

**Section I**  
**Notice of Development of Proposed Rules**  
**and Negotiated Rulemaking**

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:**      **RULE TITLE:**

6A-6.03315      Private School Scholarship Compliance

**PURPOSE AND EFFECT:** The purpose of this rule development is to make changes on the Scholarship Compliance Form. The effect will be to revise an existing rule that is consistent with the current procedures and the governing statutes.

**SUBJECT AREA TO BE ADDRESSED:** Private School Scholarship Compliance.

**RULEMAKING AUTHORITY:** 1002.421, 1002.395, 1002.39, FS.

**LAW IMPLEMENTED:** 1002.395, 1002.39, 1002.421, 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: Laura Harrison, Director of Scholarships, Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400; (850)245-0502. To request a rule development workshop, please contact: Cathy Schroeder, Agency Clerk, Florida Department of Education, (850)245-9661 or e-mail [cathy.schroeder@fldoe.org](mailto:cathy.schroeder@fldoe.org) or go to <https://app1.fldoe.org/rules/default.aspx>.

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:** **RULE TITLE:**

**6A-6.0960 Florida Tax Credit Scholarship Program**

**PURPOSE AND EFFECT:** The purpose of this rule development is to make changes to reflect legislative revisions related to accountability of approved scholarship recipient private schools as well as clarify technical changes to website references. The effect will be a rule that is consistent with the governing statute.

**SUBJECT AREA TO BE ADDRESSED:** Florida Tax Credit Scholarship Program.

**RULEMAKING AUTHORITY:** 1002.395, FS.

**LAW IMPLEMENTED:** 1002.395, 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: Laura Harrison, Director of Scholarships, Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400; (850)245-0502. To request a rule development workshop, please contact: Cathy Schroeder, Agency Clerk, Florida Department of Education, (850)245-9661 or e-mail [cathy.schroeder@fldoe.org](mailto:cathy.schroeder@fldoe.org) or go to <https://app1.fldoe.org/rules/default.aspx>.

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

**RULE NOS.:**      **RULE TITLES:**

59A-12.002      Definitions

59A-12.012      Internal Risk Management Program

**PURPOSE AND EFFECT:** Rule 59A-12.002, F.A.C.: The Agency is proposing to use a standardized term for Clinic Model HMO by reference to comply with the statutory requirements pursuant to Section 641.55, F.S.

Rule 59A-12.012, F.A.C.: The Agency is proposing to establish a standardized form by reference for submitting adverse incident reports to the agency and to comply with the statutory requirements pursuant to Section 641.55, F.S.

**SUBJECT AREA TO BE ADDRESSED:** Rule 59A-002, F.A.C. The rule incorporates the term and its meaning by reference pursuant to Section 641.55, F.S.

Rule 59A-012, F.A.C. The rule incorporates a standardized form by reference pursuant to Section 641.55, F.S.

**RULEMAKING AUTHORITY:** 641.55 and 641.56, FS.

**LAW IMPLEMENTED:** 641.55 and 641.56, FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE

**DATE, TIME AND PLACE SHOWN BELOW:**

DATE AND TIME: September 30, 2015, 1:00 p.m. – 2:00 p.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Patricia Vidal, Bureau of HQA, 2727 Mahan Drive, MS 16, Tallahassee, Florida, 32308. Email: Patricia.Vidal@ahca.myflorida.com or by phone: (850)412-3759. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Patricia Vidal via email at Patricia.vidal@ahca.myflorida.com or by phone at (850)412-3759.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE NO.: 59A-35.110  
 RULE TITLE: Reporting Requirements; Electronic Submission

PURPOSE AND EFFECT: Rule 59A-35.110, F.A.C. The Agency is proposing to establish standardized forms and provide access for electronic submission of information required for the reporting of adverse incidents to the agency.

SUBJECT AREA TO BE ADDRESSED: Pursuant to Section 408.806, F.S. This rule incorporates forms by reference for electronic submission of adverse incidents to the agency.

RULEMAKING AUTHORITY: 408.806, FS.

LAW IMPLEMENTED: 408.806, FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: September 30, 2015, 3:00 p.m. – 4:00 p.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Patricia Vidal, Bureau of HQA, 2727 Mahan Drive, MS 16, Tallahassee, Florida, 32308. Email: Patricia.Vidal@ahca.myflorida.com or by phone: (850)412-3759. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Patricia Vidal via email at Patricia.vidal@ahca.myflorida.com or by phone at (850)412-3759.

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-4.060  
 RULE TITLE: Dental Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.060, F.A.C. is to incorporate by reference the Florida Medicaid Dental Services Coverage Policy,\_\_\_\_\_. The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

SUBJECT AREA TO BE ADDRESSED: Dental Services. An additional area to be addressed during the workshop will be the potential regulatory impact Rule 59G-4.060, F.A.C., will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.906, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: October 14, 2015, from 12:00 p.m. to 2:00 p.m.

PLACE: State Regional Service Center, 400 W. Robinson Street, Suite N-109 (Hurston Building – North Tower), Orlando, Florida 32801.

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: Robert Reifinger. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robert Reifinger, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop #20, Tallahassee, Florida 32308-5407, telephone: (850)412-4213 e-mail: Robert.Reifinger@ahca.myflorida.com.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.060 Dental Services.

(1) This rule applies to all providers of dental services dentists who are enrolled in or registered with the Florida Medicaid program for dental services under Section 409.906, F.S.

(2) All providers of dental services providers enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Dental Services Coverage Policy, \_\_\_\_\_, incorporated by reference and Limitations Handbook, November 2011, and the Florida Medicaid Provider Reimbursement Handbook, ADA Dental Claim Form, July 2008, which are incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated by reference in Rule 59G 4.001, F.A.C. The policy is All handbooks are available from the Medicaid fiscal agent's Web site at http://portal.flmmis.com/flpublic. www.mymedicaid-florida.com. Select Public Information for Providers, then Provider Support, and then Provider Handbooks. Paper copies of the handbooks may be obtained by calling the Medicaid fiscal agent, Provider Contact Center at 1(800) 289 7799 and selecting Option 7.

(3) ~~The following forms that are included in the Florida Medicaid Dental Services Coverage and Limitations Handbook are incorporated by reference: Medicaid Orthodontic Initial Assessment Form (IAF), AHCA Med Serv Form 013, January 2006, five pages, located in Appendix A; and the Medical Behavioral Management Report, AHCA Med Serv Form 012, January 2007, one page, located in Appendix F. The forms are available by photocopying them from the handbook.~~

~~(4) The following form that is included in Chapter 1 of the Florida Medicaid Provider Reimbursement Handbook, ADA Dental Claim Form, is incorporated by reference: ADA Dental Claim Form, ©2006 American Dental Association, J404. ADA Dental Claim Forms may be ordered from the American Dental Association at 1(800) 947 4746 or online at www.adacatalog.org. They may also be ordered by calling the Medicaid fiscal agent's Provider Contact Center at 1(800) 289 7799 and selecting Option 7. The following form that is included in Chapter 3 of the handbook, Medically Needy Billing Authorization, DF ES 2902, June 2003, is incorporated by reference in Rule 59G 4.001, F.A.C. The form is mailed by the Department of Children and Family Services to providers whose services are eligible for reimbursement.~~

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS. History—New 7-10-80, Amended 2-19-81, 10-27-81, 7-21-83, Formerly 10C-7.523, Amended 9-11-90, 11-3-92, Formerly 10C-7.0523, Amended 6-29-93, Formerly 10P-4.060, Amended 7-19-94, 7-16-96, 3-11-98, 10-13-98, 12-28-98, 6-10-99, 4-23-00, 4-24-01, 7-5-01, 2-20-03, 8-5-03, 1-8-04, 10-12-04, 6-28-05, 7-2-06, 5-21-07, 2-23-09, 5-3-12, \_\_\_\_\_.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Accounting and Auditing**

RULE NOS.: RULE TITLES:

- 69I-20.0021 Procedures for Filing Claim
- 69I-20.0022 Proof of Ownership and Entitlement to Unclaimed Property
- 69I-20.030 Definitions

PURPOSE AND EFFECT: The primary purpose of this rulemaking is to adopt language to implement the electronic claims filing provision in subsection 717.124(7), F.S. Further, these rules are being amended to clarify the statutory requirements under sections 717.135 and 717.1351, F.S., for filing claims and to remove unnecessary language.

SUBJECT AREA TO BE ADDRESSED: Unclaimed Property.

RULEMAKING AUTHORITY: 717.138, FS.

LAW IMPLEMENTED: 92.525, 717.1201, 717.124, 717.12403, 717.12404, 717.12405, 717.1242, 717.1243, 717.125, 717.126, 717.1261, 717.1262, 717.135, 717.1351, 717.139, 717.1400, FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Wednesday, October 7, 2015, 9:00 AM

PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida.

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: Phillip Carlton, telephone: (850)413-5570, email: Phillip.Carlton@MyFloridaCFO.com If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Phillip Carlton, Assistant Bureau Chief, Bureau of Unclaimed Property, Division of Accounting and Auditing, Department of Financial Services, address: 200 East Gaines Street, Tallahassee, Florida 32399-0356, telephone: (850)413-5570, email: Phillip.Carlton@MyFloridaCFO.com.

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

## Section II Proposed Rules

### DEPARTMENT OF MANAGEMENT SERVICES

#### E911 Board

RULE NO.: 60FF1-5.004  
 RULE TITLE: Requirements for Fee Remittance Submitted by or on Behalf of Wireless and Non-Wireless Service Providers.

PURPOSE AND EFFECT: To clarify Board-established fee rate and provider registration requirements.

SUMMARY: Clarify Board-established fee rate and provider registration requirements.

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 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 SERC was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 365.172(6)(a)11., 365.172(8) FS.

LAW IMPLEMENTED: 365.172(8) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Stan Greer, Acting Chairman, E911 Board, 4030 Esplanade Way, Suite 135F, Tallahassee, Florida 32399-0950; (850)921-2334.

#### THE TEXT OF THE PROPOSED RULE IS:

60FF1-5.004 Requirements for Fee Remittance Submitted by or on Behalf of Wireless and Non-Wireless Service Providers.

(1) No change.

(2) The E911 fee rate is established based on subsection 365.172(8)(f), F.S., and may be adjusted by the E911 Board in accordance with subsections 365.172(8)(g) and (h), F.S. The E911 Board posts the rate on the E911 Board website in the "E911 Fee Collection and Distribution document."

(3)(2) through (7)(d) No change.

