

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: RULE TITLE:
61K1-3.001 Licenses, Permits; Requirement, Procedure and Period, Fee, Bout Card Approval.

PURPOSE AND EFFECT: The Board proposes the rule amendment to set forth obligations of professional licensees licensed under Chapter 548, F.S., by moving the requirements to a chapter designated strictly for professional licensee and updating the rule to match industry standards.

SUBJECT AREA TO BE ADDRESSED: Licenses, permits, requirements, procedures and period fees, and fight card approval.

RULEMAKING AUTHORITY: 548.003 FS.

LAW IMPLEMENTED: 548.006(1), (2) 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: Cynthia Hefren, Executive Director, State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: RULE TITLE:
61K1-3.015 Insurance Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to set forth obligations of professional licensees licensed under Chapter 548, F.S., by moving the requirements to a chapter designated strictly for professional licensee and updating the rule to match industry standards.

SUBJECT AREA TO BE ADDRESSED: Insurance requirements.

RULEMAKING AUTHORITY: 548.003 FS.

LAW IMPLEMENTED: 548.049 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: Cynthia Hefren, Executive Director, State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: RULE TITLE:
61K1-3.018 Emergency Equipment; Other Equipment and Services

PURPOSE AND EFFECT: The Board proposes the rule amendment set forth obligations of professional licensees licensed under Chapter 548, F.S., by moving the requirements to a chapter designated strictly for professional licensee and updating the rule to match industry standards.

SUBJECT AREA TO BE ADDRESSED: Emergency medical equipment, and services, and other equipment and services.

RULEMAKING AUTHORITY: 548.003 FS.

LAW IMPLEMENTED: 548.003(2), 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: Cynthia Hefren, Executive Director, State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: RULE TITLE:
61K1-3.019 Arena Equipment; Ring Requirements; Floor Plan and Apron Seating

PURPOSE AND EFFECT: The Board proposes the rule amendment set forth obligations of professional licensees licensed under Chapter 548, F.S., by moving the requirements to a chapter designated strictly for professional licensee and updating the rule to match industry standards.

SUBJECT AREA TO BE ADDRESSED: Arena equipment.

RULEMAKING AUTHORITY: 548.003 FS.
 LAW IMPLEMENTED: 548.003(2), 548.006 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: Cynthia Hefren, Executive Director, State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: RULE TITLE:
 61K1-3.020 Post-Match Physical Requirements; Suspensions

PURPOSE AND EFFECT: The Board proposes the rule amendment set forth obligations of professional licensees licensed under Chapter 548, F.S., by moving the requirements to a chapter designated strictly for professional licensee and updating the rule to match industry standards.
 SUBJECT AREA TO BE ADDRESSED: Post match physical requirements and suspensions.

RULEMAKING AUTHORITY: 548.003 FS.
 LAW IMPLEMENTED: 548.046, 548.07, 548.071 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: Cynthia Hefren, Executive Director, State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: RULE TITLE:
 61K1-3.021 Post-Match Reports Required to be Filed; Penalty for Late Filing

PURPOSE AND EFFECT: The Board proposes the rule amendment set forth obligations of professional licensees licensed under Chapter 548, F.S., by moving the requirements to a chapter designated strictly for professional licensee and updating the rule to match industry standards.
 SUBJECT AREA TO BE ADDRESSED: Professional post match reports and penalties.
 RULEMAKING AUTHORITY: 548.003 FS.
 LAW IMPLEMENTED: 548.06, 548.053, 548.075 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: Cynthia Hefren, Executive Director, State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: RULE TITLE:
 61K1-3.022 Unprofessional or Unethical Conduct

PURPOSE AND EFFECT: The Board proposes the rule amendment set forth obligations of professional licensees licensed under Chapter 548, F.S., by moving the requirements to a chapter designated strictly for professional licensee and updating the rule to match industry standards.
 SUBJECT AREA TO BE ADDRESSED: Unprofessional or unethical conduct.

RULEMAKING AUTHORITY: 548.003 FS.
 LAW IMPLEMENTED: 548.003(2), 548.071 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: Cynthia Hefren, Executive Director, State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.009 RULE TITLE: Standard of Care for Office Surgery
 PURPOSE AND EFFECT: The Board proposes the development of rule amendments to clarify the definition of office surgery.
 SUBJECT AREA TO BE ADDRESSED: Clarification of the definition of office surgery.
 RULEMAKING AUTHORITY: 458.309(1), 458.331(1)(v) FS.
 LAW IMPLEMENTED: 458.331(1)(v), 458.351 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: Allison M. Dudley, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253
 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 BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: 61K1-3.007 RULE TITLE: Participant; License; Conduct and Other Requirements
 PURPOSE AND EFFECT: The Board proposes the rule amendment to set forth obligations of professional licensees licensed under Chapter 548, F.S., by moving the requirements to a chapter designated strictly for professional licensee and updating the rule to match industry standards.
 SUMMARY: The rule amendment will set forth obligations of professional licensees licensed under Chapter 548, F.S., by moving the requirements to a chapter designated strictly for professional licensee and updating the rule to match industry standards.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST 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 been prepared by the agency. The following is a summary of the SERC:
 Based on the annual average number of applicants, 297 applicants are expected to comply with the rule.
 There will be no costs to the Department for implementing the proposed rule.
 There will be no costs to any other state and local government entities for implementing the proposed rule.
 There will be no costs to any other state and local government enforcing the proposed rule.
 The costs incurred by individuals and entities required to comply with the requirements of the proposed rule will be minimal.
 The estimated number of small businesses that would be subject to the rule is between 100 and 499.
 No small county or small city will be impacted by this proposed rule.
 No good faith written proposals for a lower cost regulatory alternative to the proposed rule were received.
 The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs.
 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: 548.003, 548.041 FS.
 LAW IMPLEMENTED: 548.041 FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cynthia Hefren, Executive Director, State Boxing Commission, 1940 North Street, Tallahassee, Florida 32399-1016

THE FULL TEXT OF THE PROPOSED RULE IS:

- 61K1-3.007 Participant; License; Conduct and Other Requirements.
- (1) License.
- (a) No participant shall also be licensed as a judge, physician, or referee, and no participant shall act as a judge, physician, or referee.
- (b) No person shall be licensed as a participant if such person:
 - 1. Is under 18 years of age;
 - 2. Has had cardiac surgery. An exception may be made with prior approval from the commission based on sufficient

documentation from a board certified licensed cardiologist which indicates that the surgery poses no risk to the health, safety, or wellbeing of the participant while participating in boxing, kickboxing, or mixed martial arts;

3. Has not received an ophthalmic examination within the immediate 12-month period prior to the date of the scheduled match and the results of the examination filed with the commission;

4. Is found to have any blindness or whose vision is so poor as to cause a significant health hazard or impairment to his ability to effectively participate in a match;

5. Has suffered cerebral hemorrhage or any other serious head injury. The executive director or his or her designee shall, if he or she has cause to believe that a participant may have suffered neurological injury, direct the participant to undergo an EEG, complete neurological exam, EKG, MRI, CT scan, or other medical examination deemed necessary by the ringside physician. The interpretation and diagnosis shall be filed with the commission; or

6. Is no longer able to competently perform as determined by the commission. A determination that a participant is no longer able to competently perform shall be based on participant's win/lose/draw record; participant's previous opponents and the results of such matches; participant's proposed opponent; the results of the matches between participant's proposed opponent and others; participant's physical condition; and participant's ability to perform effectively.

7. Has failed to comply with the physical requirements in these rules, including the pre-licensure physical, pre-match physical, and post-match physical requirements.

(c) Any person desiring to become licensed as a participant shall submit Form DBPR-FSBC 2, "Application for Licensure, Participant," effective March 2014, adopted and incorporated herein, which may be obtained on the "Boxing, Kickboxing, & Mixed Martial Arts" link at <https://www.myfloridalicense.com/intentions2.asp>, or at <https://www.myfloridalicense.com/intentions2.asp>, or at <http://www.flrules.org/Gateway/reference.asp?No=Ref->.

(d) Each participant shall submit to an ophthalmological examination conducted by a licensed and certified ophthalmologist or certified optometrist. The Participant and ophthalmologist or optometrist shall complete Form BPR-0009-665, "Dilated Ophthalmological Examination", effective March 2014, adopted and incorporated herein by reference, which may be found at <https://www.myfloridalicense.com/intentions2.asp>, or at <http://www.flrules.org/Gateway/reference.asp?No=Ref->, and shall be submitted to the commission with the application for licensure.

(e) Each participant shall submit to a pre-licensure physical conducted by a licensed M.D. or D.O. Female participants may submit to a pre-licensure physical conducted by a board certified OB/GYN. The participant and physician shall complete Form DBPR FSBC 20, "Pre-Licensure Physical Info Sheet," effective March 2014, adopted and incorporated herein, which may be found at <https://www.myfloridalicense.com/intentions2.asp>, or at <http://www.flrules.org/Gateway/reference.asp?No=Ref->, and submit to the commission. The results from the pre-licensure physical shall be used by the commission office for licensure and bout card approval, and for comparison to pre-match physicals by ringside physicians, but will not be used in lieu of a pre-match physical.

