

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Florida Forest Service

RULE NOS.: RULE TITLES:

5I-8.001 Approved Florida Forestry Wildlife Best Management Practices

5I-8.002 Presumption of Compliance

5I-8.003 Notice of Intent to Implement

5I-8.004 Record Keeping

PURPOSE AND EFFECT: The purpose of this proposed rule is to provide a presumption of compliance from incidental take of state imperiled species through the implementation of voluntary Florida Forestry Wildlife Best Management Practices (WBMPs). The effect of the proposed rule is to establish a procedure for applicants submitting a “Notice of Intent to Implement” Florida Forestry WBMPs. When the Notice of Intent to Implement Florida Forestry WBMPs is filed with the Florida Department of Agriculture and Consumer Services, Florida Forest Service (FFS) and the Florida fish and wildlife Conservation Commission (FFWCC), and Florida Forestry WBMPs are implemented, the landowner has a presumption of compliance from incidental take of state imperiled species. This proposed rule also provides that when the Florida Forestry WBMPs are not physically observable in the field, participants must preserve sufficient documentation to confirm implementation of the Florida Forestry WBMPs identified in the Notice of Intent to Implement. All field activities and documentation related to Florida Forestry WBMPs implementation are subject to the Florida Forest Service and Florida Fish and Wildlife Conservation Commission inspection.

SUBJECT AREA TO BE ADDRESSED: The subject area for this proposed rule development is the adoption of Florida Forestry Wildlife Best Management Practices for State Imperiled Species.

RULEMAKING AUTHORITY: 570.07(23), 570.087(2) FS.

LAW IMPLEMENTED: 570.087(2) FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jeffery L. Vowell, Florida Forest Service, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, Telephone: (850)681-5943, FAX: (850)681-5801

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

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-601.820 Maximum Management

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to allow an inmate in maximum management to have recreation privileges up to two two-hour sessions per week if the Institutional Classification Team approves of the privilege after the inmate has spent nine consecutive months in maximum management.

SUBJECT AREA TO BE ADDRESSED: Maximum Management

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 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: LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.820 Maximum Management.

(1) through (6) No change.

(7) Periodic Modification of Conditions.

(a) If after the following time frames the Regional Director determines an inmate has displayed satisfactory adjustment to maximum management, taking into account the severity of any guilty findings on disciplinary reports created since the inmate’s initial placement on maximum management status, and therefore determines that reinstatement of privileges is appropriate, privileges shall be reinstated as follows:

1. No change.

2. After nine consecutive months on maximum management and with the approval of the ICT, the following privileges shall be reinstated:

a. Recreation privileges up to two two-hour sessions per week; and

b. No change.

3. No change.

(b) throug (c) No change.

(8) throug (10) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 12-7-00, Amended 11-23-03, 4-1-04, 4-13-06, 10-30-06, 4-27-08, 5-18-09, 3-6-14,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:

61J2-10.038 Mailing Address

PURPOSE AND EFFECT: The amendment is proposed to determine whether “e-mail address” and “place of practice” should be defined by rule and whether a change of these items should require the licensee to give notice to the Commission.

SUBJECT AREA TO BE ADDRESSED: Additional addresses.

RULEMAKING AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 455.275 FS.

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

DATE AND TIME: May 20, 2014, 1:30 p.m.

PLACE: Division of Real Estate, 400 West Robinson Street, N801, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, N801, Orlando, Florida 32801, (850)487-1395

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

**Section II
Proposed Rules**

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: RULE TITLE:

64B11-2.003 Fees; Application

PURPOSE AND EFFECT: The Board proposed the rule amendment to update and streamline the application form.

SUMMARY: Changes to the application remove the question asking for birth place, notify applicants that email addresses are optional, and inform applicants of procedures to follow if they fail the exam 3 times within 12 months.

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. Changes to the application either will have no effect on small business or will benefit small business by reducing the number of the questions on the application and by providing additional information to the applicants. The streamlining of the application, along with the additional instructions on the application itself, will reduce government regulatory costs by reducing staff 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, 468.221, 468.204 FS.

LAW IMPLEMENTED: 456.013, 468.209, 468.221 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-2.003 Fees; Application.

Each applicant for licensure shall pay an application fee in the amount of \$100.00 in the form of a check or money order payable to the Department of Health. This application fee is nonrefundable and may not be used for more than one year from the original submission of the application. After one year from the date of the original submission of an application, a new application and new fee shall be required from any applicant who desires to be considered for licensure. The fee for any reapplication shall be the sum of \$100.00 payable in the same manner as above. The application shall be made on Form Occupational Therapy Application, DH-MQA 1152 (revised 02/14 07-12), hereby adopted and incorporated by reference, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-02029> or <http://www.floridasoccupationaltherapy.gov/applications/app-ot-ota.pdf> ~~http://www.doh.state.fl.us/mqa/occupational/~~ or you may choose to apply through the on-line application located at <https://ww2.doh.state.fl.us/DOHInitialApp/CreateAccount.aspx?Board=8056&Procde=5601> ~~https://www2.doh.state.fl.us/DOHInitialApp/login.aspx~~.