(e) New or existing service providers providing new services in a new service category shall provide registration notification to the E911 Board. Notification shall include the provider's name, contact person, address, contact phone number and e-mail address for the E911 staff notification and inquires. Notification is also required for any provider utilizing different business names. Notification will also include the category of service that will be provided; e.g., either wireless, non-wireless VoIP, or non-wireless specialty categories.

(f)(e) No change.

(4)(3) No change.

(5)(4) No change.

(6)(5) No change.

Rulemaking Authority 365.172(6)(a)11., 365.172(8) FS. Law Implemented 365.172(8) FS. History–New 11-16-10, Formerly 60FF-5.004, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
E911 Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: E911 Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 15, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 25, 2015

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE NOS.: RULE TITLES:

61A-2.014 Applications

61A-2.019 Approved Forms

PURPOSE AND EFFECT: To repeal Rules 61A-2.014 and 61A-2.019, F.A.C. The Department has determined that these rules are unnecessary or are repetitive of current Florida law.

SUMMARY: The proposed rulemaking repeals Rules 61A-2.014 and 61A-2.019, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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: 120.53(1)(b), 561.11, FS.

LAW IMPLEMENTED: 120.53, 561.15, 561.17, 561.25, FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Renita Walton-Hayes, Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 26, Tallahassee, Florida 32399, (850)717-1118, renita.walton-hayes@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61A-2.014 Applications.

Rulemaking Specific Authority 561.11 FS. Law Implemented 561.15, 561.17, 561.25 FS. History–New 10-20-72, Repromulgated 12-19-74, Formerly 7A-2.14, Amended 4-29-90, Formerly 7A-2.014, Repealed.

61A-2.019 Approved Forms.

Rulemaking Authority 120.53(1)(b) FS. Law Implemented 120.53 FS. History–New 11-19-81, Formerly 7A-2.19, 7A-2.019, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Anthony Glover, Deputy Director, Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 04, 2015

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE NO.: RULE TITLE:

61A-3.053 Hardship for Extension to Activate Quota License

PURPOSE AND EFFECT: To repeal Rule 61A-3.053, F.A.C. The Department has determined that this rule is unnecessary or repetitive of current Florida law.

SUMMARY: The proposed rulemaking repeals Rule 61A-3.053, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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: 561.11, FS.

LAW IMPLEMENTED: 561.29, FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Renita Walton-Hayes, Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 26, Tallahassee, Florida 32399, (850)717-1118, renita.walton-hayes@myfloridalicense.com

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Renita Walton-Hayes, Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 26, Tallahassee, Florida 32399, (850)717-1118, renita.walton-hayes@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61A-3.053 Hardship for Extension to Activate Quota License  
Rulemaking Specific Authority 561.11 FS. Law Implemented 561.29 FS. History—New 2-28-94, Repealed.

THE FULL TEXT OF THE PROPOSED RULE IS:

61A-4.030 Deliveries to Vendors.  
Rulemaking Specific Authority 561.11 FS. Law Implemented 561.14(1), 561.56, 561.57, 565.03(1) FS. History—Repromulgated 12-19-74, Amended 3-1-76, Formerly 7A-4.30, 7A-4.030, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Anthony Glover, Deputy Director, Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation.

NAME OF PERSON ORIGINATING PROPOSED RULE: Anthony Glover, Deputy Director, Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: September 4, 2015

HEAD: September 4, 2015

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE NO.: 61A-4.030 RULE TITLE: Deliveries to Vendors  
 PURPOSE AND EFFECT: To repeal Rule 61A-4.030, F.A.C. The Department has determined that this rule is unnecessary or repetitive of current Florida law.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE NO.: 61A-10.0022 RULE TITLE: Cigarette Distributing Agent - Requirements  
 PURPOSE AND EFFECT: To repeal Rule 61A-10.0022, F.A.C. The Department has determined this rule is unnecessary or repetitive of current Florida law.

SUMMARY: The proposed rulemaking repeal Rule 61A-4.030, F.A.C.

SUMMARY: The proposed rulemaking repeals 61A-10.0022, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that 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.

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.

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: 561.11, FS.

LAW IMPLEMENTED: 561.14(1), 561.56, 561.57, 565.03(1) FS.

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

RULEMAKING AUTHORITY: 210.10, FS.

LAW IMPLEMENTED: 210.01, 210.05, 210.085, 210.15, FS.  
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Renita Walton-Hayes, Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 26, Tallahassee, Florida 32399, (850)717-1118, renita.walton-hayes@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61A-10.0022 Cigarette Distributing Agent – Requirements

Rulemaking Specific Authority 210.10 FS. Law Implemented 210.01, 210.05, 210.085, 210.15 FS. History—New 9-2-08, Repealed\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Anthony Glover, Deputy Director, Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 4, 2015

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-730.186 Universal Pharmaceutical Waste

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to provide an opportunity for public input and to clarify, in response to an August 17, 2015, Notice of Unadopted Rule from Zenith Environmental Services, LLC, that the Department's Universal Pharmaceutical Waste rule does not relieve handlers of pharmaceutical waste, that is determined to be hazardous by the generator, from handling all such waste in accordance with state and federal hazardous waste requirements pursuant to Chapter 62-730, F.A.C.

SUMMARY: The United States Resource Conservation and Recovery Act (RCRA) sets out a comprehensive regulatory system governing the treatment, storage, and disposal of hazardous wastes. The United States Environmental Protection Agency (EPA) is the federal agency responsible for administering RCRA. In 1985, Florida received authorization

from EPA to administer its own hazardous waste management and regulatory program under RCRA. One of the conditions of the authorization is that Florida's program be no less stringent than the Federal program. EPA maintains oversight of Florida's program and must approve any amendments thereto. In 2007, Florida adopted the Universal Pharmaceutical Waste rule to provide specific alternative handling requirements for pharmaceuticals that are determined to be hazardous waste pharmaceuticals by the generator.

When a generator of pharmaceutical wastes determines it to be "hazardous waste," Florida's RCRA regulations require that the hazardous waste pharmaceuticals be managed as a universal pharmaceutical waste in accordance with Rule 62-730.186, F.A.C., or as a hazardous waste in accordance with Chapter 62-730, F.A.C. Accordingly, subsequent handlers or transporters of the hazardous waste pharmaceuticals are not permitted to change the waste determination, and the waste must ultimately be sent to either a destination facility or a hazardous waste treatment, storage or disposal facility except as expressly provided in Rule 62-730.186, F.A.C. That rule expressly allows subsequent handlers of the universal pharmaceutical waste to sort, disassemble and remove hazardous waste pharmaceuticals from packing when (1) the innermost container of each individual pharmaceutical remains intact and closed or (2) the innermost container is placed into another individual sealed container. See Rule 62-730.186(7)(c), F.A.C. In the event the solid waste – i.e., the packages from which the pharmaceuticals were removed – is not hazardous, it can be managed as non-hazardous waste. See Rule 62-730.186(7)(d), F.A.C. Other than the removal of packaging, Florida's regulations do not provide for handlers to otherwise treat or dispose of pharmaceutical waste that was determined to be hazardous by the generator of such waste.

On August 17, 2015, Zenith Environmental Services, LLC, notified the Department that it perceived this above requirement – that all pharmaceuticals determined to be hazardous by the generator to be managed as hazardous waste in accordance with the Department's Universal Pharmaceutical Waste rule – to be an unadopted rule. In the spirit of cooperation and in an effort to promote regulatory certainty, the Department is amending its Universal Pharmaceutical Waste rule to further clarify that it does not relieve handlers of waste that is marked as hazardous by the generator from managing all such waste in accordance with the requirements of Chapter 62-730, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: amendment of this rule is merely clarifying the current state of hazardous waste regulations and therefore will not have an adverse impact or increase regulatory costs on any entity.

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: 403.061, 403.151, 403.704, 403.72, 403.721 FS.

LAW IMPLEMENTED: 120.52, 120.54, 403.061, 403.151, 403.704, 403.72, 403.721 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tim Bahr, Program Administrator, Permitting & Compliance Assistance Program, 2600 Blair Stone Road, MS 4560, Tallahassee, Florida 32399-2400, Tim.Bahr@dep.state.fl.us, (850)245-8790.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-730.186 Universal Pharmaceutical Waste.

(1) The requirements of this section apply to:

(a) "Hazardous waste pharmaceuticals" [as defined in paragraph 62-730.186(4)(e), F.A.C.] while they are managed in Florida; and

(b) Large and small quantity handlers of universal pharmaceutical waste as defined in paragraphs 62-730.186(4)(f) and (l), F.A.C., including persons who handle universal pharmaceutical waste on an infrequent or episodic basis, as well as those who handle such waste routinely or periodically.

(2) The requirements of this section do not apply to:

(a) Pharmaceuticals that are a solid waste, but that are not determined to be hazardous waste by the generator pursuant to 40 CFR 262.11 [as adopted in subsection 62-730.160(1), F.A.C.];

(b) Pharmaceuticals that have not been discarded and that are:

1. Returned with a reasonable expectation of credit through the pharmaceutical reverse distribution system to a manufacturer, wholesaler or reverse distributor, in accordance with an agreement or policy of the manufacturer, due to an oversupply, expiration of the recommended shelf life, a manufacturer recall, a shipping error or damage to the exterior packaging;

2. Donated to a charitable organization as described in the Internal Revenue Code and permitted pursuant to the requirements of Chapter 64F-12, F.A.C.; or

3. Sold to persons who resell and do not discard the pharmaceuticals;

(c) Pharmaceuticals that are biomedical waste as defined in Section 403.703, Florida Statutes (F.S.);

(d) Spill residues, cleanup materials, and media that are contaminated with pharmaceuticals as the result of a spill or discharge; ~~and~~

(e) Raw materials or ingredients used in the manufacture of pharmaceuticals; ~~and~~

(f) Solid waste which is handled as hazardous waste, but not as universal waste.

(3) Hazardous waste pharmaceuticals as determined by the generator pursuant to 40 CFR 262.11 [as adopted in subsection 62-730.160(1), F.A.C.] are considered to be universal waste, referred to hereinafter as "universal pharmaceutical waste," in Florida when managed in accordance with this section. Hazardous waste pharmaceuticals not managed as universal waste in accordance with this section shall be managed as a hazardous waste in accordance with Chapter 62-730, F.A.C., and shall be disposed of at a permitted hazardous waste treatment, storage or disposal facility.

