rulemaking amends the rule to eliminate information that is not required by the statute.

SUMMARY: This rule outlines the procedure for completing the physician survey.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in Section 120.541(2)(a), F.S.

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: 458.3191(4), 459.0081(4) FS.
 LAW IMPLEMENTED: 381.4018, 458.3191, 459.0081 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: Gwendolyn Bailey at (850)245-4094

THE FULL TEXT OF THE PROPOSED RULE IS:

64B-9.002 Physician Survey Procedures.

(+) At time of licensure renewal, each medical doctor and osteopathic physician who renews his or her license ~~online on line~~ at www.FLHealthSource.com must fully complete ~~online on line~~ all applicable portions of ~~the physician workforce survey, form DH MQA 1119, entitled Physician Workforce Survey form DH MQA 1119, effective 09/11, Physician Workforce Survey~~, which is incorporated herein by reference and available at www.flrules.org/Gateway/reference.asp?No=Ref-00791. ~~This form can be obtained at~~

~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-00791> or by writing the Department at and also may be viewed at <http://www.doh.state.fl.us/mqa/medical/index.html> or at <http://www.doh.state.fl.us/mqa/osteopath/index.html>. The address where physicians who do not renew online are required to obtain, complete and submit a paper copy of the survey with their renewal is 4052 Bald Cypress Way, Bin #C10, Tallahassee, FL 32399.~~

~~(2) The nondisciplinary citation issued to a licensee for failing to complete the survey shall be sent by regular U.S. mail to the licensee's last address of record. The license renewal notice warning of the prohibition against renewal without first completing the survey shall be sent by regular U.S. mail to the licensee's last address of record, and the license shall not be renewed until the survey has been completed.~~

Rulemaking Authority 458.3191(4), 459.0081(4) FS. Law Implemented 381.4018, 458.3191, 459.0081 FS. History--New 4-21-08, Amended 10-20-08, 9-30-09, 1-23-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gwendolyn Bailey

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: John H. Armstrong, MD, FACS, Surgeon General and Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 21, 2014

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

RULE NO.: 65E-14.022
 RULE TITLE: Data Requirements

PURPOSE AND EFFECT: The purpose of this rulemaking is to repeal Rule 65E-14.022, F.A.C. The effect is to remove an incorporated document, the Mental Health and Substance Abuse Measurement and Data Pamphlet (CFP 155-2).

SUMMARY: As a result of amendments to the remaining rules in this Chapter, the incorporated document, the Mental Health and Substance Abuse Measurement and Data Pamphlet (CFP 155-2), is no longer needed as a regulatory requirement.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is

required, the information expressly relied upon and described herein:

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

RULEMAKING AUTHORITY: 394.78(1), 397.321(5) FS.

LAW IMPLEMENTED: 394.66(9), 394.74(3)(e), 394.77, 397.321(3)(c), (10) 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: Jimmers Micallef; (850)717-4294, jimmers_micallef@dcf.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

65E-14.022 Data Requirements.

Rulemaking Specific Authority 394.78(1), 397.321(5) FS. Law Implemented 394.66(9), 394.74(3)(e), 394.77, 397.321(3)(c), (10) FS. History—New 7-1-03, Amended 12-14-03., 1-2-05, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jimmers Micallef

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Carroll, Interim Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 27, 2014

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: 64B11-4.006
RULE TITLE: Mediation

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. 40, No. 72, April 14, 2014 issue of the Florida Administrative Register.

The change is in response to a vote by the Board regarding the promulgation of subsections (4) through (6). The Notice of Proposed Rulemaking contained an error regarding subsections (4) through (6) and incorrectly stated that the subsections had no change. These subsections did not exist in the 5-10-05 amendment, but new language has been added to subsections (4) through (6) and the subsections are as follows:

1. Subsection (4) shall be added to the rule and shall read as follows:

(4) Overcharging a patient or patient’s legal representative for medical records;

2. Subsection (5) shall be added to the rule and shall read as follows:

(5) Failure to timely pay fines and costs; and

3. Subsection (6) shall be added to the rule and shall read as follows:

(6) Advertising violations.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Occupational Therapy, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-0797

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

RULE NO.: 65E-14.022
RULE TITLE: Data Requirements

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 170, August 30, 2013 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NOS.: 69B-211.002, 69B-211.0025, 69B-211.042
RULE TITLES: General Procedures, Additional Rule Specific to Navigators, Effect of Law Enforcement Records on Applications for Licensure

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. 40, No. 70, April 10, 2014 issue of the Florida Administrative Register.