Rulemaking Authority 456.013, 468.221, 468.204 FS. Law Implemented 456.013, 468.209, 468.221 FS. History—New 4-28-76, Amended 9-9-85, Formerly 21M-13.07, Amended 6-29-89, Formerly 21M-13.007, 61F6-13.007, 59R-61.007, Amended 1-12-09, 5-19-10, 12-19-12,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Occupational Therapy
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Occupational Therapy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 24, 2014
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 16, 2014

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: RULE TITLE:

64B11-3.001 Fees; Application

PURPOSE AND EFFECT: The Board proposed the rule amendment to update and streamline the application form.

SUMMARY: Changes to the application remove the question asking for birth place, notify applicants that email addresses are optional, and inform applicants of procedures to follow if they fail the exam 3 times within 12 months.

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. Changes to the application either will have no effect on small business or will benefit small business by reducing the number of the questions on the application and by providing additional information to the applicants. The streamlining of the application, along with the additional instructions on the application itself, will reduce government regulatory costs by reducing staff 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, 468.221, 468.204 FS.

LAW IMPLEMENTED: 456.013, 468.209, 468.221 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-3.001 Fees; Application.

Each applicant for licensure shall pay an application fee in the amount of \$100.00 in the form of a check or money order payable to the Department of Health. The application fee is nonrefundable and may not be used for more than one year from the original submission of the application. After one year from the date of the original submission of an application, a new application and new fee shall be required from any applicant who desires to be considered for licensure. The fee for any reapplication shall be the sum of \$100.00 payable in the same manner as above. The application shall be made on Form Occupational Therapy Application, DH-MQA 1152 (revised 02/14 07-12), hereby adopted and incorporated by reference, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-02029> or <http://www.floridasoccupationaltherapy.gov/applications/app-ot-ota.pdf> ~~<http://www.doh.state.fl.us/mqa/occupational/>~~ or you may choose to apply through the on-line application located at <https://ww2.doh.state.fl.us/DOHInitialApp/CreateAccount.aspx?Board=8056&Procde=5601> ~~<https://ww2.doh.state.fl.us/DOHInitialApp/Login.aspx>~~.

Rulemaking Authority 456.013, 468.221, 468.204 FS. Law Implemented 456.013, 468.209, 468.221 FS. History—New 4-28-76, Amended 9-9-85, Formerly 21M-14.06, Amended 6-29-89, Formerly 21M-14.006, 61F6-14.006, 59R-62.006, Amended 1-12-09, 5-19-10, 12-19-12,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Occupational Therapy
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Occupational Therapy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 24, 2014
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 16, 2014

DEPARTMENT OF FINANCIAL SERVICES

Division of Accounting and Auditing

RULE NO.: 69I-21.003
 RULE TITLE: Procedure for Processing Delinquent Accounts Receivable

PURPOSE AND EFFECT: Section 17.20, F.S., authorizes the Chief Financial Officer (CFO) to assign the collection of any claim due to the state to a registered collection agent if it is determined to be cost effective. Section 17.20, F.S., requires each agency to exercise due diligence in securing the full payment of all accounts receivable and other claims due to the state. Each agency is required to report delinquent accounts receivable as directed by the CFO to the appropriate collection agent for further action after the agency exhausts the lawful measures available to it and no later than 120 days after the date on which the account or claim was due and payable. The proposed amendments will update the rule to incorporate these changes.

SUMMARY: Rule 69I-21.003, F.A.C., is amended to provide that each agency exercise due diligence in securing the full payment of all accounts and claims due to the state. Agencies shall establish, document and maintain policies and procedures which fully explain the process of exercising due diligence. Agencies assigning accounts to a debt collection agent contracted by the CFO must complete and submit a Debt Collection Referral Form (Form DFS-A1-1829) to the debt collection agent. Agencies must regularly monitor collection activities on accounts assigned to a debt collection agent and verify the accuracy of amounts collected and the related collection fee.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department conducted an economic analysis of the potential impact of the proposed rule amendment and determined that there will be no adverse economic impact or regulatory increases that would require legislative ratification. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 17.29 FS.

LAW IMPLEMENTED: 17.03, 17.04, 17.20 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: May 28, 2014, 2:00 p.m.

PLACE: Room B105, Fletcher Building, 101 E. Gaines Street, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tanner Collins at (850)413-5534 or Tanner.Collins@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tanner Collins, Financial Administrator, Bureau of Financial Reporting, 200 E. Gaines Street, Tallahassee, FL 32399-0364 or (850)413-5534 or Tanner.Collins@myfloridacfo.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69I-21.003 Procedure for Collection of Processing Delinquent Accounts Receivable.

(1) Section 17.20, F.S., requires each agency to exercise due diligence in securing full payment of all accounts and claims due to the state. When determining the level of due diligence to exercise, consideration shall be given to the agency's independent statutory authority to collect delinquent accounts; the type, age and amount of delinquent accounts; and whether or not the actions taken by the agency are reasonable and cost effective. Agencies shall establish, document and maintain policies and procedures which fully explain the process of exercising due diligence. Each agency shall be responsible for exercising due diligence in securing full payment of all accounts receivable and other claims due the State.