(f) Transgender Participants

(g) Transexuals: Male to Female

1. Individuals undergoing sex reassignment from male to female prior to puberty are regarded as women (female) and shall be licensed as such.

2. Individuals undergoing sex reassignment from male to female after puberty may be eligible for participation in female matches under the following conditions:

a. Surgical anatomical changes have been completed including gonadectomy and surgical changes of external genitalia consistent with gender reassignment.

b. Hormone Therapy for the assigned sex (female) has been administered for a minimum of two years after gonadectomy by a board-certified endocrinologist, internist, pediatrician, or any physician or any other specialist known to have significant knowledge and experience with transsexual and transgender individuals. Hormone therapy prior to gonadectomy is not included in the two years due to the potential for the production of endogenous testosterone from the gonads during any period of time when hormone therapy was not available or therapeutically dosed below that which is required to completely suppress testosterone production.

c. Form DBPR FSBC 21, "Therapeutic Use Exemption and Medical Condition Explanation Form," March 2014, as adopted and incorporated in Rule 61K1-3.007, F.A.C. and a letter from the board certified physician responsible for the care of the participant will need to be submitted to the commission, and shall include the following:

i. Initial date when hormone therapy began for the assigned sex (female) (can be prior to gonadectomy but is not included in the two year requirement for hormone therapy after gonadectomy);

ii. Date, location, surgeon, and surgical report of the gonadectomy (and external genitalia reassignment, if done at the same surgical setting);

iii. Date, location, surgeon, and surgical report for any other surgery involving the genitalia;

iv. Hormone name/type, dose, and interval of administration over the past two years;

v. Lab reports of estradiol and testosterone levels documenting over the past two years that serum estradiol levels are within the normal range for a healthy premenopausal woman and suppression of testosterone levels to those normally found in women, as determined under lab specific ranges as set forth below;

vi. Name, dose, and duration of any anti-androgen treatment used over the past two years;

vii. Name, dose, and duration of any other medication used as part of the management of the transgender state.

(b) Transsexuals: Female to Male.

1. Individuals undergoing sex reassignment from female to male prior to puberty are regarded as boys and eventually men (male) and shall be licensed as such.

2. Individuals undergoing sex reassignments from female to male after puberty may be eligible for participation in male matches under the following conditions:

a. Surgical anatomical changes have been completed which at a minimum must include breast reduction but may include additional surgical changes of internal (hysterectomy and/or oophorectomy) and/or external genitalia;

b. Hormone Therapy for the assigned sex (male) has been administered for a minimum of two years after gonadectomy preferably by a board-certified endocrinologist, internist, pediatrician, or any physician (M.D. or D.O.) known to have significant knowledge and experience with transsexual and transgender individuals.

c. Form DBPR FSBC 21, "Therapeutic Use Exemption and Medical Condition Explanation Form," March 2014, as adopted and incorporated in Rule 61K1-3.007, F.A.C. and a letter from the board certified physician responsible for the care of the participant will need to be submitted to the commission, and shall include the following:

i. Initial date of hormone therapy for the assigned sex (male);

ii. Date, location, surgeon, and surgical report of any surgery including breast reduction, gonadectomy, hysterectomy, or any other surgery involving genitalia;

iii. Hormone name/type, dose, and interval of administration over the past two years;

v. Lab reports of estradiol and testosterone levels within the past two years with a goal of serum estradiol levels within the normal range for a healthy man and testosterone levels within the range for healthy men, as determined under lab specific ranges as set forth below;

vi. Name, dose, and duration of any anti-estrogen treatment used over the past two years;

vii. Name, dose, and duration of any other medication used as part of the management of the transgender state.

d. Note: Lab specific ranges should follow the established range from the reference laboratory. The commission will accept laboratory data from the following laboratories for hormone testing:

i. Quest: upper normal range for total testosterone 1100 mg/dL;

ii. Labcorp: upper normal range for total testosterone: 1197 mg/dL;

iii. ARUP: upper normal range for total testosterone: 1080 ng/dL.

(c) Pre-Fight and day of Fight:

1. Participants should submit lab data required above which has been drawn from the participant no more than 6 months prior to the match date, including one value within one month of the match. Participants shall not be permitted to participate if their estradiol or total testosterone levels are outside of the normal range. If a value is found to be out of the normal range, the participant shall take action to correct the level by repeating the lab and/or adjusting medication appropriately, which must be documented in an additional Form DBPR FSBC 21, "Therapeutic Use Exemption and Medical Condition Explanation Form," August 2013, completed by the physician who provided the letter and original Form DBPR FSBC 21, "Therapeutic Use Exemption and Medical Condition Explanation Form," March 2014, as required above.

2. The day prior to the match, the participant should submit the time, date, and amount and method of last dose of testosterone or other medication used in the management of the participant's transgender state.

(h) Each participant shall provide the commission with hepatitis B surface antigen lab result and hepatitis C antibody lab result indicating no infection. Negative results will be acceptable for a period of up to 1 year. After 1 year, the participant will need to be re-tested and provide the commission with current lab results.

(i) Each participant shall provide the commission with rapid HIV test result indicating no infection with the human immunodeficiency virus/AIDS. Negative result will be acceptable for a period of up to 1 year. After 1 year, the participant will need to be re-tested and provide the commission with current lab results.

(j) Lab results filed with other commissions or jurisdictions in the United States may be verified in writing by them to the executive director in lieu of requiring a subsequent blood test for this purpose.

(k) All medical information provided to the commission directly shall not be released by the commission or any agent thereof, to any individual or entity without prior authorization from the participant and only for the purpose of determining the

participants' ability to participate in a match in any jurisdiction, or for the purpose of completing other commission related administrative action. Participants shall sign Form DBPR FSBC 20, "Pre-Licensure Physical Info Sheet," March 2014, as a release to permit the commission to release the medical information to the necessary individuals or entities prior to the match.

(2) No applicant shall be issued a license as participant if any of the following conditions are found by the physician in the pre-licensure physical, unless the participant provides Form DBPR FSBC 21 "Therapeutic Use Exemption and Medical Condition Explanation Form," effective March 2014, adopted and incorporated herein indicating the condition is no longer a danger to the participant's health:

- (a) Inguinal and/or abdominal hernia;
- (b) Organic heart murmur;
- (c) Active pulmonary lesion;
- (d) Abnormal temperature as determined by the physician;
- (e) Blood pressure over 140/90 mmHg;
- (f) Active infectious communicable disease, including skin lesions, such as boils or infected wounds, as well as any other bacterial, viral, fungal, and/or mycobacterial communicable diseases, including tuberculosis;

(g) Recent wound(s), especially on face and ears;

(h) Hand injury and/or fracture(s) less than 6 weeks old, if, in the physician's opinion, the injury would be detrimental to the participant's health or ability to effectively compete or exhibit;

(i) An indication that the participant is using or is under the influence of narcotics, drugs, stimulants, depressants, alcohol, local anesthetics or analgesics so as to render the participant unable to recognize if the participant is seriously injured;

(j) Dental abscess or loose tooth or teeth;

(k) Ophthalmological problem(s) including but not limited to:

1. Retinopathy or detached retina; provided however, that the applicant shall be permitted to participate in a match if the participant provides, at or before the weigh-in, the written statement of a licensed ophthalmologist stating that the participant's retina is completely healed and that in the ophthalmologist's expert medical opinion, no unusual or extraordinary risk to the participant is anticipated as a result of the retinopathy or a previously detached retina;

2. Solitary eye;

3. Blindness defined as central visual acuity of 20/200 or less in the worst eye with 20/40 or worse in the better eye with the best correction possible in both eyes and/or the widest diameter of the visual field subtends an angular distance of no greater than 20 degrees in the better.

(l) History of epilepsy or seizures, provided however, that the applicant shall be permitted to participate in a match if the

participant provides, at or before the weigh-in, the written statement of a licensed neurologist stating that the epilepsy or seizure disorder is well-controlled and that in the neurologist's expert medical opinion, no unusual or extraordinary risk to the participant is anticipated as a result of the epilepsy or seizure disorder;

(m) History of kidney problems, including solitary kidney; provided however, that the applicant shall be permitted to participate in a match if the participant provides, at or before the weigh-in, the written statement of a licensed nephrologist stating that the kidney problem is resolved and that in the nephrologist's expert medical opinion, no unusual or extraordinary risk to the participant is anticipated as a result of the resolved kidney problem and/or solitary kidney;

(n) History of blood clotting disorders or abnormal bleeding, including hemophilia and Von Willebrand disease; provided however, that the applicant shall be permitted to participate in a match if the participant provides, at or before the weigh-in, the written statement of a licensed hematologist stating that the bleeding problem is well controlled and that in the hematologist's expert medical opinion, no unusual or extraordinary risk to the participant is anticipated as a result of the bleeding disorder;

(o) Altered gait or balance; or

(p) History of any abnormality in a computerized axial tomography (CAT) scan, electroencephalogram (EEG), electrocardiogram (EKG), magnetic resonance imaging (MRI) scan, or other similar medical tests.

(q) In addition to the above, applicants 40 years and older shall submit satisfactory results from the following prior to being approved for licensure:

1. A normal EKG dated no greater than twelve months prior to application clearing them to compete;

2. Test results indicating that the participant has a complete blood count (CBC), prothrombin time (PT), and partial thromboplastin time (PTT) in normal range;

3. A normal MRI of the brain without contrast.

(3) Conduct and Other Requirements.