The changes to the proposed rules are being made in response to comments from the Joint Administrative Procedures Committee.

69B-211.002 General Procedures.

(1) through (5) No change.

(6) An applicant for registration as a navigator pursuant to Section 626.9953, F.S. shall complete and submit Form DFS-H2-2126 (Eff. _____), which is hereby incorporated by reference herein.

~~(37)(36)~~(a) through (d) No change.

69B-211.0025 Additional Rule Specific to Navigators.

(1) No change.

(2) As additional information required pursuant to paragraph 626.9953(3)(g), F.S., the navigator applicant must

provide a copy of an official certificate from the U.S. Department of Health and Human Services, (HHS) demonstrating certification as a marketplace navigator or in-person assister. This is in addition to the requirement in paragraph 626.9953(3)(f), F.S. that the applicant has successfully completed all training for a navigator as required by the federal government or the exchange.

69B-211.042 Effect of Law Enforcement Records on Applications for Licensure.

- (1) through (10) No change.
- (11) Disclosure and Effect of a Pardon.
- (a) through (c) No change.
- (d) If a pardoned crime falls within either of the two exceptions contained in sub-subparagraphs (11)(c)1. or 2. above, the Department ~~shall~~ ~~may~~ apply the disqualifying periods set out in Section 626.207, and subsection 626.9954(3), F.S.
- (e) No change.
- (12) through (15) No change.

The remainder of the rule reads as previously published.

DEPARTMENT OF FINANCIAL SERVICES
Division of Insurance Agents and Agency Services

RULE NOS.:	RULE TITLES:
69B-231.040	Calculating Penalty
69B-231.115	Penalties for Violation of Section 626.9957, Florida Statutes

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. 40, No. 70, April 10, 2014 issue of the Florida Administrative Register. The changes to the proposed rules are being made in response to comments from the Joint Administrative Procedures Committee.

- 69B-231.040 Calculating Penalty.
- (1) through (2) No change.
- (3) Final Penalty.
- (a) No change.
- (b) The Department ~~shall~~ ~~may~~ convert the total penalty to an administrative fine and probation if the licensee has not previously been subjected to an administrative penalty and the current action does not involve a violation of Section 626.611, F.S.;
- (c) through (d) No change.

69B-231.115 Penalties for Violation of Section 626.9957, Florida Statutes.

If it is found that the navigator has violated any of the following subsections of Section 626.9957, F.S., the following stated penalty shall apply:

- (1) through (6) No change.
- (7) Paragraph 626.9957(4)(d) F.S. – revocation.
- (8) through (13) No change.

The remainder of the rule reads as previously published.

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF HEALTH
 Board of Medicine

RULE NO.: RULE TITLE:
 64B8-4.018 International Medical Graduates; Qualification Requirements (Repealed)

The Board of Medicine hereby gives notice: that on June 25, 2014, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Aamir Hassan, M.D., on April 25, 2014, seeking a waiver or variance from Rule 64B8-4.018, F.A.C., with regard to the requirement for core clerkships. The Notice was published in Vol. 40, No. 82, of the Florida Administrative Register, on April 28, 2014. The Board, at its meeting held on June 6, 2014, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met. A copy of the Order or additional information may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH
 Board of Medicine

RULE NO.: RULE TITLE:
 64B8-4.009 Applications

The Board of Medicine hereby gives notice: that on June 25, 2014, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Abdul Rahman Wattar, M.D., on April 16, 2014,

seeking a waiver or variance from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. The Notice was published in Vol. 40, No. 79, of the Florida Administrative Register, on April 23, 2014. The Board, at its meeting held on June 6, 2014, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting: the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