(2) No later than 120 days after the original due date of an account due to the state, and after exhausting other lawful measures available to the agency, each agency shall assign the account to a debt collection agent contracted by the Chief Financial Officer, unless the agency has statutory authority to collect delinquent accounts independently. Within six months after the date on which an account or other claim was due and payable, unless another period is approved pursuant to subsection (4), and after exhausting other lawful measures available to an agency, the delinquent account receivable must

be reported to the Department for further action as authorized by Chapter 17, F.S., which includes possible assignment to a collection agency. A Delinquent Accounts Receivable Transmittal Form (DFS AA 580) must be completed by the agency in as much detail as is available for each delinquent account reported. Other methods for transmitting the information required on Form DFS AA 580 may be used if approved in advance by the Department. This prior approval is necessary in order for the Department to properly perform its duties pursuant to Section 17.04, F.S.. Delinquent Accounts Receivable Transmittal Form DFS AA 580, revised 11-20-94, is incorporated herein by reference and is available from:

Department of Financial Services
 Division of Accounting and Auditing
 Bureau of Accounting
 200 East Gaines Street
 Tallahassee, Florida 32399-0354

Agencies will be notified, in writing, of the delinquent accounts assigned to a collection agency. Payment(s) received by an agency on accounts assigned to a collection agency must be reported, in writing, to the Bureau of Accounting within 30 days of receipt.

(3) Agencies assigning accounts to a debt collection agent contracted by the Chief Financial Officer must complete and submit to the debt collection agent a Debt Collection Referral Form (Form DFS-A1-1829, effective 01/14) unless another method of transmitting the account information is approved in advance by the Chief Financial Officer. The Debt Collection Referral Form is hereby incorporated by reference and is available at: <http://www.myfloridacfo.com/Division/AA/Forms/default.htm>. An agency which has delinquent accounts receivable which it considers to be of such a nature that their assignment to a collection agency would be inappropriate may request, in writing, an exemption for those accounts. The request shall fully explain the nature of the delinquent accounts receivable and the reasons which the agency believes would preclude them from being assigned to a collection agency. The Department will disapprove the request in writing unless it is shown that a demonstrative harm to the State of Florida will occur as a result of assignment of the account to a collection agency.

(4) Agencies must regularly monitor collection activities on accounts assigned to a debt collection agent and verify the accuracy of amounts collected and the related collection fees. Agencies which have delinquent accounts receivable which are of such a nature that it would not be appropriate to transfer their collection to the Department within six months from the date they are due and payable as provided in subsection (2), may request in writing a different period of time. The request should fully explain the nature of the delinquent account receivable and include a recommendation as to an appropriate period. The

Department will disapprove such requests in writing unless it is shown that a demonstrative harm to the State of Florida will occur as a result of the failure to approve the extension.

(5) ~~The Department will review information submitted on delinquent accounts receivable, take whatever action is deemed necessary under the circumstances to collect the accounts, notify the agency of the results of the collection efforts, and recommend to the Chief Financial Officer action to be taken on uncollected accounts.~~

~~(5)(6) No change.~~

~~(7) To facilitate the transfer of moneys collected, each agency shall designate one FLAIR revenue account code to which all collected moneys will be transferred by journal transfer and notify the Department of the account code so designated. Agencies will be provided a detailed listing of amounts collected and collection fees charged, for each account. The Department will also provide instructions in accordance with General Accepted Accounting Principles on the appropriate method of recording the difference between any moneys collected and the amount of the delinquent account; i.e., treat the difference as cost of collection or provide approval for adjusting the balance of the account pursuant to Section 17.04, F.S.~~

Rulemaking Specific Authority 17.29 FS. Law Implemented 17.03, 17.04, 17.20 FS. History—New 1-8-86, Formerly 3A-21.03, Amended 4-12-89, 6-3-90, 11-20-94, 5-12-97, Formerly 3A-21.003, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Tanner Collins, Financial Administrator
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 23, 2014
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 21, 2014

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF CITRUS

RULE NO.: 20-64.021 RULE TITLE: Water Extracted Soluble Fruit Solids
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 40, No. 68, April 8, 2014 issue of the Florida Administrative Register.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 25, 2014 ~~2013~~

Section IV Emergency Rules

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:

64B15ER14-2 Standards for Telemedicine Practice

SPECIFIC REASON FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE:

The Board of Osteopathic Medicine (hereinafter “the Board”) has statutory authority to set standards of practice in various medical practice settings. Pursuant to this aforementioned authority, the Board recently promulgated rules setting forth standards for telemedicine practice. Rule 64B15-14.0081, F.A.C., went into effect on March 12, 2014. The Board of Medicine has an identical rule, Rule 64B8-9.0141, F.A.C., which also went into effect March 12, 2014. Shortly thereafter, the Board of Medicine began to receive reports from physicians and hospital representatives that expressed concerns that the standards for telemedicine practice rule precluded physicians from ordering controlled substances through the use of telemedicine for their hospitalized patients. In fact, interested persons reported that in some instances hospital pharmacists have expressed their reluctance to dispense controlled substances ordered via telemedicine because they believe it is precluded by the telemedicine rule. Allopathic and osteopathic physicians have the same responsibilities and work in the same patient settings. Thus, the critical and immediate concerns raised by physicians and hospital representatives to the Board of Medicine are equally applicable to osteopathic physicians working in the same capacity and patient settings.