(4) Definitions. As used in this section:

(a) "Consumer packaging" means the packaging that surrounds or encloses a container, in a form intended or suitable for a healthcare or retail venue, or rejected during the manufacturing process as long as it is enclosed in its bottle, jar, tube, ampule, or package for final distribution to a healthcare or retail venue.

(b) "Container" means the receptacle, such as a bottle, jar, tube, or ampule, into which a pharmaceutical is placed, packaged for transport and/or transported and intended for distribution or dispensing to an ultimate user, and does not include any element of a pharmaceutical that is intended to be absorbed, inhaled or ingested.

(c) "Distribute" means to deliver a pharmaceutical by means other than by administering or dispensing.



(d) “Distributor” means a person who distributes.

(e) “Hazardous waste pharmaceutical” means any waste determined by the generator to be a “non-viable” “pharmaceutical” [as defined in paragraphs 62-730.186(4)(i) and 62-730.186(4)(h), F.A.C., respectively] that exhibits a characteristic as described in 40 CFR Part 261, Subpart C, or any is listed hazardous waste pursuant to 40 CFR Part 261, Subpart D. If the waste formulation includes a commercial chemical product listed in Subpart D as the sole active ingredient, then the entire formulation is considered a hazardous waste pharmaceutical, unless excluded by 40 CFR 261.3(g). A pharmaceutical becomes a waste when it is no longer “viable” [as defined in paragraph 62-730.186(4)(n), F.A.C.]; when a decision is made to discard the pharmaceutical; or when the pharmaceutical is abandoned as described in 40 CFR 261.2(b). A pharmaceutical does not meet the definition of a “solid waste” under 40 CFR 261.2 and is considered product as long as it is viable, a decision to discard it has not been made, and it is not abandoned as described in 40 CFR 261.2(b). Pharmaceuticals that are produced by a pharmaceutical manufacturer without reasonable expectation of sale, returned or delivered without a reasonable expectation of credit to a manufacturer, wholesaler, reverse distributor or any type of waste broker, are non-viable and are discarded. Once a decision has been made to discard a viable pharmaceutical, it becomes non-viable. Non-viable pharmaceuticals that are hazardous waste may be handled as universal waste under this rule. 40 CFR Part 261 and all sections thereof as cited in this paragraph have been adopted by reference as state regulations in subsection 62-730.030(1), F.A.C. Once a generator has determined solid waste to be a hazardous waste pharmaceutical, all of the solid waste so determined is a hazardous waste and shall be managed as a hazardous waste according to Chapter 62-730, F.A.C., or it may be managed as a universal waste in accordance with this section, including the requirements for sorting and removing packaging as provided below in subsection 62-730.186(7), F.A.C.

(f) “Large quantity handler of universal pharmaceutical waste” means a “universal waste handler” [as defined in 40 CFR 273.9 (as adopted in subsection 62-730.185(1), F.A.C.)] that, at any time:

1. Accumulates 5,000 kilograms or more total of universal pharmaceutical waste (batteries, pesticides, thermostats, lamps, or pharmaceuticals, calculated collectively) which includes some amount of universal pharmaceutical waste, or

2. Accumulates universal pharmaceutical waste consisting of more than one kilogram total of pharmaceuticals listed in 40 CFR 261.33(e) [as adopted in subsection 62-730.030(1), F.A.C.] as acute hazardous waste (“p-listed wastes”). The designation as a large quantity handler of universal waste is retained through the end of the calendar year in which the universal waste, identified in subparagraphs 1. and 2. of paragraph 62-730.186(4)(f), F.A.C., is accumulated.

(g) “Manufacturer” means a person who prepares, derives, manufactures, or produces a pharmaceutical.

(h) “Pharmaceutical” means a manufactured chemical product that is intended to be inhaled, ingested, injected, or topically applied for use in the diagnosis, cure, mitigation, treatment, therapy, or prevention of disease or injury in humans or other animals.

(i) “Non-viable” means a pharmaceutical that cannot be sold, returned to the manufacturer, wholesaler or reverse distributor with a reasonable expectation of credit, or donated to a charitable organization. Pharmaceuticals that are obviously “waste-like”, such as partial intravenous formulations; partial vials used in the preparation of intravenous (IV) formulations; outdated samples; other outdated items repackaged at the pharmacy; partial vials or vials used on the unit and not emptied (such as insulin and epinephrine dispensing devices); partial ointments, creams and lotions; partial inhalants; partial containers that are not empty as defined in 40 CFR 261.7 [as adopted in subsection 62-730.030(1), F.A.C.]; patient’s personal medications that have been left at the hospital; filled finished products that are rejected during the manufacturing process, so long as they are in their consumer package (such as bottle, jar, tube, or ampule), do not support a reasonable expectation of credit and therefore are non-viable pharmaceuticals.

(j) “Pharmaceutical reverse distribution system” means the established practice of shipping expired or other unsaleable prescription drugs from pharmacies, medical practitioners, over-the-counter pharmaceutical retailers, and pharmaceutical wholesalers to pharmaceutical reverse distributors and then to manufacturers with the intent of receiving credit. These items may be shipped directly to manufacturers depending on manufacturer return policies.

(k) “Reverse distributor” means a person engaged in the reverse distribution of prescription drugs who:

1. Operates a warehouse licensed by the Florida Department of Business and Professional Regulation under Chapter 499, F.S., as a reverse distributor; and

2. Has management systems in place to ensure compliance with applicable requirements of 40 CFR Parts 260 through 273 [as adopted in Rules 62-730.021 and 62-730.183, and subsections 62-730.020(1), 62-730.030(1), 62-730.160(1), 62-730.170(1), 62-730.180(1) and (2), 62-730.181(1), 62-730.185(1), and 62-730.220(1), F.A.C.] and Chapter 62-730, F.A.C.

NOTE: The Federal Drug Enforcement Administration has registration requirements for persons engaged in the reverse distribution of prescription drugs who handle controlled substances in Schedules II through V promulgated under United States Code, Title 21, Section 812.

(l) "Small quantity handler of universal waste" means a "universal waste handler" [as defined in 40 CFR 273.9 (as adopted in subsection 62-730.185(1), F.A.C.)] that does not:

1. Accumulate 5,000 kilograms or more total of universal waste (batteries, pesticides, thermostats, lamps or pharmaceuticals, calculated collectively) which includes some amount of universal pharmaceutical waste; or

2. Accumulate universal pharmaceutical waste consisting of more than one kilogram total of pharmaceuticals listed in 40 CFR 261.33(e) [as adopted in subsection 62-730.030(1), F.A.C.] as acute hazardous waste ("p-listed wastes").

(m) "Universal waste" means any of the following hazardous wastes that are subject to the universal waste requirements of 40 CFR Part 273 [as adopted in subsection 62-730.185(1), F.A.C.], Chapter 62-730, F.A.C., or Chapter 62-737, F.A.C.: batteries as described in 40 CFR 273.2; pesticides as described in 40 CFR 273.3; thermostats as described in 40 CFR 273.4; lamps as described in 40 CFR 273.5; mercury-containing devices as described in Chapter 62-737, F.A.C.; and pharmaceuticals as defined in paragraph 62-730.186(4)(e), F.A.C.

(n) "Viable" means a pharmaceutical can be sold, returned to the manufacturer, wholesaler or reverse distributor with a reasonable expectation of credit, or donated to a charitable organization meeting the definition in the Internal Revenue Code and permitted in accordance with Chapter 64F-12, F.A.C.

(o) "Wholesaler" means a person who sells or distributes for resale any pharmaceutical as defined in paragraph 62-730.186(4)(e), F.A.C., to any entity other than the ultimate user.

(5) A large or small quantity handler of universal pharmaceutical waste ("handler") is prohibited from:

(a) Disposing of universal pharmaceutical waste; and

(b) Diluting or treating universal pharmaceutical waste, except when responding to releases as described in subsection 62-730.186(10), F.A.C., or when managing waste as described in subsection 62-730.186(7), F.A.C.

(6) A handler, except for generators that are small quantity handlers of universal pharmaceutical waste, or a transporter of universal pharmaceutical waste shall notify the Department in writing and receive an EPA Identification Number before accumulating universal pharmaceutical waste, or offering such waste for transport, or transporting such waste, and shall use Form 62-730.900(1)(b), "8700-12FL, Florida Notification of Regulated Waste Activity," effective date 4-23-13 [as adopted by reference in paragraph 62-730.150(2)(a), F.A.C.] to do so. A handler or transporter of hazardous waste that has already notified the Department of its hazardous waste management activities and obtained an EPA Identification Number is not required to renotify under this section.

(7) A handler shall implement proper universal pharmaceutical waste management activities that include the following:

(a) A handler shall contain any universal pharmaceutical waste that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions. A handler shall manage universal pharmaceutical waste in a way that prevents releases of any universal pharmaceutical waste or component of a universal pharmaceutical waste to the environment. The universal pharmaceutical waste shall be contained in one or more of the following:

1. A container that remains closed (except when adding or removing waste), is structurally sound, and compatible with the pharmaceutical, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions;

2. A container that does not meet the requirements of subparagraph 62-730.186(7)(a)1., F.A.C., provided the unacceptable container is overpacked in a container that does meet the requirements; and

3. A tank that meets the requirements of 40 CFR Part 265 Subpart J [as adopted in subsection 62-730.180(2), F.A.C.], except for 40 CFR 265.197(c), 265.200 and 265.201.

(b) A handler shall clearly label those containers and tanks accumulating waste pharmaceuticals with the phrase "universal pharmaceutical waste" or "universal waste pharmaceuticals," and keep records of what is going into each container sufficient to allow safe handling and proper disposal of the universal pharmaceutical waste.

(c) A handler may conduct the following activities as long as the innermost container of each individual pharmaceutical remains intact and closed, or if the innermost container is placed into another individual sealed container:

1. Sorting or mixing individual pharmaceuticals in one outer container, as long as the pharmaceuticals are compatible;

2. Disassembling packaging packages used for shipping or storage, excluding innermost containers, containing several pharmaceuticals into individual pharmaceuticals; and

3. Removing consumer packaging from pharmaceuticals, except that removing the innermost containers from hazardous waste pharmaceuticals, as determined by the generator, shall be prohibited from consumer packaging.