(a) No participant shall engage in a match with less than seven calendar days between matches.

(b) Any participant who fails to appear at a match or fails to appear timely at a match for which he or his manager has contracted and does not provide a valid reason or, in the case of physical disability, furnish a physician's certificate, shall be issued a citation by the executive director or his or her designee, indefinitely suspended by the executive director or his or her designee, fined or any combination thereof for a period to be determined by the commission. In making this determination, the commission shall consider the following factors:

1. The relative importance of the match;

2. The participant’s past record of punctuality and tardiness; and

3. The reasons for his failure to appear or appear timely.

Rulemaking Authority 548.003, 548.041 FS. Law Implemented 548.041 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
State Boxing Commission
NAME AGENCY HEAD WHO APPROVED THE PROPOSED RULE: State Boxing Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 28, 2014
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 10, 2014

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: RULE TITLE:
61K1-3.016 Pre-Match Physical of Participant and Referee

PURPOSE AND EFFECT: The Board proposes the rule amendment to set forth obligations of professional licensees licensed under Chapter 548, F.S., by moving the requirements to a chapter designated strictly for professional licensee and updating the rule to match industry standards.

SUMMARY: The rule amendment will set forth obligations of professional licensees licensed under Chapter 548, F.S., by moving the requirements to a chapter designated strictly for professional licensee and updating the rule to match industry standards.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST 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 been prepared by the agency. The following is a summary of the SERC:

Based on the annual average number of applicants, 51 applicants are expected to comply with the rule.

There will be no costs to the Department for implementing the proposed rule.

There will be no costs to any other state and local government entities for implementing the proposed rule.

There will be no costs to any other state and local government enforcing the proposed rule.

The costs incurred by individuals and entities required to comply with the requirements of the proposed rule will be minimal.

The estimated number of small businesses that would be subject to the rule is between 100 and 499.

No small county or small city will be impacted by this proposed rule.

No good faith written proposals for a lower cost regulatory alternative to the proposed rule were received.

The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs.

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: 548.003 FS.

LAW IMPLEMENTED: 548.006, 548.041(1)(b), 548.046(2) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cynthia Hefren, Executive Director, State Boxing Commission, 1940 North Street, Tallahassee, Florida 32399-1016

THE FULL TEXT OF THE PROPOSED RULE IS:

61K1-3.016 Pre-Match Physical of Participant and Referee.

(1) Each participant shall, at the time of the weigh-in, be examined by a physician who is either a licensed M.D. or D.O. The physician shall certify in writing the participant’s physical condition and a professional assessment as to whether or not the participant may engage in the match. The physician shall, prior to the match, file with the commission representative a written report of the medical examination of the participant, which report shall state whether or not, in the opinion of the physician, the participant is physically fit to engage in the match. No participant shall be permitted to engage in a match unless he or she has been examined and pronounced fit to do so by a physician.

(2) Ringside physicians shall have a suitable place or room in which to make their examinations prior to each match.

(3) The examination given all participants shall include the following:

(a) Temperature;

(b) Pulse; sitting, standing and running;

(c) Lungs;

(d) Heart;

(e) Blood pressure;

(f) Vision;

(g) Weight;

(h) Skin.

(4) No participant shall be allowed to engage in any match if any of the following conditions are found by the physician:

(a) Inguinal and/or abdominal hernia;

(b) Organic heart murmurs;

(c) Active pulmonary lesions;

(d) Abnormal temperature as determined by the physician;

(e) Blood pressure over 140/90 mmHg. If the systolic pressure is above 140, the physician shall take the participant's blood pressure again either within twenty (20) minutes or on the day of the matches. Amateurs may fight with a systolic pressure over 140 at the discretion of the physician;

(f) Active infectious communicable disease, including skin lesions, such as boils or infected wounds, as well as any other bacterial, viral, fungal, and/or mycobacterial communicable diseases, including tuberculosis;

(g) Recent wounds, especially on face and ears;

(h) Hand injury and/or fracture(s) less than 6 weeks old, if, in the physician's opinion, the injury would be detrimental to the participant's health or ability to effectively compete or exhibit;

(i) Any indication that the participant is using or is under the influence of narcotics, drugs, stimulants, depressants, alcohol, local anesthetics or analgesics as to render the participant unable to recognize if the participant is seriously injured. If the physician finds any indication or evidence that the participant is using, is under the influence of unauthorized drugs or foreign substances such that the physician cannot make a definitive determination and therefore allows the match to proceed, the physician shall immediately advise the commission representative who shall ensure that a urine sample is taken and processed in accordance with Rule 61K1-3.017, F.A.C.;

(j) Dental abscess or loose tooth or teeth;

(k) Ophthalmological problem(s) including but not limited to:

1. Retinopathy or detached retina; provided however, that the applicant shall be permitted to participate in a match if the participant provides, at or before the weigh-in, the written statement of a board certified ophthalmologist stating that the participant's retina is completely healed and that in the ophthalmologist's expert medical opinion, no unusual or extraordinary risk to the participant is anticipated as a result of the retinopathy or a previously detached retina;

2. Solitary eye;

3. Blindness defined as central visual acuity of 20/200 or less in the worst eye with 20/40 or worse in the better eye with the best correction possible in both eyes and/or the widest diameter of the visual field subtends an angular distance of no greater than 20 degrees in the better.

(l) History of epilepsy or seizures, provided however, that the applicant shall be permitted to participate in a match if the participant provides, at or before the weigh-in, the written statement of a board certified neurologist stating that the epilepsy or seizure disorder is well-controlled and that in the neurologist's expert medical opinion, no unusual or extraordinary risk to the participant is anticipated as a result of the epilepsy or seizure disorder;

(m) History of kidney problems, including solitary kidney; provided however, that the applicant shall be permitted to participate in a match if the participant provides, at or before the weigh-in, the written statement of a board certified nephrologist stating that the kidney problem is resolved and that in the nephrologist's expert medical opinion, no unusual or extraordinary risk to the participant is anticipated as a result of the resolved kidney problem and/or solitary kidney;

(n) History of blood clotting disorders or abnormal bleeding, including hemophilia and Von Willebrand disease; provided however, that the applicant shall be permitted to participate in a match if the participant provides, at or before the weigh-in, the written statement of a board certified hematologist stating that the bleeding problem is well controlled and that in the hematologist's expert medical opinion, no unusual or extraordinary risk to the participant is anticipated as a result of the bleeding disorder;

(o) Altered gait or balance; or

(q) History of any abnormality in a computerized axial tomography (CAT) scan, electroencephalogram (EEG), electrocardiogram (EKG), magnetic resonance imaging (MRI) scan, or other similar medical tests.

(5) Each participant shall be required to submit to any additional medical examination or test ordered by the executive director or his or her designee, or the commission. Such medical examination or test must be original or a certified copy of the results which were performed by an M.D., D.O., or laboratory no earlier than 30 days before the date on which the results are presented to the commission, or its executive director or his or her designee.

(6) All participants with cuts and abrasions that require dressing, bandages, or band-aids must be approved to fight by physician prior to being cleared to participate.

(7) Female participants are limited to participation with additional medical restrictions. If any of the following conditions are identified by the ringside physician during the pre-match physical, the athlete is not permitted to participate:

(a) Pelvic disease states such as symptomatic endometriosis;

(b) Abnormal vaginal bleeding;

(c) Recent secondary amenorrhea of undetermined cause;

(d) Recent breast bleeding;

(e) Recently discovered breast masses;

(f) A positive pregnancy test, conducted at the time of the pre-match physical and signed off on by the physician conducting the physical.

(8) The pre-match physical shall be documented on Form BPR-0009-455, "Participant Information and Medical Sheet", effective March 2014, adopted and incorporated herein by reference, which may be obtained at <http://www.flrules.org/Gateway/reference.asp?No=Ref->, and which shall be completed by the participant and the ringside physician conducting the weigh-in. Any participant who refuses to complete this form shall not be allowed to engage in any match in Florida.

(9) Participation in subsequent matches:

(a) Any participant who is suspended and issued Form BPR-0009-478, "Order of Automatic Suspension", effective October 2012, as adopted in Rule 61K1-3.020, F.A.C., by the executive director, or any similar suspension issued by any other jurisdiction shall not participate until cleared by a physician licensed as an M.D. or D.O. A physician may extend a medical suspension any time he or she believes it to be in the best interest for the safety of a participant. In all cases, the decision by the physician at the pre-match physical to issue or extend a medical suspension is final and not reviewable;

(b) Participants shall receive a mandatory seven-day rest period after competing in a match. Day 1 of the mandatory rest period shall commence on the first day following the event.

(10) Transgender Participants

(a) Transexuals: Male to Female

1. Individuals undergoing sex reassignment from male to female prior to puberty are regarded as women (female) and shall be licensed as such.