Subsection 64B15-14.0081(4), F.A.C., currently precludes the prescribing of controlled substances through the use of telemedicine. While the rule does not preclude the ordering of controlled substances to hospitalized patients, the current prescribing prohibition has created doubt amongst licensees and pharmacist because of the ambiguity of the definition of term “prescribing” as set forth in Sections 465.003(14) and 893.02(22), Florida Statutes.

Through its promulgation of Rule 64B15-14.0081, F.A.C., the Board has inadvertently created doubt as to whether it is legal to order controlled substances for hospitalized patients through the use of telemedicine. Therefore, the Board believes that this current situation presents an immediate danger to the public health, safety and welfare because it may prevent critically ill hospital patients from obtaining necessary controlled substances on a timely basis. This scenario presents a particular problem for those hospitals that staff intensive care units (ICUs) after hours through the use of telemedicine technology.

The Board believes that the filing of a narrowly tailored emergency rule amending Rule 64B15-14.0081, F.A.C., to clarify that the ordering of controlled substances for hospitalized patients through the use of telemedicine is not precluded by subsection 64B15-14.0081(4), F.A.C., is justified. It will prevent unnecessary patient harm in an expeditious manner and will not harm licensees or any health care practitioners in any way.

REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES:

The procedures employed for adopting this emergency rule are fair under the circumstances. The emergency rule amendment in question does not prescribe the behavior or actions of any regulated entity or licensee but rather clarifies that physicians can indeed order controlled substances for hospitalized patients through the use of telemedicine. In addition, upon filing of the emergency rule the Agency for Health Care Administration (AHCA) will notify all Florida licensed hospitals of the new rule and the Department of Health will publish notices of the emergency rule on the Board of Osteopathic Medicine's and the Board of Pharmacy's official websites.

The Board acknowledges that in promulgating this emergency rule it has acted with limited prior notice. However, the Board believes that exigent circumstances and the rule's limited scope and design mitigates any perceived notice shortcomings.

SUMMARY OF THE RULE: The emergency rule clarifies the existing rule by stating that the ordering of controlled substances for hospitalized patients through the use of telemedicine is not precluded by Rule 64B15-14.0081(4), F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Christy Robinson, Acting Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 43499-3056

THE FULL TEXT OF THE EMERGENCY RULE IS:

64B15ER14-2 (64B15-14.0081) Standards for
Telemedicine Practice.

(1) through (3) No change.

(4) Controlled substances shall not be prescribed through the use of telemedicine. This provision does not preclude physicians from ordering controlled substances through the use of telemedicine for patients hospitalized in a facility licensed pursuant to Chapter 395, F.S.

(5) through (7) No change.

Rulemaking Authority 459.015(1)(z) FS. Law Implemented 459.015(1)(z) FS. History—New 3-12-14, Amended 5-5-14.

THIS RULE SHALL TAKE EFFECT IMMEDIATELY UPON FILING WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: May 5, 2014

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-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on May 2, 2014, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurant, received a petition for Paragraph 4-301.12(A), 2009 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, from Auntie Anne’s located in Saint Cloud. The above referenced F.A.C. addresses the requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. They are requesting to share the three-compartment sink located within an adjacent business under the same ownership. The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF HEALTH

Board of Psychology

The Department of Health, Board of Psychology hereby gives notice that the petition filed by Kathleen C. Gibney on February 18, 2014, seeking a variance or waiver from Section 490.005(1)(b), Florida Statutes, has been withdrawn. The Notice of Petition was published in Vol. 40, No. 44, of the March 5, 2014, issue of the Florida Administrative Register.

A copy of the Order or additional information may be obtained by contacting: Allen Hall, Executive Director, Department of Health, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-0797, (850)245-4373, Allen_Hall@doh.state.fl.us.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-6.009 Alternative Systems

The Department of Health hereby gives notice: on May 1, 2014, the Department of Health issued an order in response to a petition for a temporary waiver filed on February 7, 2014, by Francis McMahon, representing Kellygreen Innovations, Inc. Petitioner sought a waiver of subparagraph 64E-6.009(5)(a)23., Florida Administrative Code, which requires all components of a drip irrigation-type drainfield system to be approved by the Bureau of Environmental Health. Notice of the petition was published in the February 24, 2014, edition of the Florida Administrative Register.

The Department found that the Petitioner failed to demonstrate that the underlying intent of the statute could be achieved by alternative means or that that strict application of the rules would violate principles of fairness or create a substantial hardship in the Petitioner’s particular circumstance. Therefore, pursuant to the requirements of Section 120.542(2), Florida Statutes, the Department denied Petitioner’s request for a temporary waiver.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703.

Section VI Notice of Meetings, Workshops and Public Hearings

**DEPARTMENT OF AGRICULTURE AND CONSUMER
SERVICES**

Division of Agricultural Environmental Services

RULE NO.: RULE TITLE:

5E-1.003 Labels or Tags

The Division of Agricultural Environmental Services announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, May 29, 2014, 9:30 a.m.