(d) A handler of universal pharmaceutical waste may generate solid waste as a result of removing packaging used for shipping or storage, including consumer packaging, but excluding innermost containers, pursuant to the activities in paragraph 62-730.186(7)(c), F.A.C. A handler of universal pharmaceutical waste that generates solid waste shall determine whether the solid waste is hazardous waste identified in 40 CFR Part 261 Subpart C or D [as adopted in subsection 62-730.030(1), F.A.C.]. If the solid waste is a hazardous waste, it shall be managed in compliance with all applicable requirements of Chapter 62-730, F.A.C. The handler is considered the generator of the hazardous waste and is subject to 40 CFR Part 262 [as adopted in subsection 62-730.160(1), F.A.C.]. If the solid waste is not hazardous waste, the handler may manage the waste in any way that is in compliance with applicable federal, state and local solid waste regulations.

(e)1. A reverse distributor or wholesaler who meets the definition of “universal waste handler” in 40 CFR 273.9 [as adopted in subsection 62-730.185(1), F.A.C.] shall meet the requirements for “handlers” in subsections 62-730.186(6) through (12), F.A.C., of this section.

2. A reverse distributor or wholesaler that makes determinations as to whether pharmaceuticals are viable shall:

a. Begin the process of distinguishing viable pharmaceuticals from universal pharmaceutical waste or hazardous waste within 14 days of receipt of a complete shipment of returns from a handler, and in no event more than 21 days from the receipt of the first installment of a partial shipment;

b. Complete the universal pharmaceutical waste or hazardous waste identification process within 21 days of receipt of the complete shipment, and in no event more than 30 days from receipt of the first installment of a partial shipment; and

c. Keep a record of each shipment of returns by any method that clearly demonstrates the date on which the shipment was received and the date on which the reverse distributor or wholesaler determined the universal pharmaceutical waste or hazardous waste status of all items in the shipment.

(8) The following are accumulation time limits and verification practices for handlers of universal pharmaceutical waste:

(a) A small quantity handler may accumulate universal pharmaceutical waste for no longer than one year from the date the universal pharmaceutical waste was generated, unless the requirements of paragraph 62-730.186(8)(c), F.A.C., are met.

(b) A large quantity handler may accumulate universal pharmaceutical waste for no longer than 6 months from the date the universal pharmaceutical wastes are generated, unless the requirements of paragraph 62-730.186(8)(c), F.A.C., are met.

(c) A handler may accumulate universal pharmaceutical waste for a longer period of time than specified in paragraphs 62-730.186(8)(a) and (b), F.A.C., if such activity is solely for the purpose of accumulation of such quantities of universal pharmaceutical waste as are necessary to facilitate proper recovery, treatment or disposal. However, the handler bears the burden of proving that the extended accumulation time is solely for these purposes.

(d) A handler shall be able to demonstrate the accumulation time for the universal pharmaceutical waste. The handler may make this demonstration by:

1. Placing the universal pharmaceutical waste in a container and marking or labeling the container with the earliest date that any universal pharmaceutical waste in the container became a waste;

2. Marking or labeling each individual item of universal pharmaceutical waste (e.g., each individual pharmaceutical container or package) with the date it became a waste;

3. Maintaining an inventory system on-site that identifies the date each universal pharmaceutical waste became a waste;

4. Maintaining an inventory system on-site that identifies the earliest date that any universal pharmaceutical waste in a group of universal pharmaceutical wastes, or a group of containers of universal pharmaceutical wastes, became waste; or

5. Using any other method which clearly demonstrates the length of time the universal pharmaceutical wastes have been accumulating from the date they became a waste.

(9) A handler shall ensure that all employees handling or managing universal pharmaceutical waste successfully complete a program of classroom instruction or on-the-job training.

(a) The training shall ensure that all employees are thoroughly familiar with proper waste management procedures relevant to their responsibilities during normal facility operations and emergencies. The training shall include response to releases as required by subsection 62-730.186(10), F.A.C.

(b) Employees working at a handler's facility on April 22, 2007 shall successfully complete the training program required in paragraph 62-730.186(9)(a), F.A.C., within three months after the effective date. Employees hired or assigned after April 22, 2007 shall successfully complete the training program within three months after the date of their employment at or assignment to the handler's facility. These employees shall not manage universal pharmaceutical waste unsupervised until they have completed the training requirements.

(c) Employees shall take part in an annual review of the initial training required in paragraph 62-730.186(9)(a), F.A.C., and the handler shall ensure that the annual review is available to the employees.

(d) A handler shall document the training given to each employee. The documents shall include the employee's name, signature, date of hire or assignment, date of training, and type of training. The training documents shall be kept at the handler's place of business for at least three years.

(10) A handler shall immediately contain all releases of universal pharmaceutical waste (including spills that occur indoors). A handler shall determine whether any material resulting from a release is hazardous waste. A handler shall manage any such hazardous waste in compliance with the requirements of 40 CFR Parts 260 through 272 [as adopted in Rules 62-730.021 and 62-730.183, and subsections 62-730.020(1), 62-730.030(1), 62-730.160(1), 62-730.170(1), 62-730.180(1) and (2), 62-730.181(1) and 62-730.220(1), F.A.C.]. The handler is considered the generator of the material resulting from the release and shall manage the material in compliance with 40 CFR Part 262 [as adopted in subsection 62-730.160(1), F.A.C.]. Material resulting from the release of universal pharmaceutical waste may not be managed as universal pharmaceutical waste.

(11) Off-site shipments of universal pharmaceutical waste shall meet the following requirements:

(a) A handler is prohibited from sending or taking universal pharmaceutical waste to a place other than to a handler or a reverse distributor who has notified the department pursuant to subsection 62-730.186(6), F.A.C.; a destination facility as defined in 40 CFR 273.9 [as adopted in subsection 62-730.185(1), F.A.C.]; or a foreign destination in accordance with the requirements of paragraph 62-730.186(11)(k), F.A.C.

(b) A reverse distributor is prohibited from taking or sending universal pharmaceutical waste to a place other than a destination facility that is permitted pursuant to 40 CFR Parts 264 [as adopted in subsection 62-730.180(1), F.A.C.] and 270 [as adopted in subsection 62-730.220(1), F.A.C.] for treatment, storage or disposal of hazardous waste, or a foreign destination in accordance with the requirements of paragraph 62-730.186(11)(k), F.A.C.

(c) If a handler self-transport universal pharmaceutical waste off-site, the handler becomes a universal waste transporter for those self-transportation activities and shall comply with the transporter requirements of 40 CFR Part 273 Subpart D [as adopted in subsection 62-730.185(1), F.A.C.] while transporting the universal pharmaceutical waste.

(d) A person who transports, at any one time, more than 5000 kilograms of universal pharmaceutical waste or more than one kilogram of p-listed universal pharmaceutical waste shall comply with the financial responsibility requirements of subsection 62-730.170(2), F.A.C.

(e) A handler that intends to transport a universal pharmaceutical waste that meets the definition of hazardous materials in 49 CFR Parts 171 through 180 is advised of its duty to comply with the applicable Department of Transportation regulations in 49 CFR Parts 172 through 180. These regulations address packaging, labeling, marking and placarding the shipment, and preparing proper shipping papers. Handlers are further advised to consult 49 CFR 172.101 for a list of hazardous materials and a table summarizing shipping requirements.

(f) A handler that transports a universal pharmaceutical waste to a reverse distributor or another handler must provide the reverse distributor or handler with written information sufficient to allow the reverse distributor or other handler to make knowledgeable decisions about the safe handling and proper disposal of the universal pharmaceutical waste.

(g) Prior to sending a shipment of universal pharmaceutical waste to a destination facility, the originating handler shall ensure that the destination facility agrees in writing to receive the shipment. One agreement to accept universal waste from a handler can cover more than one shipment.

(h) If a handler sends a shipment of universal pharmaceutical waste to a destination facility and the shipment is rejected by the destination facility, the originating handler shall either:

1. Receive the waste back when notified that the shipment has been rejected; or

2. Agree with the destination facility on an alternate destination facility to which the shipment will be sent.

(i) If a destination facility receives a shipment containing hazardous waste that is labeled universal pharmaceutical waste but is not in fact universal pharmaceutical waste, the destination facility shall immediately notify the Department of the mislabeled shipment and provide the name, address, and telephone number of the originating handler. The destination facility shall handle the hazardous waste in accordance with the requirements of Chapter 62-730, F.A.C.

(j) If a destination facility receives a shipment of non-hazardous, non-universal waste pharmaceuticals, the destination facility may manage the waste pharmaceuticals in any way that is in compliance with applicable federal, state and local solid waste regulations.

(k)1. A handler who sends universal pharmaceutical waste to a foreign destination which is one of the following designated member countries of the Organization for Economic Cooperation and Development (OECD): Australia, Austria, Belgium, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Switzerland, Turkey, and United Kingdom, is subject to the requirements of 40 CFR Part 262 Subpart H [as adopted in subsection 62-730.160(1), F.A.C.]

2. A handler who sends universal pharmaceutical waste to a foreign destination other than those listed in subparagraph 62-730.186(11)(k)1., F.A.C., must:

a. Comply with the requirements applicable to a primary exporter in 40 CFR 262.53, 262.56(a)(1) through (4), (6), and (b), and 262.57 [as adopted in subsection 62-730.160(1), F.A.C.];

b. Export such universal pharmaceutical waste only upon consent of the receiving country and in conformance with the EPA Acknowledgement of Consent as defined in 40 CFR 262.51 [as adopted in subsection 62-730.160(1), F.A.C.]; and

c. Provide a copy of the EPA Acknowledgement of Consent for the shipment to the transporter who transports the shipment for export.

(l) This section applies to hazardous waste pharmaceuticals only while they are managed in Florida. Handlers are advised to meet the regulatory requirements of the receiving state when hazardous waste pharmaceuticals are shipped out of state.

(12) A handler shall keep a record of each shipment of universal pharmaceutical waste sent to another handler, a reverse distributor, destination facility, or foreign destination. The record shall consist of a written receipt, manifest, bill of lading or other written documentation. A handler shall retain the records at its place of business for at least three years from the date of shipment. The record for each shipment of universal pharmaceutical waste shall include the following information:

(a) The name and address of the handler, reverse distributor, destination facility or foreign destination to which the universal pharmaceutical wastes were sent;

(b) The quantity of universal pharmaceutical waste sent; and

(c) The date the shipment of universal pharmaceutical waste left the handler's facility.

(13) This section constitutes state authorization for reverse distributors and wholesalers to manage hazardous pharmaceutical waste from conditionally exempt hazardous waste generators (CESQGs) and authorization for CESQGs to ensure delivery of their hazardous waste pharmaceuticals to a reverse distributor or wholesaler, pursuant to 40 CFR 261.5(f)(3)(iii) and 40 CFR 261.5(g)(3)(iii) [as adopted in subsection 62-730.030(1), F.A.C.]. Wholesalers are authorized by this section to manage hazardous pharmaceutical waste only from the CESQGs to whom they distributed the pharmaceutical(s) which became waste.