2. Individuals undergoing sex reassignment from male to female after puberty may be eligible for participation in female matches under the following conditions:

a. Surgical anatomical changes have been completed including gonadectomy and surgical changes of external genitalia consistent with gender reassignment.

b. Hormone Therapy for the assigned sex (female) has been administered for a minimum of two years after gonadectomy by a board-certified endocrinologist, internist, pediatrician, or any physician or any other specialist known to have significant knowledge and experience with transsexual and transgender individuals. Hormone therapy prior to gonadectomy is not included in the two years due to the potential for the production of endogenous testosterone from the gonads during any period of time when hormone therapy was not available or therapeutically dosed below that which is required to completely suppress testosterone production.

c. Form DBPR FSBC 21, "Therapeutic Use Exemption and Medical Condition Explanation Form," March 2014, as adopted and incorporated in Rule 61K1-3.007, F.A.C. and a letter from the board certified physician responsible for the care of the participant will need to be submitted to the commission, and shall include the following:

i. Initial date when hormone therapy began for the assigned sex (female) (can be prior to gonadectomy but is not included in the two year requirement for hormone therapy after gonadectomy);

ii. Date, location, surgeon, and surgical report of the gonadectomy (and external genitalia reassignment, if done at the same surgical setting);

iii. Date, location, surgeon, and surgical report for any other surgery involving the genitalia;

iv. Hormone name/type, dose, and interval of administration over the past two years;

v. Lab reports of estradiol and testosterone levels documenting over the past two years that serum estradiol levels are within the normal range for a healthy premenopausal woman and suppression of testosterone levels to those normally found in women, as determined under lab specific ranges as set forth below;

vi. Name, dose, and duration of any anti-androgen treatment used over the past two years;

vii. Name, dose, and duration of any other medication used as part of the management of the transgender state.

(b) Transexuals: Female to Male.

1. Individuals undergoing sex reassignment from female to male prior to puberty are regarded as boys and eventually men (male) and shall be licensed as such.

2. Individuals undergoing sex reassignments from female to male after puberty may be eligible for participation in male matches under the following conditions:

a. Surgical anatomical changes have been completed which at a minimum must include breast reduction but may include additional surgical changes of internal (hysterectomy and/or oophorectomy) and/or external genitalia;

b. Hormone Therapy for the assigned sex (male) has been administered for a minimum of two years after gonadectomy preferably by a board-certified endocrinologist, internist, pediatrician, or any physician (M.D. or D.O.) known to have significant knowledge and experience with transsexual and transgender individuals.

c. Form DBPR FSBC 21, "Therapeutic Use Exemption and Medical Condition Explanation Form," March 2014, as adopted and incorporated in Rule 61K1-3.007, F.A.C. and a letter from the board certified physician responsible for the care of the participant will need to be submitted to the commission, and shall include the following:

i. Initial date of hormone therapy for the assigned sex (male);

ii. Date, location, surgeon, and surgical report of any surgery including breast reduction, gonadectomy, hysterectomy, or any other surgery involving genitalia;

iii. Hormone name/type, dose, and interval of administration over the past two years;

v. Lab reports of estradiol and testosterone levels within the past two years with a goal of serum estradiol levels within the normal range for a healthy man and testosterone levels within the range for healthy men, as determined under lab specific ranges as set forth below;

vi. Name, dose, and duration of any anti-estrogen treatment used over the past two years;

vii. Name, dose, and duration of any other medication used as part of the management of the transgender state.

d. Note: Lab specific ranges should follow the established range from the reference laboratory. The commission will accept laboratory data from the following laboratories for hormone testing:

i. Quest: upper normal range for total testosterone 1100 mg/dL;

ii. Labcorp: upper normal range for total testosterone: 1197 mg/dL;

iii. ARUP: upper normal range for total testosterone: 1080 ng/dL

(c) Pre-Fight and day of Fight:

1. Participants should submit lab data required above which has been drawn from the participant no more than 6 months prior to the match date, including one value within one month of the match. Participants shall not be permitted to participate if their estradiol or total testosterone levels are outside of the normal range. If a value is found to be out of the normal range, the participant shall take action to correct the level by repeating the lab and/or adjusting medication appropriately, which must be documented in an additional Form DBPR FSBC 21, "Therapeutic Use Exemption and Medical Condition Explanation Form," August 2013, completed by the physician who provided the letter and original Form DBPR FSBC 21, "Therapeutic Use Exemption and Medical Condition Explanation Form," March 2014, as required above.

2. The day prior to the match, the participant should submit the time, date, and amount and method of last dose of testosterone or other medication used in the management of the participant's transgender state.

(11) All medical information provided to the commission directly shall not be released to any individual or entity without prior disclosure to the participants and only for the express purpose of determining the ability to participate in a match. Such medical information may be released to ringside physicians or representatives of the commission or the

commission office. Participants shall sign Form DBPR FSBC 21, "Therapeutic Use Exemption and Medical Condition Explanation Form," March 2014, as a release to permit the commission to release the medical information to the necessary individuals prior to the match for the express purpose of determining fitness to participate in a match.

(12) Participants who have had prior pertinent medical conditions identified by their physician on Form DBPR FSBC 20, "Pre-Licensure Physical Info Sheet," March 2014, may not participate in a match until the participant has been cleared by a ringside physician. Participants with preexisting medical conditions should have their physician who provided treatment for the preexisting medical condition, or the physician who conducted the physical, to complete Form DBPR FSBC 21, "Therapeutic Use Exemption and Medical Condition Explanation Form," March 2014, for review prior to the match. If the commission office determines that the participant's health or his or her opponent's health is at risk due to the preexisting medical condition, the commission office shall refuse to permit the participant to participate. The commission office may request additional medical tests to determine whether a preexisting medical condition is a threat to the participant or his or her opponent.

(13) Whenever a participant is unable due to illness or injuries to take part in a match for which he is under contract, he (or his manager) shall immediately report that fact to the commission, and the participant shall be required to submit to an examination by a physician designated by the commission prior to future participation in matches in the State of Florida.

(14) The executive director or his or her designee shall, whenever necessary, require that a referee undergo a physical examination prior to acting as a referee in any match.

(15) If at any time prior to the match, evidence is revealed that indicates that the match may be unusually adverse to the health of a participant or referee, the executive director or his or her designee shall order a medical examination to be given to the participant or referee, the report of which examination shall be made to the executive director or his or her designee. Rulemaking Authority 548.003 FS, Law Implemented 548.006, 548.041(1)(b), 548.046(2) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
State Boxing Commission

NAME AGENCY HEAD WHO APPROVED THE PROPOSED RULE: State Boxing Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 28, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 10, 2014

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**State Boxing Commission**

RULE NO.: RULE TITLE:

61K1-3.0165 Weigh-In

PURPOSE AND EFFECT: The Board proposes the rule amendment set forth obligations of professional licensees licensed under Chapter 548, F.S., by moving the requirements to a chapter designated strictly for professional licensee and updating the rule to match industry standards.

SUMMARY: The rule amendment will set forth obligations of professional licensees licensed under Chapter 548, F.S., by moving the requirements to a chapter designated strictly for professional licensee and updating the rule to match industry standards.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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 necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 548.003 FS.

LAW IMPLEMENTED: 548.006, 548.043 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cynthia Hefren, Executive Director, State Boxing Commission, 1940 North Street, Tallahassee, Florida 32399-1016

THE FULL TEXT OF THE PROPOSED RULE IS:

61K1-3.0165 Weigh-In.

(1) Failure of a participant to be present or appearing late to the weigh-in, at the time and place designated by the executive director or his or her designee, shall result in the following penalties on the licensee who is deemed by the executive director or his or her designee as the responsible party for the participant's delayed presence at the weigh-in. These penalties are in addition to their loss of right to be present at the official weigh-in of the participant's opponent:

(a) For the first occurrence, the executive director or his or her designee shall issue a citation and assess a fine of \$50 per licensee;

(b) For the second occurrence, the executive director or his or her designee shall issue a citation and assess a fine of \$75 per licensee;

(c) The third occurrence shall result in the loss of the participant engaging in the program of matches of the weigh-in violation, and shall be subject the participant to further disciplinary action; and

(d) The fourth occurrence shall result in the revocation of the license(s) of the participant and or licensee(s).

(2) If, at the time of the official weigh-in, the weight of any participant in a match fails to meet the weight parameters of the rules set forth herein, the participant shall have 2 additional hours to meet such weight parameters.

(3) A participant is not permitted to lose more than 3 percent of the initial body weight as recorded by the commission during the one additional hour established in paragraph (c) above.

(4) At the time of weigh-in, each participant in a match shall be required to provide to the executive director or his or her designee for inspection a federal identification card issued by the Association of Boxing Commissions (ABC).

(a) Such identification card shall contain a recent photograph of the participant, the participant's social security number, and a personal identification number assigned to the participant by the Association of Boxing Commissions' official boxer registry for boxers.

(b) In order to obtain an identification card issued by Florida, the participant must present to the executive director or his or her designee a picture identification issued by a federal, state, or local unit of government or other similar authority, or a passport issued by the United States of America or a foreign government.

(c) This identification card must be renewed prior to the expiration date.

(d) If a participant presents fictitious identification to the commission, the commission shall, upon the first occurrence disallow the participant from participating in a match for a period of one year.

(e) Upon the second occurrence, the participant shall be permanently banned from participating in a match in Florida.