PLACE: Department of Agriculture and Consumer Services, Doyle Conner Building, Training Center, 3125 Conner Boulevard, Tallahassee, Florida 32399, (850)617-7907

Those wishing to attend remotely via WebEx may contact Mr. Weldon Collier, Program Planning Coordinator at (850)617-7907 or email: Weldon.Collier@FreshFromFlorida.com for details.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Review of labeling requirements for urban turf fertilizers to ensure conformity with recently published turf research.

A copy of the agenda may be obtained by contacting: Mr. Weldon Collier, Program Planning Coordinator, Division of Agricultural Environmental Services, 3125 Conner Boulevard, Tallahassee, Florida 32399, (850)617-7907 or online at <http://flaes.org/upcomingmeetingsandworkshops.html>.

For more information, you may contact: Mr. Weldon Collier, Program Planning Coordinator, (850)617-7907.

DEPARTMENT OF EDUCATION

Division of Florida Colleges

The Florida State College at Jacksonville District Board of Trustees announces the following meetings for Tuesday, May 13, 2014, which are open to the public. All meetings of the Board will be held at the College's Administrative Offices, 501 West State Street, Jacksonville, FL 32202.

BOARD WORKSHOP:

DATE AND TIME: Tuesday, May 13, 2014, 12:00 Noon – 1:00 p.m.

PLACE: Room 403A, 501 West State Street, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Budget Workshop.

REGULAR MONTHLY BOARD MEETING:

DATE AND TIME: Tuesday, May 13, 2014, 1:00 p.m. – 2:00 p.m.

PLACE: Board Room 405, 501 West State Street, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting.

Copies of the agenda for the regular monthly Board meeting will be available for inspection beginning Tuesday, May 6, 2014, and copies will be provided upon written request and the payment of approved duplicating charges. Any person requesting to address agenda items at the Board of Trustees meeting will be provided an opportunity to do so by appearing before the Board at the meeting. Any person requesting to appeal a decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such an appeal and may, therefore, need to ensure that a verbatim record is made.

If special accommodations are required, please advise Human Resources twenty-four (24) hours in advance of the meetings by contacting Associate Vice President of Human Resources Dan Richardson at (904)632-3381 or Dan.Richardson@fscj.edu.

Florida State College at Jacksonville, hereby reaffirms the principle of equal opportunity for all persons regardless of race, disability, color, ethnicity, national origin, religion, gender, age, marital status or genetic information. Equal opportunity principle applies with regard to employment, delivery of

educational programs and services, and all other appropriate areas in which the College is involved.

Florida State College At Jacksonville, Dr. Cynthia A. Bioteau, College President

REGIONAL PLANNING COUNCILS

Central Florida Regional Planning Council

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

DATE AND TIME: May 22, 2014, 9:30 a.m.

PLACE: DeSoto City Fire Department, 6800 West George Blvd., Sebring, FL 33875

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Regular quarterly meeting of the Local Emergency Planning Committee (LEPC) and/or its subcommittees, to discuss the provision of the Emergency Planning Community Right-to-Know Program. Also, items pertaining to the State Emergency Response Commission (SERC) may be discussed.

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

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a workshop to which all persons are invited.

DATES AND TIME: May 19-23, 2014, 9:00 a.m. – 6:00 p.m.

PLACE: Treasure Coast Regional Planning Council, 421 SW Camden Avenue, Stuart, Florida 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This project involves the development of a plan and strategies to leverage economic benefits related to the waterways in Martin and St. Lucie Counties, including the Intracoastal Waterway, St. Lucie River (north and south forks), and St. Lucie Canal. The plan will evaluate land development opportunities, water-based transportation, and measures to improve efficiency, access to the waterways, recreational opportunities, and marine-related benefits.

The Treasure Coast Regional Planning Council will host a week-long public charrette (May 19-23, 2014) with a multidisciplinary team assembled to synthesize the public's input with the research and evaluations received from workshops held May 7-9, 2014. There will be an opportunity for the public to review preliminary findings and observations regarding the project and provide additional public input as appropriate.

A copy of the agenda may be obtained by contacting: Kim DeLaney at (772)221-4060 or kdelaney@tcrpc.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: Kim DeLaney at (772)221-4060 or kdelaney@tcrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Kim DeLaney at (772)221-4060 or kdelaney@tcrpc.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 30, 2014, 9:00 a.m. (only)

PLACE: Marjorie Stoneman Douglas Building, Conference Room A&B, 3900 Commonwealth Boulevard, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Hearing of the Acquisition and Restoration Council, established pursuant to Section 259.035, F.S., is scheduled to consider the FY 2014-2015 Florida Forever Work Plan.

A copy of the agenda may be obtained by contacting: Hank Vinson, Office of Conservation Services at (850)245-2784 or on the web at www.dep.state.fl.us/lands/arc_calendar.htm.