Rulemaking Authority 403.061, 403.151, 403.704, 403.72, 403.721 FS. Law Implemented 120.52, 120.54, 403.061, 403.151, 403.704, 403.72, 403.721 FS. History—New 4-22-07, Amended 1-4-09, 4-23-13, \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**

Tim Bahr

**NAME OF AGENCY HEAD WHO APPROVED THE**

**PROPOSED RULE:** Secretary Jonathan P. Steverson

**DATE PROPOSED RULE APPROVED BY AGENCY**

**HEAD:** September 11, 2015

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT**

**PUBLISHED IN FAR:** September 14, 2015

**DEPARTMENT OF HEALTH**

**Board of Medicine**

**RULE NO.:**           **RULE TITLE:**

64B8-2.001           Definitions

**PURPOSE AND EFFECT:** The proposed rule amendments are intended to delete obsolete definitions from the rule.

SUMMARY: The proposed rule amendments delete the definitions of “Educational Commission for Foreign Medical Graduates examination equivalent” and “community service” from the rule since these definitions are no longer utilized in the Board’s rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.072(2)(f), (g), 456.50(2), 458.303(1)(b), (i), 458.309, 458.311, 458.313(3), 458.315(1), 458.317(1)(c), (g), 458.319(1), 458.331(1)(w), 766.314(4) FS.

LAW IMPLEMENTED: 456.072(2)(g), 456.50(2), 458.303, 458.311, 458.313, 458.315(1), 458.317(1)(c), 458.331(1)(u), 458.3485, 766.314(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: André Ourso, J.D., M.P.H., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-2.001 Definitions.

(1) through (4) No change.

~~(5) The term “the Educational Commission for Foreign Medical Graduates examination equivalent” as used in subsection (3)(d) of Section 458.311, F.S., as amended by Section 6, Chapter 86 245, Laws of Florida, shall mean the Foreign Medical Graduate Examination in the Medical Sciences (FMGEMS).~~

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

~~(6)(7) No change.~~

~~(7)(8) No change.~~

~~(8)(9) No change.~~

~~(10) For the purpose of implementing corrective action with regard to disciplinary proceedings, “community service” shall be defined as the delivery of medical services directly to patients, or the delivery of other volunteer services to an entity which is exempt from federal taxation under 26 U.S.C. Section 501(e)(3), without fee or cost to the patient or the entity, for the good of the people of the State of Florida. Community service shall be performed outside the physician’s regular practice setting.~~

~~(9)(11) No change.~~

Rulemaking Authority 456.072(2)(f), (g), 456.50(2), 458.303(1)(b), (i), 458.309, 458.311, 458.313(3), 458.315(1), 458.317(1)(c), (g), 458.319(1), 458.331(1)(w), 766.314(4) FS. Law Implemented 456.072(2)(g), 456.50(2), 458.303, 458.311, 458.313, 458.315(1), 458.317(1)(c), 458.331(1)(u), 458.3485, 766.314(4) FS. History—New 11-10-82, Amended 12-4-85, Formerly 21M-29.01, Amended 12-4-86, 11-15-88, 3-13-89, 1-1-92, 9-24-92, 2-21-93, Formerly 21M-29.001, Amended 4-14-94, Formerly 61F6-29.001, 59R-2.001, Amended 4-7-99, 10-2-01, 11-10-02, 1-30-07, 3-18-13,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 7, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 28, 2015

**DEPARTMENT OF HEALTH**

**Board of Medicine**

<p>RULE NOS.:</p> <p>64B8-4.009</p> <p>64B8-4.024</p> <p>64B8-4.027</p>	<p>RULE TITLES:</p> <p>Applications</p> <p>Restricted Licenses for Areas of Critical Need</p> <p>Restricted License for Certain Experienced Foreign-Trained Physicians; Restriction on Practice</p>
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PURPOSE AND EFFECT: The proposed rule amendments in Rules 64B8-4.009 and 4.024, F.A.C. are intended to delete language which is no longer necessary. The proposed rule amendment in Rule 64B8-4.027, F.A.C. is intended to clarify language with regard to the USMLE.

SUMMARY: The proposed rule amendments in Rules 64B8-4.009 and 4.024, F.A.C. delete language which is no longer necessary. The proposed rule amendment in Rule 64B8-4.027 clarifies language with regard to the USMLE.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.031, 456.033, 458.309, 458.310, 458.311, 458.313, 458.3124(6), 458.3151 FS.

LAW IMPLEMENTED: 456.013(1), (7), (13), 456.031, 456.033, 456.50, 456.0635, 458.310, 458.311, 458.3124, 458.313, 458.3137, 458.3145, 458.315, 458.3151, 458.316, 458.3165, 458.317 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: André Ourso, J.D., M.P.H., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

64B8-4.009 Applications.

(1) through (4) No change.

~~(5) The application may not be used for more than one year from the date of original submission of the application. A new application and new fee shall be required from any applicant who still seeks to be licensed.~~

Rulemaking Authority 456.031, 456.033, 458.309, 458.311, 458.313, 458.3151 FS. Law Implemented 456.013(1), (7), (13), 456.031, 456.033, 456.50, 456.0635, 458.311, 458.3124, 458.313, 458.3137, 458.3145, 458.315, 458.3151, 458.316, 458.3165, 458.317 FS. History—New 3-31-80, Amended 12-4-85, Formerly 21M-22.09, Amended 9-7-88, 3-13-89, 1-1-92, 2-21-93, Formerly 21M-22.009, Amended 11-4-93, Formerly 61F6-22.009, Amended 11-15-94, 2-15-96, Formerly 59R-4.009, Amended 7-10-01, 1-31-02, 5-10-04, 5-20-04, 6-13-06, 12-26-06, 1-18-09, 3-17-09, 10-7-09, 1-7-10, 5-18-10, 2-28-12, 1-27-13, 8-5-13, 11-10-13, 1-9-14, 7-15-14, 9-10-14, 12-2-14, 3-17-15, 5-19-15,\_\_\_\_\_.

64B8-4.024 Restricted Licenses for Areas of Critical Need.

~~(1)~~ Areas of critical need, as that term is used in Section 458.310, F.S., are state mental institutions, state institutions for the mentally retarded, the Department of Corrections, all governmental correctional and detention facilities, and health manpower shortages areas established by the United States Department of Health and Human Services.

~~(2) Receipt of a restricted license does not automatically entitle the physician to a full, unrestricted license unless the requirements of Sections 458.311 and 458.313, F.S., in effect at the time of application for the full, unrestricted license are met.~~

Rulemaking Specific Authority 458.309, 458.310 FS. Law Implemented 458.310 FS. History—New 11-4-93, Formerly 61F6-22.024, 59R-4.024, Amended 4-9-08,\_\_\_\_\_.

64B8-4.027 Restricted License for Certain Experienced Foreign-Trained Physicians; Restriction on Practice.

(1) No change.

(2) Passage of steps I and II of the United States Medical Licensure Exam shall require ~~The phrase “successful completion of the licensure examination” is interpreted as requiring obtaining~~ a passing score of no less than 75 within the time frame set forth in Section 458.3124(3), F.S. ~~Specifically, if the applicant has failed the examination five times within five calendar years, the applicant is no longer eligible for licensure.~~

Rulemaking Authority 458.309, 458.3124(6) FS.Law Implemented 458.3124 FS.History–New 8-18-98, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules Committee, Board of Medicine  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 7, 2015  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 28, 2015

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-5.002  
 RULE TITLE: Licensure Examination Pursuant to Section 458.3115, Florida Statutes

PURPOSE AND EFFECT: The proposed rule amendments are intended to delete obsolete language from the rule.

SUMMARY: The Board does not administer the Florida Medical Licensure examination any longer, making much of the language in this rule unnecessary.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease

profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.017(1)(b), 458.309, 458.3115(4) FS.

LAW IMPLEMENTED: 458.3115 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: André Ourso, J.D., M.P.H., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

64B8-5.002 Licensure Examination Pursuant to Section 458.3115, Florida Statutes.

(1) For the purpose of seeking licensure pursuant to Section 458.3115, F.S., the Board of Medicine interprets the phrase “successful completion of the licensure examination” as requiring a passing score of no less than 75 on each part of the FLEX or USMLE ~~or a scaled score of 350 on the equivalent parts of the Department developed examination (FMLE)~~ within the time frame set forth in Section 458.3115, F.S.

~~(1) The “Florida Medical Licensure Examination” (FMLE) shall be administered by the Department and the examination consists of two parts. An applicant who chooses to take the licensure examination is required to pass both parts of the examination in order to receive a restricted license to practice medicine in the state.~~

~~(2) The FMLE examination consists of the following parts:~~

~~(a) Part I—a general written examination containing approximately 400 equally weighted questions which is intended to measure knowledge and understanding of basic and clinical science principles and mechanisms underlying diseases and modes of therapy.~~



~~(b) Part II — a written examination containing approximately 400 equally weighted questions that is intended to assess the clinical knowledge and cognitive abilities required of a physician assuming general delivery of medical care to patients.~~

~~(3) The minimum passing score for Part I, the general written examination will be a scaled score of 350. The minimum passing score for Part II, assessing clinical knowledge, will be a scaled score of 350.~~

~~(4) The questions in Part I, the general written examination, may be drawn from the entire range of medical science content, including the following subject areas:~~

~~(a) Basic Sciences — 25% of Part I of the examination. The percent distributions shown below are approximate percentages.~~

**SEE PUBLISHED RULE FOR PERCENTAGES.**

~~(5) The questions in Part II, assessing clinical knowledge may be drawn from the entire range of physician behaviors, and involve normal function or pathophysiology of the following systems which are shown with approximate percentage distributions:~~

**SEE PUBLISHED RULE FOR PERCENTAGES.**

~~(6) For each system listed in paragraph (5) above, the questions in Part II will cover the following clinical contexts:~~

- ~~(a) Well care/preventive medicine;~~
- ~~(b) Acute, circumscribed problems;~~
- ~~(c) Ill-defined presentations or problems;~~
- ~~(d) Chronic or progressive illness;~~
- ~~(e) Emergency conditions, critical care; and~~
- ~~(f) Behavioral/emotional problems.~~

~~(7) For each system listed in paragraph (5) above, questions will cover the following physician behaviors:~~

- ~~(a) Data gathering;~~
- ~~(b) Diagnosis;~~
- ~~(c) Treatment;~~
- ~~(d) Prevention; and~~
- ~~(e) Applying scientific concepts in each content area.~~

~~(2)(8) Applicants may use a combination of FLEX and FMLE scores to establish successful completion of both parts of the licensure examination (e.g., FLEX, Part I with a score of 75 and FMLE, Part II, with a scaled score of 350.)~~

~~Rulemaking Authority 456.017(1)(b), 458.309, 458.3115(4) FS. Law Implemented 458.3115 FS. History—New 4-27-99, Amended 12-6-99, \_\_\_\_\_.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Rules Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 7, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 28, 2015

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-7.004      RULE TITLE: Supervision and Reporting Requirements

PURPOSE AND EFFECT: The proposed rule amendments are intended to delete outdated and unnecessary language from the rule.