(f) For a boxing or kickboxing participant to obtain the identification card, the participant must fill out Form “Boxer’s Federal Identification Card Application”, which may be obtained at <http://www.myfloridalicense.com/dbpr/pro/sbc/forms.html>.

(g) For a mixed martial arts participant to obtain the identification card, the participant must fill out Form “Mixed Martial Arts National Identification Card Application form”, effective September 2008, which may be obtained at <http://www.myfloridalicense.com/dbpr/pro/sbc/forms.html>.

(5) The weigh-in shall be documented on Form BPR-0010-400 “Weigh-In”, effective August 2013, adopted and incorporated in Rule 61K1-3.0165, F.A.C., and which shall be completed by the promoter and the executive director or his or her designee conducting the weigh-in. Any participant who refuses to complete this form shall not be allowed to engage in any match in Florida.

(6) Each person identified on the participant information form by the participant as an authorized person to work in the participant’s corner shall affirm to the commission that he or she has no personal knowledge as to why the participant should not compete in the match due to an accident or injury sustained prior to the match while training or sparring. If a recent accident or injury is disclosed, the executive director or his or her designee shall consult with the physician in determining whether or not the participant should be permitted to compete. Rulemaking Authority 548.003 FS. Law Implemented 548.006, 548.043, 548.046, 548.071, 548.075 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
State Boxing Commission
NAME AGENCY HEAD WHO APPROVED THE PROPOSED RULE: State Boxing Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 28, 2014
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 10, 2014

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: 61K1-3.017
RULE TITLE: Drugs and Foreign Substances; Penalties
PURPOSE AND EFFECT: The Board proposes the rule amendment to set forth obligations of professional licensees licensed under Chapter 548, F.S., by moving the requirements to a chapter designated strictly for professional licensee and updating the rule to match industry standards.

SUMMARY: The rule amendment will set forth obligations of professional licensees licensed under Chapter 548, F.S., by moving the requirements to a chapter designated strictly for professional licensee and updating the rule to match industry standards.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST 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 been prepared by the agency. The following is a summary of the SERC:

Based on the annual average number of applicants, 297 applicants are expected to comply with the rule.

There will be no costs to the Department for implementing the proposed rule.

There will be no costs to any other state and local government entities for implementing the proposed rule.

There will be no costs to any other state and local government enforcing the proposed rule.

The costs incurred by individuals and entities required to comply with the requirements of the proposed rule will be minimal.

The estimated number of small businesses that would be subject to the rule is between 100 and 499.

No small county or small city will be impacted by this proposed rule.

No good faith written proposals for a lower cost regulatory alternative to the proposed rule were received.

The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs.

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: 548.003 FS.

LAW IMPLEMENTED: 548.041, 548.046 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cynthia Hefren, Executive Director, State Boxing Commission, 1940 North Street, Tallahassee, Florida 32399-1016

THE FULL TEXT OF THE PROPOSED RULE IS:

61K1 3.017 Drugs and Foreign Substances; Penalties.

(1) Drugs and Foreign Substances Ingested or Designed to be Ingested.

(a) No participant shall at any time use or be under the influence of any drug or foreign substance that would unfairly increase or decrease his performance, or impair his or the physician's ability to recognize a potentially serious injury or physical condition. No substance, other than plain drinking water or any commission approved sports drink shall be given to or ingested by a participant during the course of a match.

(b) Random drug tests pursuant to Section 548.046(3)(b), F.S.

1. Random drug tests shall be conducted prior to the matches to determine whether participants are safe to participate in the matches. The executive director or his or her designee shall determine whether to conduct random drug tests at an event.

2. If the executive director or his or her designee decides to conduct random drug tests at an event, he or she shall obtain urine samples from each participant at the event. The executive director or his or her designee shall randomly choose up to two of the samples to test. If one participant in a match is tested randomly, the other participant in the same match shall also be tested. Therefore, no more than four samples shall be randomly tested during an event. The drug screen shall be conducted so as to reduce the risk of falsification of results. This shall be accomplished by direct observation or by another accurate method of monitoring.

3. Any participant who provides a sample which tests positive during the on-site preliminary drug test shall not be permitted to participate in a match.

4. Any positive results must be confirmed prior to use by the commission in an administrative action taken against the participant's license.

(c) A laboratory confirmed positive test for any of the following substances shall be conclusive evidence of a violation of subsection (a) and constitutes grounds for which disciplinary action may be taken, except as otherwise indicated in the rules of the commission:

1. Stimulants – All stimulants are banned with the following exceptions:

a. Caffeine – provided, however, that an amount greater than 12 mcg/ml in the urine is prohibited;

b. Beta 2 Agonist – provided it is selected from the following list and is in aerosol or inhalant form only:

<u>Drug Chemical</u>	<u>Brand Name</u>
<u>i. Bitolterol Mesylate</u>	<u>Tornalate</u>
<u>ii. Metaproterenol Sulfate</u>	<u>Alupent, Metaprel</u>
<u>iii. Albuterol Sulfate</u>	<u>Ventolin, Proventil</u>
<u>iv. Terbutaline Sulfate</u>	<u>Brethaire;</u>

2. Narcotics;

3. Anabolic Androgenic Steroids;

4. Diuretics;

5. Local Anesthetics;

6. Corticosteroids;

7. Cannabinoids;

8. Peptide hormones;

9. Masking agents;

10. Anti-estrogenic agents;

11. Cocaine;

12. LSD;

13. Opiates (eg. Heroin, Codeine, and Morphine);

14. MDMA (Ecstasy);

15. GHB; (gamma hydroxybutyrate)

16. PCP (Phencyclidine)

17. Human Growth Hormones;

18. Insulin-like growth factors;

19. Mechano growth factors;

20. Gonadotropines, including but not limited to hCG and

LH;

21. Erythropoiesis-stimulating agents;

22. Corticotrophins;

23. Hormone Antagonists and Modulators.

(d) After each match the physician shall advise the commission representative whether or not he observed any behavior or other signs that would indicate the advisability of processing a urine sample from a participant. The commission representative shall make the final decision as to the processing of the urine sample.

(e) The executive director or his or her designee shall request a participant to submit to a urine test if reasonable suspicion is present that may indicate the potential use of anabolic steroids. Such test shall be performed within seven days of the request and the cost of the examination shall be the responsibility of the participant tested.

(2) Drugs or Foreign Substances Used Externally or Designed for External Use.

(a) No drug or foreign substance shall be used unless expressly provided for in these rules or as directed by the physician.

(b) The following drugs or foreign substances may be used by participants under the conditions described herein:

1. Petroleum Jelly – The discretionary use of petroleum jelly shall be allowed around the eyes. However, the use of petroleum jelly on the arms, legs and body of a participant is prohibited.

2. The discretionary use of Thrombin or a 1/1000 solution of Adrenalin and Avitine, or their generic equivalents, as approved by the physician, shall be allowed between rounds to stop bleeding of minor cuts and lacerations sustained by a participant.

- 3. Aleve
- 4. Advil.
- 5. Ibuprophen

(3) The following penalties shall be assessed against any participant found to be in violation of this rule or Section 548.046, F.S.:

(a) The first occurrence shall result in the suspension of the participant’s license and the banning of participant’s participation in any manner, in any match, for a period of 180 calendar days, and by assessing a fine of not more than \$5,000;

(b) The second occurrence shall result in the suspension of the participant’s license and the banning of participant’s participation in any manner, in any match for a period of 1 year, and the assessment of a fine of not more than \$5,000;

(c) The third occurrence shall result in the revocation of the participant’s license and the permanent banning of participant’s participation in any manner, in any match or activity regulated by Chapter 548, F.S.

(4) No person licensed by the commission shall participate in or contribute to the act of violating this rule. Any violation shall be grounds for suspension or revocation of all licenses held by such person(s). Any person(s) found to be in violation shall forfeit their share of the purse or other compensation to the commission and shall be assessed the following penalty(ies):

(a) The first occurrence shall result in the suspension of the person’s license and the banning of the licensee’s participation in any manner, in any match, for a period of 180 calendar days, and the assessment of a fine of not more than \$5,000;

(b) The second occurrence shall result in the suspension of the person’s license and the banning of the licensee’s participation in any manner, in any match, for a period of 1 year, and by assessing a fine in the amount of that share of the purse to which the licensee is entitled or \$500, whichever is greater;

(c) The third occurrence shall result in the permanent revocation of the person’s license and the permanent banning of the licensee’s participation in any manner, in any match or activity regulated by Chapter 548, F.S., and the assessment of a fine in the amount of that share of the purse to which the licensee is entitled or \$1,000, whichever is greater.

(5) Drugs, containers and other equipment used in conjunction with the match, regardless of why or how they are used or where they are located, shall at all times be available for inspection by the physician, referee, inspector, or commission representative and shall be seized if there is any evidence that they may have been used to violate or are in violation of any provision of Chapter 548, F.S., or the rules promulgated herein. Rulemaking Authority 548.003 FS. Law Implemented 548.041548.046 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
State Boxing Commission

NAME AGENCY HEAD WHO APPROVED THE PROPOSED RULE: State Boxing Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 28, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 10, 2014

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: RULE TITLE:

61K1-4.008 Pre-Match Physical of Amateur

PURPOSE AND EFFECT: The Board proposes to promulgate and adopt the new rule to set forth the criteria for pre-match physicals of amateurs.