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: Hank Vinson, Office of Conservation Services at (850)245-2784 or hank.vinson@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: Hank Vinson, Office of Conservation Services at (850)245-2784 or hank.vinson@dep.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-304.800 Caloosahatchee River Basin TMDLs

The Department of Environmental Protection announces a workshop to which all persons are invited.

DATE AND TIME: May 20, 2014, 10:00 a.m.

PLACE: Dallas B. Townsend Agricultural Center, 1085 Pratt Boulevard, Labelle, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting of interested stakeholders to discuss the Caloosahatchee Tributaries Nutrient Total Maximum Daily Load (TMDL) and related modeling. The primary purpose of this meeting is to provide an update on the status of TMDL development and is a follow up to the public workshop held on August 29, 2013. Upon paragraph 62-302.531(2)(a), F.A.C., becoming effective, any of these nutrient TMDLs, if adopted, are intended to constitute site specific numeric interpretations of the narrative nutrient criterion set forth in paragraph 62-302.530(47)(b), F.A.C. that will supersede the otherwise applicable numeric nutrient criteria in paragraph 62-302.531(2)(c) for the particular surface water segments.

A copy of the agenda may be obtained by contacting: Ms. Linda Quinn-Godwin, Watershed Evaluation and TMDL Section, MS 3555, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8449. 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: Ms. Linda Quinn-Godwin, (850)245-8449. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

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

DATE AND TIME: Wednesday, May 14, 2014, 3:00 p.m. All future meeting dates and times related to this solicitation will be posted on the Vendor Bid System (VBS) prior to the meetings.

PLACE: FDOH Purchasing Office, 4052 Bald Cypress Way Room 310L, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Opening of Technical Proposals by the Procurement Officer for DOH13-002: Florida-WiSE Data System Operations & Maintenance.

Any person requiring a special accommodation because of a disability at this public meeting should contact the FDOH Purchasing Office at (850)245-4199 at least 24 hours prior to the meeting.

If a person decides to appeal any decision made by the Department with respect to any matter considered at the meeting, he or she will need a recording of the proceedings, and for such purpose he or she may need to ensure that a verbatim record of the proceedings is made which includes testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by contacting: CPORequests@flhealth.gov.
For more information, you may contact: CPORequests@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Environmental Health

The Department of Health, Bureau of Environmental Health announces a public meeting to which all persons are invited.

DATE AND TIME: May 14, 2014, 9:30 a.m., ET until completed

PLACE: Via conference call: toll-free call-in phone number: 1(888)670-3525, participant passcode: 2535563929, then press #; street address: Florida Department of Health Southwood Complex, 4025 Esplanade Way, Room #130 L, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Public Pool and Bathing Place Advisory Board. The purpose of this meeting is to review and make recommendations to the Department of Health on variances requested by the public for public swimming pools. The Board members will attend the meeting via the audio conference call, and will not be at the Tallahassee site.

Late applications for variance will be accepted at the Tallahassee address listed below until May 12, 2014.

A copy of the agenda may be obtained by contacting: Mr. Robert Pryor, Department of Health, Bureau of Environmental Health, 4052 Bald Cypress Way, Bin A08, Tallahassee, FL 32399-1710, by phone: (850)245-4444, ext. 2369 or by email: Bob.Pryor@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Mr. Robert Pryor at the addresses or phone above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Robert Pryor at the addresses or phone above.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida Fish and Wildlife Conservation Commission announces a facilitated stakeholder meeting to discuss and examine manatee issues.

DATE AND TIME: May 16, 2014, 9:00 a.m.

PLACE: Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Conference Room 272, Tallahassee, FL 32399. Participation by teleconference also will be available at the following location, and remotely via the Internet and telephone (see contact information below for who to contact for details). Additional remote location: Florida Fish and Wildlife

Research Institute, 100 8th Ave, S.E., 3rd Floor Conference Room, St. Petersburg, FL 33701.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is exchange of information and fact finding, to solicit input from stakeholders to the agency and its federal partners in evaluating current issues concerning the manatee. The public can attend the meeting; however, space is limited. This meeting will be structured and facilitated. Limited public comments will be taken.

A copy of the agenda may be obtained by contacting: Ms. Carol Knox at (850)922-4330 or Carol.Knox@MyFWC.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the FWC at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Carol Knox, Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section 6A, 620 South Meridian Street, Tallahassee, Florida 32399, telephone: (850)922-4330.

NORTHWOOD SHARED RESOURCE CENTER

The Northwood Shared Resource Center (NSRC) Board of Trustees announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 15, 2014, 1:30 p.m.

PLACE: Department of Business and Professional Regulation Professions Board Room, 1940 North Monroe Street, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of Minutes, Finance Committee Report, Operational Committee Report, NSRC Board Action Items, NSRC Updates/Informational Items, Project Status Report, Outage Report, Workload Indicator Report, Projected Billing to Year End 2014 By Agency, Current Status of FY 2014-2015, Executive Director Updates, Old Business, Executive Director Evaluation, New Business, and Adjournment.

A copy of the agenda may be obtained by contacting: Robin Tucker at (850)717-0072 or by email: robin.tucker@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: Robin Tucker at (850)717-0072 or by emailing Robin Tucker at robin.tucker@nsrc.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.