The Board of Medicine hereby gives notice:

that on June 25, 2014, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Ranjit S. Pandit, M.D., on April 17, 2014, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. The Notice was published in Vol. 40, No. 79, of the Florida Administrative Register, on April 23, 2014. The Board, at its meeting held on June 6, 2014, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

The Board of Medicine hereby gives notice:

that on June 25, 2014, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Ernest B. Leibov, M.D., on April 28, 2014, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. The Notice was published in Vol. 40, No. 90, of the Florida Administrative Register, on May 8, 2014. The Board, at its meeting held on June 6, 2014, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that

application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.004 Approved Residency or Fellowship; Definitions

The Board of Medicine hereby gives notice:

that on June 25, 2014, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Magdy Mohamed El-Sayed, M.D., on May 7, 2014, seeking a waiver or variance from subsection 64B8-4.004(2), F.A.C., with regard to the requirement for fellowship training. The Notice was published in Vol. 40, No. 95, of the Florida Administrative Register, on May 15, 2014. The Board, at its meeting held on June 6, 2014, voted to deny the Petition for Waiver finding that the Petitioner failed to demonstrate a substantial hardship; failed to demonstrate that application of the rule would violate the principles of fairness; and failed to demonstrate that the purpose of the underlying statute would have been met.

A copy of the Order or additional information may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

The Board of Medicine hereby gives notice:

that on June 25, 2014, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Janan Ghazala, M.D., on May 7, 2014, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. The Notice was published in Vol. 40, No. 90, of the Florida Administrative Register, on May 8, 2014. The Board, at its meeting held on June 6, 2014, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-15.005: Standards for Certified Nursing Assistant Training Programs

(This is a republication of the notice published on June 23, 2014, Vol. 40, No. 121, to correct the Board name listed in header above.)

NOTICE IS HEREBY GIVEN that on June 10, 2014, the Board of Nursing received a petition for variance of subsection 64B9-15.005(6), F. A. C., filed by Matrix Educational Center, to request a temporary extension of the probationary period.

Comments on this petition should be filed with the Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, at the above address or telephone (850)245-4125.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-15.005: Standards for Certified Nursing Assistant Training Programs

(This is a republication of the notice published on June 23, 2014, Vol. 40, No. 121, to correct the Board name listed in header above.)

NOTICE IS HEREBY GIVEN that on June 10, 2014, the Board of Nursing received a petition for variance of subsection 64B9-15.005(6), F. A. C., filed by Flagler County Schools, to request an extension of the probationary period.

Comments on this petition should be filed with the Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, at the above address or telephone (850)245-4125.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Bureau of Historic Preservation, Florida Folklife Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 15, 2014, 10:00 a.m. to conclusion

PLACE: R.A. Gray Building, 4th Floor, 500 South Bronough Street, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the business of the council review and rank the 2014-15 Apprenticeship Program nominations.

A copy of the agenda may be obtained by contacting: Amanda Hardeman @ 1(800)847-7278 or via email: Amanda.Hardeman@dos.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: Amanda Hardeman @ 1(800)847-7278 or via email: Amanda.Hardeman@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Amanda Hardeman @ 1(800)847-7278 or via email: Amanda.Hardeman@dos.myflorida.com.

DEPARTMENT OF STATE

Division of Historical Resources

The Friends of Mission San Luis announces a public meeting to which all persons are invited.

DATE AND TIME: Finance and Investment Committee Meeting, July 24 2014, 5:00 p.m.

PLACE: Mission San Luis, 2100 W Tennessee Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee Members will discuss financial reports, vendor contracts, budget and friends' business.

A copy of the agenda may be obtained by contacting: Diane.Ogorzaly@DOS.myflorida.com or (850)245-6388.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agriculture Center & Horse Park Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 16, 2014, 3:30 p.m.

PLACE: Florida Agriculture Center & Horse Park Authority, 11008 S. Highway 475, Ocala, FL 34480

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Building Committee to discuss general business.