SUMMARY: The promulgation and adoption of the new rule will set forth the criteria for pre-match physicals of amateurs to be followed by amateur sanctioning organizations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST 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 been prepared by the agency. The following is a summary of the SERC:

Based on the annual average number of applicants, 19 applicants are expected to comply with the rule.

There will be no costs to the Department for implementing the proposed rule.

There will be no costs to any other state and local government entities for implementing the proposed rule.

There will be no costs to any other state and local government enforcing the proposed rule.

The costs incurred by individuals and entities required to comply with the requirements of the proposed rule will be minimal.

The estimated number of small businesses that would be subject to the rule is between 100 and 499.

No small county or small city will be impacted by this proposed rule.

No good faith written proposals for a lower cost regulatory alternative to the proposed rule were received.

The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs. 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: 548.003 FS.

LAW IMPLEMENTED: 548.006 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cynthia Hefren, Executive Director, State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016

THE FULL TEXT OF THE PROPOSED RULE IS:

61K1-4.008 Pre-Match Physical of Amateur.

(1) Each amateur shall, prior to the event, be examined by a physician licensed as an M.D. or D.O. The physician shall certify in writing the amateur's physical condition and a professional assessment as to whether or not the amateur may engage in the match. No amateur shall be permitted to engage in a match unless he has been examined and pronounced fit to do so by a physician.

(2) Amateurs must provide the amateur sanctioning organization sanctioning the matches the following documentation prior to completing the pre-match physical. The documentation shall be accepted by the amateur sanctioning organization for 12 months following the completion of the documentation:

a) An ophthalmological examination identifying problem(s) including but not limited to:

1. Retinopathy or detached retina; provided however, that the applicant shall be permitted to participate in a match if the amateur provides, at or before the weigh-in, the written statement of a certified and licensed ophthalmologist or certified and licensed Optometrist stating that the amateur's retina is completely healed and that in the ophthalmologist's expert medical opinion, no unusual or extraordinary risk to the amateur is anticipated as a result of the retinopathy or a previously detached retina.

2. Solitary eye.

3. Blindness defined as central visual acuity of 20/200 or less in the better eye with the best correction possible and/or the widest diameter of the visual field subtends an angular distance of no greater than 20 degrees in the better eye.

(b) A physical examination obtained by an M.D. or D.O. For female participants, this documentation may be obtained by a Board Certified OB/Gyn and should address the medical conditions listed in paragraphs (9)(a) through (9)(f).

(3) Ringside physicians shall have a suitable place or room in which to make their examinations prior to each match.

(4) The examination given all amateurs shall include the following:

(a) Temperature;

(b) Pulse; sitting, standing and running;

(c) Lungs;

(d) Heart;

(e) Blood pressure;

(f) Vision;

(g) Weight;

(h) Skin.

(5) No amateur shall be allowed to engage in any match if any of the following conditions are found by the physician:

(a) Inguinal and/or abdominal hernia;

(b) Organic heart murmurs;

(c) Active pulmonary lesions;

(d) Abnormal temperature as determined by the physician;

(e) Blood pressure over 140/90 mm per hg; If the systolic pressure is above 140, the physician shall take the amateur's blood pressure again either within twenty (20) minutes or on the day of the matches. Amateurs may fight with a systolic pressure over 140 at the discretion of the physician;

(f) Active infectious communicable disease, including skin lesions, such as boils or infected wound as well as any other bacterial, viral, fungal, and/or mycobacterial communicable diseases, including tuberculosis;

(g) Recent wounds, especially on face and ears;

(h) Hand injury and/or, fracture(s) less than 6 weeks old, if, in the physician's opinion, the injury would be detrimental to the amateur's health or ability to effectively compete or exhibit;

(i) An indication that the amateur is using or is under the influence of narcotics, drugs, stimulants, depressants, alcohol, local anesthetics or analgesics as to render the amateur unable to recognize if the amateur is seriously injured.

(j) Dental abscess or loose tooth or teeth;

(k) Ophthalmological problem(s) including but not limited to; Retinopathy or detached retina; provided however, that the applicant shall be permitted to participate in a match if the amateur provides, at or before the weigh-in, the written statement of a board certified ophthalmologist stating that the amateur's retina is completely healed and that in the ophthalmologist's expert medical opinion, no unusual or extraordinary risk to the amateur is anticipated as a result of the retinopathy or a previously detached retina.

(l) History of epilepsy or seizures, provided however, that the applicant shall be permitted to participate in a match if the amateur provides, at or before the weigh-in, the written statement of a board certified neurologist stating that the epilepsy or seizure disorder is well-controlled and that in the neurologist's expert medical opinion, no unusual or

extraordinary risk to the amateur is anticipated as a result of the epilepsy or seizure disorder;

(m) History of kidney problems, including solitary kidney; provided however, that the applicant shall be permitted to participate in a match if the amateur provides, at or before the weigh-in, the written statement of a board certified nephrologist stating that the kidney problem is resolved and that in the nephrologist’s expert medical opinion, no unusual or extraordinary risk to the amateur is anticipated as a result of the resolved kidney problem and/or solitary kidney;

(n) History of blood clotting disorders or abnormal bleeding, including hemophilia and Von Willebrand disease; provided however, that the applicant shall be permitted to participate in a match if the amateur provides, at or before the weigh-in, the written statement of a board certified hematologist stating that the bleeding problem is well controlled and that in the hematologist’s expert medical opinion, no unusual or extraordinary risk to the amateur is anticipated as a result of the bleeding disorder;

(o) Altered gait or balance; or

(p) History of any abnormality in a computerized axial tomography (CAT) scan, electroencephalogram (EEG), electrocardiogram (EKG), magnetic resonance imaging (MRI) scan, or other similar medical tests.

(6) Amateurs participating in mixed martial arts matches must comply with the following:

(a) Each amateur shall provide the amateur sanctioning organization with hepatitis B surface antigen laboratory results and hepatitis C antibody lab results indicating no infection. Negative results will be acceptable for a period of up to twelve (12) months. After twenty-four (24) months, the amateur will need to be re-tested and provide the amateur sanctioning organization with current laboratory results.

(b). Each amateur shall provide the amateur sanctioning organization with rapid HIV test results indicating no infection with the Human Immunodeficiency Virus/ Acquired Immunodeficiency Syndrome (HIV/AIDS). Negative results will be acceptable for a period of up to twenty-four (24) months. After twenty-four (24) months, the amateur will need to be re-tested and provide the amateur sanctioning organization with current laboratory results.

(7) In addition to the above, amateurs 40 years and older shall submit satisfactory results every 24 months from the following prior to being approved for participation:

(a) A normal EKG and a letter from the amateur’s personal physician clearing him to compete.

(b) A letter from a general practitioner licensed as an M.D. or D.O. indicating the amateur had undergone a physical examination and that he was cleared to compete.

(8) All amateurs with cuts and abrasions that require dressing, bandages, or band-aids must be approved to compete by a ringside physician prior to being cleared to participate.

(9) Female participants are limited to participation with additional medical restrictions. If any of the following conditions exist, the athlete is not permitted to participate:

(a) Pelvic disease states such as symptomatic endometriosis;

(b) Abnormal vaginal bleeding;

(c)Recent secondary amenorrhea of undetermined cause;

(d) Recent breast bleeding;

(e) Recently discovered breast masses; or

(f) Confirmed pregnancy in participants over 10 years of age.?

Rulemaking Authority 548.003 FS. Law Implemented 548.006 FS. History–New_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida State Boxing Commission

NAME AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida State Boxing Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 28, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 13, 2014

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: RULE TITLE:

61K1-4.014 Records

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and to add new language to modify the procedures for maintaining the records and the time limitations for keeping records.

SUMMARY: The rule amendment will delete unnecessary language and to add new language to modify the procedures for maintaining and time limitations for keeping records.

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 been prepared by the agency. The following is a summary of the SERC:

Based on the annual average number of applicants, 19 applicants are expected to comply with the rule.

There will be no costs to the Department for implementing the proposed rule.

There will be no costs to any other state and local government entities for implementing the proposed rule.

There will be no costs to any other state and local government enforcing the proposed rule.

The costs incurred by individuals and entities required to comply with the requirements of the proposed rule will be minimal.

The estimated number of small businesses that would be subject to the rule is between 100 and 499.

No small county or small city will be impacted by this proposed rule.

No good faith written proposals for a lower cost regulatory alternative to the proposed rule were received.

The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs. 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: 548.003 FS.

LAW IMPLEMENTED: 548.003(2), 548.004, 548.041, 548.046(2)(a), 548.053(1) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cynthia Hefren, Executive Director, State Boxing Commission, 1940 North Street, Tallahassee, Florida 32399-1016

THE FULL TEXT OF THE PROPOSED RULE IS:

61K1-4.014 Records.

(1) All licensees shall maintain a full, true, and accurate set of books and records in connection with all licensed activities.

(a) The records shall be made at or near the time of the occurrence recorded by a person with knowledge of the matters recorded.

(b) These records and any other documents required by statute or commission rule shall be kept for at least five years and shall be open to inspection and audit by representatives of the department or commission upon reasonable notice.