SUMMARY: The proposed rule amendments delete outdated and unnecessary language from the rule.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 458.309, 458.317 FS.

LAW IMPLEMENTED: 458.317 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: André Ourso, J.D., M.P.H., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-7.004 Supervision and Reporting Requirements.

(1) It shall be the responsibility of the full time county public health unit director or the licensed physician approved by the board as provided in Section 458.317(1)(b), F.S., ~~as amended by Section 12, Chapter 86-245, Laws of Florida,~~ to assist in the supervision of any limited licensee. In the absence of specific approval by the board of supervision by a physician other than the director, the director shall be responsible for the supervision required by Section 458.317, F.S.

(2) No change.

~~(3) If any supervising director or approved supervising physician becomes aware of any actions by the limited licensee which would be grounds for revocation of the limited license, such supervisor shall immediately, in writing, report this information to the Department.~~

~~Rulemaking Specific Authority 458.309, 458.317 FS. Law Implemented 458.317 FS. History—New 3-31-80, Formerly 21M-25.04, Amended 3-9-87, Formerly 21M-25.004, 61F6-25.004, 59R-7.004, Amended \_\_\_\_\_.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 7, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 28, 2015

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.:       RULE TITLE:

64B8-9.001       Physician Office Incident Reporting

PURPOSE AND EFFECT: The proposed rule amendments are intended to incorporate the office adverse incident reporting form into the rule and to delete unnecessary language from the rule.

SUMMARY: The proposed rule amendments delete outdated and unnecessary language from the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 458.309(1), 458.351(6) FS.

LAW IMPLEMENTED: 458.351 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: André Ourso, J.D., M.P.H., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-9.001 Physician Office Adverse Incident Reporting.

~~(1) Any "adverse incident" as defined in Section 458.351(4), F.S., shall be reported to the Department of Health in accordance with Section 458.351, F.S., on form DH-MQA1030 12/06, entitled "Physician Office Adverse Incident Report," which is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref->~~

~~(2)(1) Definitions.~~

~~(a) "Adverse incident" for purposes of reporting to the department, is defined in Section 458.351, F.S., as an event over which the physician or other licensee could exercise control and which is associated in whole or in part with a medical intervention, rather than the condition for which such intervention occurred, and which results in the following patient injuries:~~

- ~~1. The death of a patient.~~
- ~~2. Brain or spinal damage to a patient.~~
- ~~3. The performance of a surgical procedure on the wrong patient.~~
- ~~4. The performance of a wrong site surgical procedure; the performance of a wrong surgical procedure; or the surgical repair of damage to a patient resulting from a planned surgical procedure where the damage is not a recognized specific risk as disclosed to the patient and documented through the informed consent process and if one of the listed procedures in this paragraph results in: death; brain or spinal damage; permanent disfigurement not to include the incision scar; fracture or dislocation of bones or joints; a limitation of neurological, physical or sensory function; or any condition that required transfer of the patient.~~

~~5. A procedure to remove unplanned foreign objects remaining from a surgical procedure.~~

~~6. Any condition that required the transfer of a patient to a hospital licensed under Chapter 395, F.S., from any facility or any office maintained by a physician for the practice of medicine which is not licensed under Chapter 395, F.S.~~

~~(a)(b) "Licensee" for purposes of this rule, includes a physician or physician assistant issued a license, registration, or certificate, for any period of time, pursuant to Chapter 458, F.S.~~

~~(b)(e) "Office maintained by a physician" as that term is used in Section 458.351(1), F.S., is defined as a business location where the physician delivers medical services regardless of whether other physicians are practicing at the same location or the business is non-physician owned.~~

~~(2) Incident Reporting System. An incident reporting system shall be established for each physician office.~~

~~(a) Incident Reports. The incident reporting system shall include the prompt, postmarked and sent by certified mail within 15 calendar days after the occurrence of the adverse incident, reporting of incidents to the Department of Health, Consumer Services Unit, 4052 Bald Cypress Way, Bin #C75, Tallahassee, Florida 32399. The report shall be made on the Physician Office Adverse Incident Report. The report must be submitted by every licensee who was involved in the adverse incident. If multiple licensees are involved in the adverse incident, they may meet this requirement by signing off on one report; however, each signee is responsible for the accuracy of the report. This report shall contain the following information:~~

- ~~1. The patient's name, locating information, gender, age, diagnosis, date of office visit, and purpose of office visit.~~
- ~~2. A clear and concise description of the incident including time, date, and exact location within the office.~~
- ~~3. A listing of all persons then known to be involved directly in the incident, including license numbers and locating information, and a description of the person's exact involvement and actions.~~
- ~~4. A listing of any witnesses not previously identified in subparagraph 3.~~
- ~~5. The name, license number, locating information, and signature of the physician or licensee submitting the report, along with date and time that the report was completed.~~

~~(3)(b) Adverse Incident Report Review and Analysis. Evidence of compliance with this paragraph will be considered in mitigation in the event the Board takes disciplinary action.~~

~~(a)1- The physician shall be responsible for the regular and systematic reviewing of all incident reports filed by the physician or physician assistant under the physician's supervision, for the purpose of identifying factors that contributed to the adverse incident and identifying trends or patterns as to time, place, or persons. The physician shall implement corrective actions and incident prevention education and training indicated by the review of each adverse incident and upon emergence of any trend or pattern in incident occurrence.~~

~~(b)2- Copies of incident reports shall be maintained in the physician office.~~

~~(3) Death Reports. Notwithstanding the provisions of this rule and Section 458.351, F.S., an adverse incident which results in death shall be reported immediately to the medical examiner pursuant to Section 406.12, F.S.~~

~~Rulemaking Specific Authority 458.309(1), 458.351(6) FS. Law Implemented 458.351 FS. History-New 3-9-00, Amended \_\_\_\_\_.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Rules Committee, Board of Medicine  
 NAME OF AGENCY HEAD WHO APPROVED THE  
 PROPOSED RULE: Board of Medicine  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: August 7, 2015  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAR: August 28, 2015

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-10.001  
 RULE TITLE: Medical Records of Deceased Physician;  
 Retention, Time Limitations

PURPOSE AND EFFECT: The proposed rule amendments are intended to address access to patient records which are maintained by the physician.

SUMMARY: The proposed rule amendment requires physicians to take measures to ensure that patients have access to medical records by requiring the physician’s executor, administrator, personal representative or survivor to have access to the records including any passwords for records maintained in an electronic format.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.058, 458.309 FS.  
 LAW IMPLEMENTED: 456.058 FS.  
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: André Ourso, J.D., M.P.H., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

64B8-10.001 Medical Records of Deceased Physician; Retention, Time Limitations.

(1) The executor, administrator, personal representative or survivor of a deceased physician licensed pursuant to Chapter 458, Florida Statutes, shall retain medical records in existence upon the death of the physician concerning any patient of the physician for at least a period of two (2) years from the date of the death of the physician. Physicians must take proactive measures to ensure that their executor, administrator, personal representative or survivor have access to both paper and electronic medical records. Such access must include passwords for medical records maintained in an electronic format.

(2) through (3) No change.  
Rulemaking Specific Authority 456.058, 458.309 FS. Law Implemented 456.058 FS. History–New 7-1-80, Formerly 21M-26.01, Amended 7-3-89, Formerly 21M-26.001, Amended 11-4-93, Formerly 61F6-26.001, Amended 1-26-97, Formerly 59R-10.001, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Rules Committee, Board of Medicine  
 NAME OF AGENCY HEAD WHO APPROVED THE  
 PROPOSED RULE: Board of Medicine  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: August 7, 2015  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAR: August 28, 2015

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Insurance Agents and Agency Services**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
69B-151.001	Purpose
69B-151.002	Definition of Replacement
69B-151.003	Other Definitions
69B-151.004	Exemptions
69B-151.006	Duties of Replacing Agent
69B-151.009	Penalties
69B-151.010	Approved Forms
69B-151.012	Separability
69B-151.105	Notice Furnished by Forms
69B-151.106	Violation
69B-151.107	Effective Date

**PURPOSE AND EFFECT:** The purpose and effect of this rulemaking is the repeal of rules 69B-151.009, .012, .105, .106 & .107 in Rule Chapter 69B-151, F.A.C., because the rules are duplicative or unnecessary. Rule 69B-151.004, F.A.C., is being amended to clarify the insurance policies that do not fall under the definition of life insurance. Further, the rulemaking includes the deletion of references to “insurer” and unnecessary definitions. Lastly, the rulemaking corrects a formatting issue in the reference to Form OIR-B2-312.

**SUMMARY:** These rule repeals and amendments are part of the agency’s comprehensive review of existing rules that focused on eliminating those that were determined to be unnecessary or duplicative.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rule amendments do not impose any costs. The Division of Agent & Agency Services conducted an analysis of the proposed rule’s potential economic impact and determined that the impact does not exceed any of the criteria established in subsection 120.541(1), F.S., and the rule amendment therefore does not require legislative ratification pursuant to subsection 120.541(3), F.S.

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

**RULEMAKING AUTHORITY:** 624.308(1), 626.9611, 626.9641, FS.

**LAW IMPLEMENTED:** 624.307(1), 626.9521, 626.9541, 626.9641, 626.99, FS.

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

**DATE AND TIME:** Monday, October 12, 2015, 9:00 a.m.

**PLACE:** 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida.

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: Cindy Benefield, telephone: (850)413-5404, e-mail: Cindy.Benefield@myfloridacfo.com.. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Cindy Benefield, Senior Management Analyst II, Division of Agent & Agency Services, Florida Department of Financial Services, address: 200 E. Gaines Street, Tallahassee, Florida 32399-0320, telephone: (850)413-5404, e-mail: Cindy.Benefield@myfloridacfo.com.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

69B-151.001 Purpose.