ATKINS – TALLAHASSEE

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

DATE AND TIME: May 20, 2014, 5:30 p.m. – 6:30 p.m., CDT

PLACE: Perdido Bay Community Center, 13660 Innerarity Point Road, Pensacola, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is being held to provide an update on the current status of the PD&E Study, as well as to receive input on the recently completed Draft Corridor Report. This report compared the environmental impacts from potential improvements made to S.R. 292 (Perdido Key Drive) with possible improvements made to alternative corridors. The Draft Corridor Report recommends that the existing S.R. 292 (Perdido Key Drive) corridor be the only corridor considered for further study in the PD&E phase.

The Draft Corridor Report will be available for public review at the Perdido Key Visitor Center, 15500 Perdido Key Drive, Perdido Key, and at the Southwest Branch of the West Florida Public Library, 12248 Gulf Beach Highway, Pensacola, from April 28, 2014 to May 30, 2014. Comments are welcome and appreciated from the public.

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

A copy of the agenda may be obtained by contacting: Peggy Kelley, FDOT Project Manager, toll free: 1(888)638-0250, via email: peggy.kelley@dot.state.fl.us or in writing to FDOT at 1074 Highway 90, Chipley, Florida 32428.

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: Peggy Kelley, FDOT Project Manager (contact information provided above). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Peggy Kelley, FDOT Project Manager (contact information provided above).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: **RULE TITLE:**

61G20-1.001 Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from Florida Building Services. The petition seeks the agency’s opinion as to the applicability of Section 110.3.7.1, Florida Building Code, Building (2010) as it applies to the petitioner. Petitioner seeks clarification of whether five different projects of threshold repair work meet the criteria of the above-referenced section.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk’s Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203, (850)921-0342, AGC.Filing@myfloridalicense.com.

Please refer all comments to: Mo Madani, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 North Monroe, Tallahassee, Florida 32399, (850)487-1824, mo.madani@myfloridalicense.com or April L. Hammonds, Office of the General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1000, (850)487-1824, april.hammonds@myfloridalicense.com. Responses, motions to intervene, or requests for a hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

DEPARTMENT OF HEALTH

Board of Nursing

NOTICE IS HEREBY GIVEN THAT the Board of Nursing has issued an order disposing of the Amended Petition for Declaratory Statement filed by Earl Fowler on March 24, 2014. The following is a summary of the agency’s disposition of the petition: The original Notice of Petition for Declaratory Statement was published in Volume 40, No. 9, of the January 14, 2014, Florida Administrative Register. Petitioner asks whether it is in the course and scope of a Registered Nurse, based on training and experience in specialized Advanced Wound Care, to implement an Advanced Wound Care program to train paramedics to suture lacerations while under the direct supervision and orders of a licensed physician. The Board’s Order, filed on April 25, 2014, states that under the specific facts of the petition, it is within the scope of Petitioner’s license,

education and training to: (a) perform simple and moderately complex laceration repair through the use of sutures, skin glue or steri strips; (b) remove foreign bodies; (c) administer local anesthesia, field and digital block anesthesia; (d) offer would care and sutures for all areas of the body; (e) provide care to pediatric patients ages new born to 18 years; and (f) serve as a preceptor to paramedics through an advanced would care program.

Copies of the Order disposing of the Petition for Declaratory Statement may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, Joe.Baker@flhealth.gov.

**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 ECONOMIC OPPORTUNITY
Division of Community Development

Final Order nos.: DEO-14-043 and DEO-14-045

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order Nos. DEO-14-043 and DEO-14-045 on May 2, 2014, in response to applications submitted by Shadowood Homeowner’s Association Incorporated and San Blas Estates for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department determined that the applications did not meet the statutory requirements for covenant revitalization because the applications did not contain a copy of the original bylaws and may not contain all the amendments to the original bylaws for the community, as required by Section 720.405(6), Florida Statutes. Accordingly, the Department’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 no.: DEO-14-044

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-14-044 on May 2, 2014, in response to application submitted by Turtle Cove Homeowners 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 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.

Section XIII
Index to Rules Filed During Preceding
Week

INDEX TO RULES FILED BETWEEN APRIL 28, 2014
AND MAY 2, 2014

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF STATE

Division of Elections

1S-2.009	5/1/2014	5/21/2014	40/20	40/52
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

5E-13.022	5/1/2014	5/21/2014	39/243	
5E-13.023	5/1/2014	5/21/2014	39/243	
5E-13.027	5/1/2014	5/21/2014	39/243	
5E-13.030	5/1/2014	5/21/2014	39/243	
5E-13.031	5/1/2014	5/21/2014	39/243	
5E-13.0331	5/1/2014	5/21/2014	39/243	
5E-13.035	5/1/2014	5/21/2014	39/243	
5E-13.037	5/1/2014	5/21/2014	39/243	
5E-13.0371	5/1/2014	5/21/2014	39/243	40/52
5E-13.040	5/1/2014	5/21/2014	39/243	
5E-13.041	5/1/2014	5/21/2014	39/243	