A copy of the agenda may be obtained by contacting: EllenMarie Ettenger at (352)307-6699.

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: EllenMarie Ettenger at (352)307-6699. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District
The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 25, 2014, 1:30 p.m.

PLACE: Lake Wales Tourist Club, 205 5th St. N., Lake Wales, FL 33853

GENERAL SUBJECT MATTER TO BE CONSIDERED: Southern Water Use Caution Area (SWUCA) Ridge Lakes Stakeholder Workgroup Meeting. Discussion is focused on evaluating and recommendations for adjustments to the strategies in the SWUCA Recovery Strategy intended to meet the minimum lake levels along the Lake Wales Ridge. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211

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: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, x4703; TDD (FL only) 1(800)231-6103; or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: SWUCA.recovery@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, Melissa Dickens, x4422 (Ad Order EXE0331).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District
The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATES AND TIME: Tuesday-Friday, July 22-25, 2014: times provided in the agenda

PLACE: Marco Island Marriott Resort, 400 S. Collier Blvd, Marco Island FL 34145

GENERAL SUBJECT MATTER TO BE CONSIDERED: 28th Annual Environmental Permitting Summer School. SWFWMD Governing Board members may attend.

A copy of the agenda may be obtained by contacting: www.floridaenet.com or cara.martin@watermatters.org or 1(800)423-1476 (FL only) or (352)796-7211, x4636 (EXE0330).

Section VII

**Notice of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF HEALTH

Board of Medicine

Notice is hereby given that the Board of Medicine has received a Petition for Declaratory Statement filed by Mojgan Kaveh-Talley, M.D., on June 23, 2014. The Petitioner seeks the Board’s interpretation of the requirement for his Florida licensure renewal as it applies to his recent two months of observership training. The Board will consider this petition at its meeting currently scheduled for August 1, 2014. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice. Copies of the petition may be obtained by contacting: Allison M. Dudley, J.D., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, by email at Allison.Dudley@flhealth.gov, or by telephoning (850)245-4137.

**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**

NONE

**Section XII
Miscellaneous**

DEPARTMENT OF ENVIRONMENTAL PROTECTION
State Revolving Fund Program

NOTICE OF AVAILABILITY
FLORIDA CATEGORICAL EXCLUSION NOTICE
City of Opa-Locka

The Department of Environmental Protection has determined that the City of Opa-Locka’s proposed project involving construction of new and the rehabilitation of existing wastewater collection facilities is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$15,900,000. The project may

qualify for a State Revolving Fund loan composed of federal and state matching funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Thomas Montgomery, State Revolving Fund Program, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400, or calling (850)245-8368 or emailing to thomas.montgomery@dep.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
State Revolving Fund Program

NOTICE OF AVAILABILITY
FLORIDA CATEGORICAL EXCLUSION NOTICE

City of Opa-Locka

The Department of Environmental Protection has determined that the City of Opa-Locka’s proposed project involving construction of new stormwater collection and treatment facilities is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$18,600,000. The project may qualify for a State Revolving Fund loan composed of federal and state matching funds. DEP

will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Thomas Montgomery, State Revolving Fund Program, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400, or calling (850)245-8368 or emailing to thomas.montgomery@dep.state.fl.us.

DEPARTMENT OF FINANCIAL SERVICES
Division of Rehabilitation and Liquidation

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND
CLAIMANTS HAVING BUSINESS WITH SUNSHINE
STATE INSURANCE COMPANY

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL
CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA
CASE NO.: 2014-CA-1432

In Re: The Receivership of SUNSHINE STATE INSURANCE
COMPANY a Florida corporation authorized to transact an
insurance business in Florida.

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND
CLAIMANTS HAVING BUSINESS WITH SUNSHINE
STATE INSURANCE COMPANY

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 4th day of June, 2014, the Department of Financial

Services of the State of Florida was appointed as Receiver of SUNSHINE STATE INSURANCE COMPANY and was ordered to liquidate the assets of said company.