(2) The following is a list that includes records that must be maintained by amateur sanctioning organizations holding matches:

(a) Amateur medical records related to weigh-in and pre-match physical requirements as set forth in Rule 61K1-7.007, F.A.C., that the amateurs submits to the amateur sanctioning organization prior to participating in matches;

(b) Bout cards;

(c) Weigh-in documentation;

(d) All documentation submitted to the commission for licensure and permit approval;

(e) HIPAA Medical Records Releases obtained from amateurs related to medical records obtained prior to participating in matches;

Rulemaking Authority 548.003 FS. Law Implemented 548.003(2), 548.004, 548.041, 548.046(2)(a), 548.053(1) FS History–New

_____:

NAME OF PERSON ORIGINATING PROPOSED RULE:
State Boxing Commission

NAME AGENCY HEAD WHO APPROVED THE PROPOSED RULE: State Boxing Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 28, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 13, 2014

Section III

Notice of Changes, Corrections and Withdrawals

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

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 40, No. 88, May 6, 2014 issue of the Florida Administrative Register.

Notice is hereby given that the following correction has been made to the Notice of Rule Development for the above in Vol. 40, No. 88, 5/6/2014, issue of the Florida Administrative Register. The published Notice of Rule Development did not include a statement regarding the availability of a rulemaking workshop. The notice should have included the following statement: 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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE NO.: RULE TITLE:

61G18-30.003 Citations

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 40, No. 81, April 25, 2014 issue of the Florida Administrative Register.

The Purpose and Effect now reads as follows: The proposed amendment is to facilitate the enforcement of an offense which poses potential harm to the general public.

This correction does not affect the substance of the rule as it appeared in the Florida Administrative Register as outlined above.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Division of Professions, Board of Veterinary Medicine, 1940 N. Monroe Street, Tallahassee, FL 32399-0783, (850) 487-1395 or by electronic mail at Juanita.Chastain@myfloridalicense.com

**Section IV
Emergency Rules**

NONE

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-4.070: Durable Medical Equipment and Medical Supplies

The Agency for Health Care Administration hereby gives notice that on April 30, 2014, the Agency for Health Care Administration (“AHCA”) issued a Final Order Granting Petition for Variance from or Waiver of Rule 59G-4.070, Florida Administrative Code. The Final Order was entered in response to the Am-Med Diabetic Supplies, Inc. d/b/a Beyond Medical USA’s document entitled, “Petition for Waiver or Variance” (the “Petition”), filed with the Agency Clerk on January 31, 2014. The Petition was published in the Florida Administrative Register on February 21, 2014. Am-Med Diabetic Supplies, Inc. d/b/a Beyond Medical USA (“Petitioner”) seeks a variance or waiver from Rule 59G-4.070, Florida Administrative Code.

Rule 59G-4.070, Florida Administrative Code, entitled Florida Medicaid Durable Medical Equipment and Medical Supply Services Coverage and Limitations Handbook, applies to all durable medical equipment and supply providers enrolled in the Medicaid program. Pursuant to Rule 59G-4.070, Florida Administrative Code, “[a]ll durable medical equipment and medical supply providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Durable Medical Equipment and Medical Supply Services Coverage and Limitations Handbook, July 2010, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated by reference in Rule 59G-4.001, F.A.C.” Petitioner seeks a variance or waiver from that portion of the Florida Medicaid Durable Medical Equipment and Medical Supply Services Coverage and Limitations Handbook, July 2010, which precludes Medicaid DME and medical supply providers from having the same street address as another Medicaid DME and medical supply provider.

On April 30, 2014, AHCA issued the Final Order Granting Petition for Variance from or Waiver of Rule 59G-4.070, Florida Administrative Code. The Petition provided sufficient facts that constitute competent, substantial evidence, pursuant to Section 120.542(8), Florida Statutes, to support a variance or waiver from that portion of the Florida Medicaid Durable Medical Equipment and Medical Supply Services Coverage and Limitations Handbook, July 2010, which precludes Medicaid DME and medical supply providers from having the same street address as another Medicaid DME and medical supply provider.

A copy of the Order or additional information may be obtained by contacting Richard Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Station 3, Tallahassee, Florida 32308.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-4.130: Home Health Services

NOTICE IS HEREBY GIVEN that on May 5, 2014, the Agency for Health Care Administration received a petition for "Emergency Petition for Variance from or Waiver of Rule 59G-4.130 (“Petition”) from S. W. (“Petitioner”). Petitioner seeks a variance from or waiver of limited provisions of Rule 59G-4.130, Florida Administrative Code, entitled Home Health Services. Rule 59G-4.130, Florida Administrative Code (the “rule”), incorporates by reference the Medicaid Home Health Services Coverage and Limitations Handbook, March 2013 (the “handbook”). The rule applies to all home health agencies licensed under Chapter 400, Part III, Florida Statutes, and certified by the Agency for Health Care Administration for participation in the Florida Medicaid program for home health

care. The rule specifies that all home health agency providers enrolled in the Florida Medicaid program must be in compliance with the handbook. Petitioner seeks an emergency variance from or waiver of the handbook provision which requires that home health care services be provided only by home health agencies enrolled under State Plan Medicaid.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Richard Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Station 3, Tallahassee, Florida 32308. Interested persons or other agencies may submit to the Agency Clerk written comments on the petition for emergency variance or waiver within five (5) days after publication of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

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

On May 12, 2014 the Division issued an order. The Final Order was in response to a Petition for a temporary Variance from 501 East Kennedy Building, filed April 24, 2014, and advertised on April 25, 2014 in Vol. 40, No. 81, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a) Florida Administrative Code that requires upgrading the elevators with firefighters' emergency operations because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2014-108).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on May 12, 2014 the Division issued an order. The Final Order was in response to a Petition for a Variance from 220 Riverside Building, filed April 17, 2014, and advertised on April 22, 2014 in Vol. 40, No. 78, of the Florida Administrative Register. No comments were received

in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.1, 2.18.5.1, 2.20.4, 2.20.5 and 2.20.9 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a) Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2014-101).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on May 6, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for 700 Building. Petitioner seeks a variance of the requirements of Florida Statutes 399.105(4), which references administrative fines which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-124).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on May 8, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Hilton. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-125).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on May 12, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Excellence Alf. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.18.5.1, 2.20.4, 2.20.5 and 2.20.9 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-128).

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

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

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

DATE AND TIME: May 28, 2014, 9:00 a.m.

PLACE: R.A. Gray Building, Room 404, 500 South Bronough Street, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pre-Application Workshop Webinar.

A copy of the agenda may be obtained by contacting Ronni Wood at 1(800)847-7278 or via email, Ronni.Wood@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 Ronni Wood at 1(800)847-7278 or via email, Ronni.Wood@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 Ronni Wood at 1(800)847-7278 or via email, Ronni.Wood@dos.myflorida.com.

DEPARTMENT OF EDUCATION

The Division of Blind Services announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 21, 2014, 3:00 p.m. EDT

PLACE: Division of Blind Services, Rehabilitation Center for the Blind and Visually Impaired, 408 White Street, Room A29, Daytona Beach, FL 32114; teleconference number 1(888)339-2688, participant passcode 14661902

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of DBS Client Satisfaction Survey Results and Contract Service Deliverables.

A copy of the agenda may be obtained by contacting: open meeting, no agenda

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: The Division of Blind Services, 325 West Gaines Street, Room 1114, Tallahassee, FL 32399, (850)245-0300. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: The Division of Blind Services, 325 West Gaines Street, Room 1114, Tallahassee, FL 32399, (850)245-0300.

FLORIDA PAROLE COMMISSION

The Florida Parole Commission announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, June 4, 2014 & Thursday, June 5, 2014, 9:00 a.m.; Wednesday June 11, 2014 & Thursday June 12, 2014, 9:00 a.m.; Wednesday June 18, 2014 & Thursday, June 19, 2014, 9:00 a.m.; Wednesday June 25, 2014 & Thursday June 26, 2014, 9:00 a.m.

PLACE: Florida Parole Commission, 4070 Esplanade Way, Tallahassee, FL 32399-2450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission (850)488-1293.

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: Florida Parole Commission at ada@fpc.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.

EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

The State Emergency Response Commission Training Task Force announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 28, 2014, 1:30 p.m.

PLACE: This is a telephone conference call which can be attended via telephone. Dial 1(888)670-3525, Pass code is 3313368082

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1. Hazardous Materials Training Symposium
2. Report on Revision/Update of Existing Protocols

A copy of the agenda may be obtained by contacting: Florida Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)413-9970

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: Florida Division of Emergency Management (850)413-9970. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL PLANNING COUNCILS

West Florida Regional Planning Council

The Bay Area Resource Council announces public meetings to which all persons are invited.

DATE AND TIMES: Wednesday, May 28, 2014: 1:00 p.m., BARC-TAC; 2:30 p.m., BARC

PLACE: West Florida Regional Planning Council, 4081 E. Olive Road, Suite A, Pensacola, FL 32514

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Bay Area Resource Council.

A copy of the agenda may be obtained by contacting: michael.reistad@wfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: michael.reistad@wfrpc.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: michael.reistad@wfrpc.org, 1(800)226-8914, ext. 222.