The purpose of this rule chapter is:

- (1) To implement the provisions of ~~sections~~ Sections 626.9521, 626.9541, 626.9611 and 626.9641, F.S., and such other laws of this state as may be applicable, with respect to the replacement of life insurance and related matters;
- (2) To regulate the activities of ~~insurers and~~ agents with respect to the replacement of existing life insurance;
- (3) No change.

Rulemaking Specific Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541 FS. History–New 7-9-81, Formerly 4-24.01, 4-24.10, 4-24.010, 4-151.001, Amended.

69B-151.002 Definition of Replacement.

“Replacement” means any transaction in which new life insurance is to be purchased, and it is known or should be known to the proposing agent ~~or to the proposing insurer~~ that by reason of such transaction existing life insurance has been or is to be:

- (1) through (5) No Change.

Rulemaking Specific Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 7-9-81, Formerly 4-24.02, 4-24.11, 4-24.011, 4-151.002, Amended.

#### 69B-151.003 Other Definitions.

(1) ~~“Cash Dividend” means the current illustrated dividend which can be applied toward payment of the gross premium.~~

(2) and (3) are renumbered to (1) and (2)

(4) ~~“Generic Name” means a short title which is descriptive of the premium and benefit patterns of a policy or a rider.~~

(5) through (7) are renumbered to (3) through (5)

Rulemaking Specific Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 7-9-81, Amended 2-2-83, Formerly 4-24.12, 4-24.012, 4-150.003, Amended.

#### 69B-151.004 Scope Exemptions.

Rules 69B-151.001- 69B-151.010, F.A.C., do not apply to the solicitation of Unless otherwise specifically included, paragraph 69B-151.007(3)(b) and subsection 69B-151.008(1), F.A.C., shall not apply to:

(1) through (7) No change.

Rulemaking Specific Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 7-9-81, Formerly 4-24.03, Amended 2-2-83, Formerly 4-24.13, 4-24.013, 4-151.004, Amended.

#### 69B-151.006 Duties of Replacing Agent.

Where replacement is or may be involved, the agent shall:

(1) Present to the applicant, not later than at the time of taking the application, a Form OIR-B2-312 “Notice to Applicant Regarding Replacement of Life Insurance” rev. 1-91 in the form as described in Exhibit A. The Notice must be signed by the applicant and the agent and left with the applicant.

(2) No change.

(3) Submit to the replacing insurer with the application, a completed copy of the Form OIR-B2-312 “Notice to Applicant Regarding Replacement of Life Insurance” rev. 1-91 (Exhibit A) and a copy of all Sales Proposals used for presentation to the applicant.

Rulemaking Specific Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 7-9-81, Formerly 4-24.04, Amended 2-2-83, Formerly 4-24.15, 4-24.015, 4-151.006, Amended.

#### 69B-151.009 Penalties.

Rulemaking Specific Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 7-9-81, Formerly 4-24.06, 4-24.19, 4-24.019, 4-151.009, Repealed.

#### 69B-151.010 Approved Forms.

The Form forms OIR-B2-312 “Notice to Applicant Regarding Replacement of Life Insurance,”; rev. 1-91, ~~and OIR-B2-313 “Comparative Information Form,”; rev. 1-91~~ set forth respectively in Exhibits A is and B are hereby incorporated by reference and adopted herein. Copies of the above-mentioned form forms are available to the public through the Office of Insurance Regulation, Bureau of Life and Health Forms and Market Conduct Review, 335 Larson Building, Tallahassee, Florida or <http://www.floir.com>.

Rulemaking Specific Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.99 FS. History—New 7-9-81, Amended 11-5-82, 2-2-83, Formerly 4-24.21, Amended 3-11-91, Formerly 4-24.021, 4-151.010, Amended.

#### 69B-151.012 Severability Separability.

Rulemaking Specific Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 7-9-81, Formerly 4-24.20, 4-24.020, 4-151.012, Repealed.

#### 69B-151.105 Notice Furnished by Forms.

Rulemaking Specific Authority 624.308(1), 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 2-1-79, Formerly 4-44.05, 4-44.005, 4-151.105, Repealed.

#### 69B-151.106 Violation.

Rulemaking Specific Authority 624.308(1), 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 2-1-79, Formerly 4-44.06, 4-44.006, 4-151.106, Repealed.

#### 69B-151.107 Effective Date.

Rulemaking Specific Authority 624.308(1), 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 2-1-79, Formerly 4-44.07, 4-44.007, 4-151.107, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Cindy Benefield, Senior Management Analyst II, Division of Agent & Agency Services, Florida Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 3, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 19, 2014

### Section III Notice of Changes, Corrections and Withdrawals

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: RULE TITLE:  
6A-4.0021 Florida Teacher Certification Examinations  
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 41 No. 166, August 26, 2015 issue of the Florida Administrative Register.

6A-4.0021 Florida Teacher Certification Examinations.  
(4) Registration, fees, and refunds.

(a) Registration for the examinations shall be for the initial examinations or for one (1) or more examinations not previously passed. To register to take the examinations, an applicant shall register online with the test administration agency at: <http://www.fldoe.org/accountability/assessments/postsecondary-assessment/ftce/>. The Florida Teacher Certification Examinations (FTCE) / Florida Educational Leadership Examination (FELE) Registration Form, PS 2015 (DOS link) (Effective October 2015) is incorporated by reference herein.

### Section IV Emergency Rules

NONE

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:  
61C-4.010: Sanitation and Safety Requirements  
NOTICE IS HEREBY GIVEN that on September 11, 2015, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, Section 3-305.14, 2009 FDA Food Code, Section 6-202.15, 2009 FDA Food Code,

Section 6-202.16, 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code, from Di To Roberto MFDV located in Orlando. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods other than frankfurters from an open air mobile food dispensing vehicle.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards  
NOTICE IS HEREBY GIVEN that on September 10, 2015, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Park Centre @ Telecom. Petitioner seeks an emergency permanent variance of the requirements of ASME A17.1b, Section 2.2.2.5, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators sump and pump operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2015-217).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Michelle Comingore, 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 September 10, 2015 the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from Willow Wood Mid-Rise Condominium III Assoc. Inc., filed August 27, 2015, and advertised on September 1, 2015 in Vol. 41, No. 170, 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 3.19.4.1 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, from providing shutoff valve 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 (VW2015-210).

A copy of the Order or additional information may be obtained by contacting: Michelle Comingore, 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 September 10, 2015 the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from 435 Clark Rd., filed August 10, 2015, and advertised on August 12, 2015 in Vol. 41, No. 156, 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 (VW2015-197).

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

**DEPARTMENT OF HEALTH**

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009: Applications

The Board of Medicine hereby gives notice that on September 2, 2015, an Order was filed on the Petition for Waiver. The Petition for Waiver was filed by Subramanian Perumal, M.D., on May 5, 2015, seeking a waiver from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. The Notice was published in Volume 41, No. 89, of the Florida Administrative Register, on May 5, 2015. The Board, at its meeting held on August 7, 2015, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

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

**DEPARTMENT OF HEALTH**

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009: Applications

The Board of Medicine hereby gives notice that on September 2, 2015, an Order was filed on the Petition for Waiver. The Petition for Waiver was filed by Pankaj Shroff, M.D., on June 4, 2015, seeking a waiver from Rule 64B8- 4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. The Notice was published in Volume 41, No. 116, of the Florida Administrative Register, on June 16, 2015. The Board, at its meeting held on August 7, 2015, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

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



## Section VI Notice of Meetings, Workshops and Public Hearings

**DEPARTMENT OF EDUCATION**

Division of Florida Colleges

The Florida State College at Jacksonville District Board of Trustees announces their attendance at the 3rd Quarter JAXUSA Partnership Luncheon, which is open to the public.

**DATE AND TIME:** Tuesday, September 22, 2015: 11:30 a.m., check-in; 12:00 Noon – 1:30 p.m., program

**PLACE:** Hyatt Regency Jacksonville Riverfront, 225 E. Coastline Drive, Jacksonville, Florida 32202

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Quarterly Partnership Luncheon.

Should registration be requested, or if special accommodations are required pertaining to the JAXUSA event, please advise the JAX Chamber Executive Office seventy-two (72) hours in advance of the meeting by contacting JAX Chamber Executive Assistant Ms. Alexandra Brantman at (904)366-6600 or Alexandra.Brantman@myjaxchamber.com.

Florida State College at Jacksonville hereby reaffirms the principle of equal opportunity for all persons regardless of race, disability, color, ethnicity, national origin, religion, gender, age, sex, sexual orientation/expression, marital status, veteran status, pregnancy or genetic information. Equal opportunity principle applies with regard to employment, delivery of educational programs and services, and all other appropriate areas in which the College is involved.

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

**DEPARTMENT OF TRANSPORTATION**

The Florida Department of Transportation, District 2 announces a public meeting to which all persons are invited.

**DATE AND TIME:** September 22, 2015, 4:30 p.m. – 6:30 p.m.

**PLACE:** Church of the Nazarene, 6 May Street, St. Augustine, FL 32084

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

This meeting is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic and environmental effects of Financial Project ID: 210452-4, otherwise known as SR-A1A (May Street) Drainage Improvements project in St. Augustine, Florida. The Florida Department of Transportation is proposing to replace the existing drainage system on SR-A1A (May Street) from east of San Marco Avenue to the Hospital Creek Bridge. To construct the drainage pipes located under the roadway, the existing two travel lanes will be shifted

to the southern right of way line. Two lanes of traffic will be maintained at all times. Public participation is sought without regard to race, color, religion, sex, age, national origin, disability or family status.

A copy of the agenda may be obtained by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874.

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: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874. 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).

**STATE BOARD OF ADMINISTRATION**

The Florida Commission on Hurricane Loss Projection Methodology announces three public meetings to which all persons are invited.

**DATES AND TIMES:** Tuesday, September 22, 2015, 9:00 a.m. - 4:00 p.m. (ET); Wednesday, September 23, 2015, 9:00 a.m.- 4:00 p.m. (ET); Thursday, September 24, 2015, 9:00 a.m.- 4:00 p.m. (ET)

**PLACE:** Room 116 (Hermitage Conference Room), 1801 Hermitage Boulevard, Tallahassee, Florida 32308. Persons in the U.S. and Canada wishing to participate by telephone may dial 1(888)670-3525. Persons outside of the U.S. and Canada wishing to participate by telephone may dial (720)389-1212. The conference code for all callers is 7135858151.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Various committees of the Commission will meet on September 22 and September 23 to address the 2015 hurricane standards and Commission procedures. The meeting scheduled for September 24 is a meeting of the Commission’s Flood Standards Development Committee to address actuarial flood standards and other matters coming before the committee.