Policyholders, claimants, creditors, and other persons having claims against the assets of SUNSHINE STATE INSURANCE COMPANY shall present such claims to the Receiver on or before 11:59:59 p.m. on June 3, 2015, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to: The Florida Department of Financial Services, Division of Rehabilitation and Liquidation, Receiver of SUNSHINE STATE INSURANCE COMPANY, 2020 Capital Circle, SE, Alexander Building, Suite 310, Tallahassee, Florida 32301. Additional information may be found at: www.myfloridacfo.com/division/receiver.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

Final Order, DEO-14-045s

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-14-045s on July 2, 2014, in response to applications submitted by San Blas Estates Community – Barefoot Trace Property Owner’s Association for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department’s Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final orders may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC #110, Tallahassee, Florida 32399-4128 or James.Bellflower@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

Final Order, DEO-14-082

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-14-082 on July 1, 2014, in response to applications submitted by Bent Tree Homeowners Association, Inc. of Melbourne for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department’s Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final orders may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC #110, Tallahassee, Florida 32399-4128 or James.Bellflower@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

Final Order, DEO-14-083

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-14-083 on July 2, 2014, in response to applications submitted by Pine Ranch Owners Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department’s Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final orders may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC #110, Tallahassee, Florida 32399-4128 or James.Bellflower@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order, DEO-14-084

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-14-084 on July 2, 2014, in response to applications submitted by Cypress Village-Coronado Moors Association, Inc., Cypress Village sub-association for covenant revitalization under Chapter 720, Part III, Florida Statutes.

DEO determined that the application did not meet the statutory requirements for covenant revitalization because the application contained two provisions which are more restrictive than the original covenants, in violation of Section 720.404(3), Florida Statutes. Accordingly, DEO's Final Order denied the applications for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC #110, Tallahassee, Florida 32399-4128 or James.Bellflower@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order, DEO-14-085

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-14-085 on July 2, 2014, in response to applications submitted by Cypress Village-Coronado Moors Association, Inc., Cypress Village No. 2 sub-association for covenant revitalization under Chapter 720, Part III, Florida Statutes.

DEO determined that the application did not meet the statutory requirements for covenant revitalization because the application contained two provisions which are more restrictive than the original covenants, in violation of Section 720.404(3), Florida Statutes. Accordingly, DEO's Final Order denied the applications for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC #110, Tallahassee, Florida 32399-4128 or James.Bellflower@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order, DEO-14-086

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-14-086 on July 2, 2014, in response to applications submitted by Cypress Village-Coronado Moors Association, Inc., Cypress Village No. 3 sub-association for covenant revitalization under Chapter 720, Part III, Florida Statutes.

DEO determined that the application did not meet the statutory requirements for covenant revitalization because the application contained two provisions which are more restrictive than the original covenants, in violation of section 720.404(3), Florida Statutes. Accordingly, DEO's Final Order denied the applications for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC #110, Tallahassee, Florida 32399-4128 or James.Bellflower@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

Final Order, DEO-14-087

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-14-087 on July 2, 2014, in response to applications submitted by Cypress Village-Coronado Moors Association, Inc., Coronado Moors sub-association for covenant revitalization under Chapter 720, Part III, Florida Statutes.

DEO determined that the application did not meet the statutory requirements for covenant revitalization because the application contained two provisions which are more restrictive than the original covenants, in violation of section 720.404(3), Florida Statutes. Accordingly, DEO's Final Order denied the applications for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC #110, Tallahassee, Florida 32399-4128 or James.Bellflower@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

Final Order, DEO-14-088

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-14-088 on July 2, 2014, in response to applications submitted by Mil-Lakes Estates III Homeowner's Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final orders may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC #110, Tallahassee, Florida 32399-4128 or James.Bellflower@DEO.MyFlorida.com.