Division of Licensing

5N-1.100	5/1/2014	5/21/2014	40/31	
5N-1.134	5/1/2014	5/21/2014	40/31	

DEPARTMENT OF EDUCATION

State Board of Education

6A-10.040	4/28/2014	5/18/2014	40/51	
6A-14.0303	4/28/2014	5/18/2014	40/51	
6A-6.0571	4/28/2014	5/18/2014	40/51	
6A-6.0651	4/28/2014	5/18/2014	40/51	

DEPARTMENT OF CORRECTIONS

33-208.101	4/28/2014	5/18/2014	40/61	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

40D-1.603	4/29/2014	5/19/2014	39/248	
40D-1.607	4/29/2014	5/19/2014	39/248	
40D-1.659	4/29/2014	5/19/2014	39/248	40/66
40D-2.021	4/29/2014	5/19/2014	39/248	40/66
40D-2.031	4/29/2014	5/19/2014	39/248	
40D-2.041	4/29/2014	5/19/2014	39/248	
40D-2.051	4/29/2014	5/19/2014	39/248	
40D-2.091	4/29/2014	5/19/2014	39/248	40/66
40D-2.101	4/29/2014	5/19/2014	39/248	40/66
40D-2.301	4/29/2014	5/19/2014	39/248	
40D-2.321	4/29/2014	5/19/2014	39/248	
40D-2.331	4/29/2014	5/19/2014	39/248	40/66
40D-2.341	4/29/2014	5/19/2014	39/248	
40D-2.351	4/29/2014	5/19/2014	39/248	40/66
40D-2.361	4/29/2014	5/19/2014	39/248	
40D-2.371	4/29/2014	5/19/2014	39/248	
40D-2.381	4/29/2014	5/19/2014	39/248	40/66
40D-2.401	4/29/2014	5/19/2014	39/248	
40D-2.501	4/29/2014	5/19/2014	39/248	
40D-2.621	4/29/2014	5/19/2014	39/248	
40D-2.801	4/29/2014	5/19/2014	39/248	
40D-21.631	4/29/2014	5/19/2014	39/248	
40D-21.641	4/29/2014	5/19/2014	39/248	
40D-21.651	4/29/2014	5/19/2014	39/248	
40D-8.031	4/29/2014	5/19/2014	39/248	
40D-80.073	4/29/2014	5/19/2014	39/248	40/66
40D-80.074	4/29/2014	5/19/2014	39/248	40/66
40D-80.075	4/29/2014	5/19/2014	39/248	40/66

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

59G-4.002	5/1/2014	5/21/2014	40/40	
59G-4.030	5/1/2014	5/21/2014	40/04	40/53

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement

60S-11.004	4/29/2014	5/19/2014	40/62	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

61-6.001	4/30/2014	5/20/2014	40/34	
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DEPARTMENT OF HEALTH

Board of Opticianry

64B12-16.003	5/2/2014	5/22/2014	39/236	40/40
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DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

69L-31.015	5/2/2014	5/22/2014	40/60	
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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 HEALTH

Division of Emergency Medical Operations

64J-2.006	7/12/2013	*****	39/53	39/103
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-772.300	12/27/2013	*****	39/194	39/224
62-772.400	12/27/2013	*****	39/194	39/224

DEPARTMENT OF JUVENILE JUSTICE

Probation

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

Mental Health/Substance Abuse/Developmental Disability Services

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

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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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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OIR Insurance Regulation

69O-186.013	12/30/2013	*****	39/201	39/230
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LIST OF RULES AWAITING LEGISLATIVE REVIEW AND CONSIDERATION PURSUANT TO SECTION 373.1391, F.S.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

40E-7.511	1/17/2014	5/3/2014	39/189	39/235
40E-7.520	1/17/2014	5/3/2014	39/189	39/235
40E-7.521	1/17/2014	5/3/2014	39/189	
40E-7.523	1/17/2014	5/3/2014	39/189	39/235
40E-7.525	1/17/2014	5/3/2014	39/189	
40E-7.526	1/17/2014	5/3/2014	39/189	39/235
40E-7.527	1/17/2014	5/3/2014	39/189	39/235
40E-7.528	1/17/2014	5/3/2014	39/189	
40E-7.529	1/17/2014	5/3/2014	39/189	39/235
40E-7.530	1/17/2014	5/3/2014	39/189	39/235
40E-7.532	1/17/2014	5/3/2014	39/189	
40E-7.534	1/17/2014	5/3/2014	39/189	39/235
40E-7.535	1/17/2014	5/3/2014	39/189	39/235
40E-7.537	1/17/2014	5/3/2014	39/189	39/235
40E-7.538	1/17/2014	5/3/2014	39/189	
40E-7.5381	1/17/2014	5/3/2014	39/189	39/235
40E-7.5382	1/17/2014	5/3/2014	39/189	39/235
40E-7.5383	1/17/2014	5/3/2014	39/189	
40E-7.5384	1/17/2014	5/3/2014	39/189	

LIST OF RULES AWAITING CONCLUSION OF LEGISLATIVE SESSION PURSUANT TO SECTION 373.036, F.S.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-40.210	1/29/2014	5/3/2014	39/219	
62-40.416	1/17/2014	5/3/2014	39/219	40/12