DEPARTMENT OF ELDER AFFAIRS

Division of Volunteer and Community Services

The Department of Elder Affairs announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 11, 2014, 9:00 a.m. to 12:30 p.m., EDT.

PLACE: Smith-Williams Service Center, 2295 Pasco Street, Tallahassee, FL 32310.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The presenters will discuss fraud prevention and the importance of increasing awareness of elder exploitation and abuse in the community.

A copy of the agenda may be obtained by contacting: Janine Harris, Director of Volunteer & Community Services, Florida Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000; by phone at (850)414-2373 or via email at harrisj@elderaffairs.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 72 hours before the workshop/meeting by contacting: Janine Harris, Director of Volunteer & Community Services, Florida Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000; by phone at (850)414-2373 or via email at harrisj@elderaffairs.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).

For more information, you may contact: Janine Harris, Director of Volunteer & Community Services, Florida Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000; by phone at (850)414-2373 or via email at harrisj@elderaffairs.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: May 28, 2014, 10:00 a.m.

PLACE: Crystal River City Hall, 123 NW Highway 19, Crystal River, FL 34428

GENERAL SUBJECT MATTER TO BE CONSIDERED: Announcing a Technical Meeting for the Basin Management Action Plan (BMAP) for Kings Bay and Crystal River Springs. Topics will include an overview of the hydrogeology of the Crystal River area, and continuation of the BMAP process. The BMAP is the means for implementation of the adopted Total Maximum Daily Loads (TMDLs).

A copy of the agenda may be obtained by contacting: Terry Hansen, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, or by e-mail terry.hansen@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Terry Hansen at (850)245-8561. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: May 27, 2014, 1:00 p.m.

PLACE: Ball Room (Enhanced Mermaid Banquet Hall), Weeki Wachee Springs State Park, 6131 Commercial Way, Spring Hill, Florida 34606

GENERAL SUBJECT MATTER TO BE CONSIDERED: Announcing a Technical Meeting for the Basin Management Action Plan (BMAP) for Weeki Wachee Spring and River. Topics will include an overview of the TMDL, and an introduction to the BMAP process. The BMAP is the means for implementation of the adopted Total Maximum Daily Loads (TMDLs).

A copy of the agenda may be obtained by contacting: Terry Hansen, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone

Road, MS 3565, Tallahassee, Florida 32399-2400, or by e-mail terry.hansen@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Terry Hansen at (850)245-8561. 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

Board of Pharmacy

The Florida Board of Pharmacy Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, June 5, 2014, 1:00 p.m.

PLACE: 1(888)670-3525, conference code: 513 489 6685

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: The Florida Board of Pharmacy at (850)245-4292.

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 10 days before the workshop/meeting by contacting: The Florida Board of Pharmacy at (850)245-4292. 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: The Florida Board of Pharmacy at (850)245-4292.

DEPARTMENT OF FINANCIAL SERVICES

Division of Treasury

The Department of Financial Services announces a public meeting to which all persons are invited.

DATE AND TIME: May 28, 2014, 9:30 a.m.

PLACE: The Hermitage Centre, Conference Room 440-C, 1801 Hermitage Bldg., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Deferred Compensation Advisory Council Meeting scheduled May 13, 2014 has been cancelled and is rescheduled for May 28, 2014.

A copy of the agenda may be obtained by contacting: Kandi Winters, Chief of Deferred Compensation, (850)413-3401 or Sandi Long, (850)413-3412.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 days before the workshop/meeting by contacting: Kandi Winters, Chief of Deferred Compensation, (850)413-3401 or Sandi Long, (850)413-3412. 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 ECONOMIC OPPORTUNITY

Division of Workforce Services

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

DATE AND TIME: May 21, 2014, 9:30 a.m.

PLACE: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deliberation for cases pending before the Reemployment Assistance Appeals Commission that are ready for final review and the Chairman's report. No public testimony will be taken.

A copy of the agenda may be obtained by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

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 24 hours before the workshop/meeting by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151. (850)487-2685. 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: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

CITIZENS PROPERTY INSURANCE CORPORATION

The Information Systems Advisory Committee of Citizens Property Insurance Corporation announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, June 3, 2014, 9:00 a.m.

PLACE: Conference Call, (866)361-7525, ID# 486 964 1229#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business before the Information Systems Advisory Committee
A copy of the agenda may be obtained by contacting: The Corporate website at <https://www.citizensfla.com> or Leann Lund (850)513-3863.

DRMP, INC.

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

DATE AND TIME: Tuesday, May 27, 2014, 5:00 pm to 7:00 pm.

PLACE: New Hope Bible Church, 1730 Vintage Street, Kissimmee, Florida 34746

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No. 239714-1-52-01

Project Description: State Road (SR) 600 (US 17-92) Project Development and Environment (PD&E) Study

From west of Poinciana Boulevard to County Road (CR) 535 (Ham Brown Road)

This public meeting will present the SR 600 (US 17-92) proposed access management concept. Access management is the process used to plan the location, design and operation of driveways, median openings, and street connections. The project limits are from west of Poinciana Boulevard to County Road (CR) 535, a distance of approximately 2.03 miles. The meeting is being conducted to present and explain the proposed access management concept and to obtain input from elected and appointed officials, property owners/tenants, business owners/operators, and other interested parties. A flyer with the agenda and other project-specific information will be distributed at the meeting.

The meeting is developed in compliance with Title VI of the Civil Rights Act of 1964 and related statutes. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Mary McGehee at (386)943-5063 or by email: mary.mcgehee@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mary McGehee at (386)943-5063 or by email: mary.mcgehee@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Mary McGehee at (386)943-5063 or by email: mary.mcgehee@dot.state.fl.us.

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

NOTICE IS HEREBY GIVEN that the Electrical Contractors' Licensing Board has received a Petition for Declaratory Statement from Martha Harrell Chumbler, Esquire on behalf of TF Wireless Products, LLC, filed on May 6, 2014. The Petitioner seeks the Board's interpretation of the applicability of Chapters 489 and 455, Florida Statutes, that neither TF nor anyone acting on TF's behalf will be required to register or obtain certification from the Board in connection with the business endeavor described within the Petition.

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: Daniel Biggins, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, Daniel.Biggins@myfloridalicense.com or by telephoning (850)487-1395.

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: RULE TITLE:

69V-560.102: Application or Appointment Procedures and Requirements

NOTICE IS HEREBY GIVEN that Office of Financial Regulation has received the petition for declaratory statement from SCVNGR, Inc., d/b/a LevelUp on May 12, 2014. The petition seeks the agency's opinion as to the applicability of applicability of Chapter 560, Florida Statutes, as it applies to the petitioner.

The petition seeks a declaratory statement from the Office on whether Petitioner's current business and proposed merchant gift card feature and related processing activities fall within Florida's money transmitting licensing statute Chapter 560, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P. O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P. O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889.

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

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL
2014-CD-11300 Before and After School
Technical Assistance
REQUEST FOR PROPOSALS (FDDC RFP
#2014-CD-11300)

Before and After School Technical Assistance
The Florida Developmental Disabilities Council, Inc. (FDDC) is pleased to announce that this request for proposals (RFP #2014-CD-11300) is released to find an entity with proven strategies to include children with significant developmental disabilities in before and after school programs. The selected entity will provide technical assistance and conduct webinars to train school districts and interested groups on including students with significant needs in their programs. Individuals, not-for-profit, and for-profit agencies may submit proposals in response to this RFP. FDDC has set aside a maximum of \$25,000 federal funds for a period not to exceed one (1) year for fiscal support of this RFP. The exact amount of this contract will be developed during contract negotiations. Copies of this RFP can be downloaded from the FDDC website (www.fddc.org) or copies may be requested by writing FDDC at 124 Marriott Drive, Suite 203, Tallahassee, FL 32301, or calling (850)488-4180 or toll-free 1(800)580-7801 or TDD toll-free 1(888)488-8633. The deadline for submitting written questions and letters of intent for this RFP is May 30, 2014 by 4:00 p.m. (EDT). Letters of intent are encouraged but not mandatory. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by email will not be accepted. All answers to written questions will be posted on the FDDC website during the week of June 2, 2014. The deadline for submitting proposals for this RFP to FDDC is June 23, 2014 by 2:00 p.m. (EDT). The above announcement will appear in the Florida Administrative Register and on the FDDC web page (fddc.org) on May 14, 2014. Please forward all requests for copies of this RFP to Carolyn Williams. Questions are to be submitted in written format only. This is a legal process and we cannot answer questions verbally.

Section XII
Miscellaneous

DEPARTMENT OF HEALTH
Board of Nursing

Notice of Emergency Action

On May 13, 2014, State Surgeon General issued an Order of Emergency Restriction of License with regard to the license of Brittany D. Donar, C.N.A., License No.: CNA 204711. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2012-2013). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

Final Order Nos., DEO-14-046, DEO-14-047, DEO-14-048
NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order Nos. DEO-14-046, DEO-14-047, DEO-14-048 on May 12, 2014, in response to applications submitted by Thunderbird Club Homeowners Association, Village of Holiday Lake Homeowners Association and Spreading Oak Village Homeowners Association for covenant revitalization under Chapter 720, Part III, Florida Statutes. The Department’s Final Order granted the applications 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

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.