Section XIII
Index to Rules Filed During Preceding
Week

INDEX TO RULES FILED BETWEEN JUNE 30, 2014
AND JULY 3, 2014

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

5B-57.007	7/1/2014	7/21/2014	40/95	
5B-57.011	7/1/2014	7/21/2014	40/95	

DEPARTMENT OF EDUCATION

State Board of Education

6A-1.09401	7/2/2014	7/22/2014	40/107	
6A-6.0252	7/2/2014	7/22/2014	40/98	

DEPARTMENT OF THE LOTTERY

53ER14-37	6/25/2014	7/2/2014	40/128	
53ER14-38	6/25/2014	7/2/2014	40/128	
53ER14-40	6/25/2014	7/2/2014	40/128	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

61D-11.001	7/1/2014	7/21/2014	39/242	40/51; 40/111
61D-11.002	7/1/2014	7/21/2014	39/242	40/51; 40/111
61D-11.003	7/1/2014	7/21/2014	39/242	40/51; 40/111
61D-11.004	7/1/2014	7/21/2014	39/242	40/51; 40/111
61D-11.005	7/1/2014	7/21/2014	39/242	40/51; 40/111
61D-11.006	7/1/2014	7/21/2014	39/242	40/51; 40/111

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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61D-11.007	7/1/2014	7/21/2014	39/242	40/51; 40/111
61D-11.008	7/1/2014	7/21/2014	39/242	40/51; 40/111
61D-11.009	7/1/2014	7/21/2014	39/242	40/51; 40/111
61D-11.012	7/1/2014	7/21/2014	39/242	40/51; 40/111
61D-11.013	7/1/2014	7/21/2014	39/242	40/51; 40/111
61D-11.014	7/1/2014	7/21/2014	39/242	40/51; 40/111
61D-11.0149	7/1/2014	7/21/2014	39/242	40/51; 40/111
61D-11.015	7/1/2014	7/21/2014	39/242	40/51; 40/111
61D-11.016	7/1/2014	7/21/2014	39/242	40/51; 40/111
61D-11.0175	7/1/2014	7/21/2014	39/242	40/51; 40/111
61D-11.019	7/1/2014	7/21/2014	40/65	
61D-11.020	7/1/2014	7/21/2014	39/242	40/51; 40/111
61D-11.021	7/1/2014	7/21/2014	39/242	40/51; 40/111
61D-11.022	7/1/2014	7/21/2014	40/65	
61D-11.025	7/1/2014	7/21/2014	39/242	40/51; 40/111
61D-11.0251	7/1/2014	7/21/2014	39/242	40/51; 40/111
61D-11.0275	7/1/2014	7/21/2014	39/242	40/51; 40/111
61D-11.0279	7/1/2014	7/21/2014	39/242	40/51; 40/111
61D-11.031	7/1/2014	7/21/2014	39/242	40/51; 40/111

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

64B3-3.001	6/30/2014	7/20/2014	40/16	40/106
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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Board of Medicine

64B8-3.003	7/2/2014	7/22/2014	40/106	
64B8-9.009	7/2/2014	7/22/2014	40/105	
64B8-9.0141	7/2/2014	7/22/2014	40/106	

Board of Osteopathic Medicine

64B15-10.002	7/2/2014	7/22/2014	10/118	
64B15-12.003	7/2/2014	7/22/2014	40/104	
64B15-14.0081	7/2/2014	7/22/2014	40/106	

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

65G-2.002	7/3/2014	7/23/2014	40/02	40/108
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FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Resources

68E-1.004	6/30/2014	7/20/2014	40/64	
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LIST OF RULES AWAITING LEGISLATIVE APPROVAL PURSUANT TO SECTION 120.541(3), FLORIDA STATUTES

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

58A-5.0191	3/28/14	*****	39/231	40/43
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DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

69L-7.020	10/24/2011	*****	37/24	37/36
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LIST OF RULES RATIFIED IN THE 2014 LEGISLATIVE SESSION

DEPARTMENT OF JUVENILE JUSTICE

Probation

63M-2.0052	2/24/2014	6/20/2014	39/231	40/18
63M-2.006	2/24/2014	6/20/2014	39/231	40/18

Mental Health/Substance Abuse/Developmental Disability Services

63N-1.0076	2/24/2014	6/20/2014	39/231	
63N-1.0084	2/24/2014	6/20/2014	39/231	
63N-1.0085	2/24/2014	6/20/2014	39/231	