A copy of the agenda may be obtained by contacting: Donna Sirmons, Florida Hurricane Catastrophe Fund, P.O. Drawer 13300, Tallahassee, FL 32317-3300, donna.sirmons@sbafla.com, (850)413-1349.

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: Donna Sirmons. 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).

## EXECUTIVE OFFICE OF THE GOVERNOR

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

State Board of Administration  
 Division of Bond Finance  
 Financial Services Commission  
 Office of Insurance Regulation  
 Office of Financial Regulation  
 Department of Veterans' Affairs  
 Department of Highway Safety and Motor Vehicles  
 Department of Law Enforcement  
 Department of Revenue  
 Administration Commission  
 Florida Land and Water Adjudicatory Commission  
 Board of Trustees of the Internal Improvement Trust Fund  
 Department of Environmental Protection

DATE AND TIME: September 29, 2015, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

## GENERAL SUBJECT MATTER TO BE CONSIDERED:

Regular scheduled meeting of the Governor and Cabinet to act on all executive branch matters provided by law and to act on any agendas submitted for their consideration. The Governor and Cabinet will proceed through each agenda, item by item.

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; reports on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968.

The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to; matters relating to rulemaking for all activities of the Office of Insurance Regulation concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical

settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and matters related to rulemaking for all activities of the Office of Financial Regulation relating to the regulation of banks, credit unions, other financial institutions, finance companies, retail installment sales providers, title loan lenders, collection agencies, mortgage brokers, mortgage lenders, certified capital companies, money services businesses, and the securities industry.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, administrative procedure matters, and consideration of other matters within its authority.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to various statutes including Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters for which it is responsible pursuant to law (including duties pursuant to Title 18 of the Florida Statutes and Title 18 of the Florida Administrative Code) and that are duly presented on its agenda, which may include such matters as aquacultural issues as presented by the Division of Aquaculture in the Department of Agriculture and Consumer Services; mineral leases or sales; state or sovereign land leases, sales, exchanges, dedications, and easements; conservation and preservation lands and other land purchases; land planning matters and other matters within its authority.

The Department of Environmental Protection will present for consideration those matters required by law to be reviewed by the Governor and Cabinet, sitting as the Siting Board, which may include, but are not limited to siting of power plants and electric and natural gas transmission lines.

A copy of any of the above agendas submitted to the Governor and Cabinet for this meeting may be obtained by viewing the website of the Governor and Cabinet at <http://www.myflorida.com/myflorida/cabinet/> or by contacting each individual agency.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to provide at least 48 hours' notification before the meeting by contacting the Governor's Cabinet Affairs Office, (850)488-5152.

**CABINET AIDES BRIEFING:** On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee.

**METROPOLITAN PLANNING ORGANIZATIONS**

Martin Metropolitan Planning Organization

The Local Coordinating Board-Transportation Disadvantaged announces a hearing to which all persons are invited.

**DATE AND TIME:** September 28, 2015, 1:30 p.m. (rescheduled from August 31, 2015, 1:30 p.m.)

**PLACE:** Martin County Administration Center, 2401 SE Monterey Road, Commission Chambers, 1st Floor, Stuart, FL 34996

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Public input on transportation disadvantaged services.

A copy of the agenda may be obtained by contacting: [www.martinmpo.com](http://www.martinmpo.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 3 days before the workshop/meeting by contacting: Bonnie Landry, Senior Planner, Title VI/Non-discrimination Contact: (772)223-7983. 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: Bonnie Landry, Senior Planner, Title VI/Non-discrimination Contact: (772)223-7983.

**METROPOLITAN PLANNING ORGANIZATIONS**

Martin Metropolitan Planning Organization

The Local Coordinating Board-Transportation Disadvantaged announces a public meeting to which all persons are invited.

**DATE AND TIME:** September 28, 2015, 2:30 p.m. (rescheduled from August 31, 2015, 2:30 p.m.)

**PLACE:** Blake Library, 2351 SE Monterey Road, 2nd Floor, Trustees Conference Room, Stuart 34996

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Consideration of the Gas Mileage Reimbursement (GMR) Program and the transportation services for the transportation disadvantaged.

A copy of the agenda may be obtained by contacting: [www.martinmpo.com](http://www.martinmpo.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 3 days before the workshop/meeting by contacting: Bonnie Landry, Senior Planner, Title VI/Non-discrimination Contact: (772)223-7983. 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: Bonnie Landry, Senior Planner, Title VI/Non-discrimination Contact: (772)223-7983.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

The South Florida Water Management District announces a public hearing to which all persons are invited.

**DATE AND TIME:** Tuesday, September 22, 2015, 5:15 p.m.: Public Hearing on FY15/16 Final Millage Rates and Final Budget.

**PLACE:** South Florida Water Management District Auditorium, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Governing Board will receive and consider public comment and vote on the FY15/16 final millage rates and final budget. The Governing Board may discuss and consider District business, including regulatory and non-regulatory matters.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action on any item appearing on the agenda for the meeting and on any item that is added to the agenda for the meeting as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

A copy of the agenda may be obtained by contacting: Brenda Low, (561)682-6805 or at <https://www.sfwmd.gov>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The District Clerk at (561)682-6805. 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: Brenda Low at (561)682-6805 or [blow@sfwmd.gov](mailto:blow@sfwmd.gov).

**AGENCY FOR HEALTH CARE ADMINISTRATION**

The Agency for Health Care Administration announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, September 29, 2015, 12:30 p.m. – 5:00 p.m.

**PLACE:** Franklin Templeton Building, 100 Fountain Parkway, St. Petersburg, Florida 33716

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Discuss health information technology with industry leaders, subject matter experts, and Agency for Health Care Administration representatives through panel discussions.

A copy of the agenda may be obtained by contacting: Haley Priest at (850)412-3752.

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: Haley Priest at (850)412-3752. 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: Haley Priest at (850)412-3752.

**AGENCY FOR HEALTH CARE ADMINISTRATION  
Medicaid**

The Medicaid Drug Utilization Review (DUR) Board announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, September 22, 2015, 5:00 p.m. – 6:00 p.m.

**PLACE:** AHCA, 2727 Mahan Dr., Conference Room C, Tallahassee, FL 32308, or by phone: 1(888)670-3525, passcode 4201652735 then #

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This meeting is to welcome new and reappointed DUR Board Members. An overview of the DUR Board Members' responsibilities will be presented.

A copy of the agenda may be obtained by contacting: Vern Hamilton at: [Vern.Hamilton@ahca.myflorida.com](mailto:Vern.Hamilton@ahca.myflorida.com).

**AGENCY FOR HEALTH CARE ADMINISTRATION  
Medicaid**

The AHCA Pharmaceutical and Therapeutics Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, September 25, 2015, 1:00 p.m. – 5:00 p.m.

**PLACE:** Tampa Marriott Westshore, 1001 N. Westshore Blvd., Tampa, FL 33607

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a revision of the original P&T meeting notice published in Volume 41, No. 157, F.A.R., on August 13, 2015. Recommendations for drugs to be included on the Preferred Drug List are made at this meeting. Members of the public who wish to testify at this meeting must contact Vern Hamilton at: [Vern.Hamilton@ahca.myflorida.com](mailto:Vern.Hamilton@ahca.myflorida.com) Because of unforeseen events that may cause changes, interested parties are encouraged to monitor the website at [http://www.ahca.myflorida.com/Medicaid/Prescribed\\_Drug/meetings.shtml](http://www.ahca.myflorida.com/Medicaid/Prescribed_Drug/meetings.shtml).

A revised agenda can be obtained by contacting: Vern.Hamilton@ahca.myflorida.com.

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#### DEPARTMENT OF MANAGEMENT SERVICES

##### Division of Purchasing

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

DATE AND TIME: September 23, 2015, 10:00 a.m. ET

PLACE: 4055 Crosby's Café Conference Room, Tallahassee, Florida 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Public Meeting for negotiators to discuss the vendor's best and final offers for DMS-14/15-011 Human Resources Outsourcing - People First.

A copy of the agenda may be obtained by contacting: Tammy Davis, tammy.davis@dms.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 5 days before the workshop/meeting by contacting the ADA Coordinator, (850)488-0439. 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).

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

##### Florida Building Commission

The Florida Building Commission, "the Commission", Roofing Technical Advisory Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: Corrected time: October 6, 2015, 9:00 a.m. until completion

PLACE: Join the online Roofing TAC meeting Tuesday, October 6, 2015, 9:00 a.m. EDT at <https://global.gotomeeting.com/join/793589757>; call in via phone in the United States (toll-free) at 1(866)899-4679; access code 793-589-757; audio PIN shown after joining the meeting; meeting ID 793-589-757

Public point of access: Florida Building Commission, Department of Business and Professional Regulation, Northwood Centre, Suite 90A, 1940 North Monroe Street, Tallahassee, Florida.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To consider and discuss the following request for Declaratory Statement: DS2015-109 by Robin Davies of Bracken Engineering, Inc., and other business for the Commission as stated on the agenda.

A copy of the agenda may be obtained by contacting Mr. Robert Benbow, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N. Monroe Street, Tallahassee, Florida 32399, calling (850)487-1824 or visiting the calendar on our website at: <http://floridabuilding.org/c/default.aspx>.

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: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, (850)487-1824, fax (850)414-8436. 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 Mr. Robert Benbow, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824, or visit the calendar on our website at: <http://floridabuilding.org/c/default.aspx>.

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

##### Division of Recreation and Parks

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

DATE AND TIME: Wednesday, September 23, 2015, 7:00 p.m. EDT

PLACE: The Cedar Key Museum State Park, 12231 S.W. 166 Court, Cedar Key, Florida 32625

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Presentation of the proposed unit management plan update for Cedar Key Museum State Park.

A copy of the agenda may be obtained by contacting: Tommy Pavao, Park Manager, Cedar Key Museum State Park, 12231 S.W. 166 Court, Cedar Key, Florida 32625, (352)543-5567, fax (352)543-6315, email Tommy.Pavao@dep.state.fl.us. A copy of the draft plan and agenda are available before the date of the public meeting online at

<https://www.fldepnet.org/public-notices>. 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: Tommy Pavao, as listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Tommy Pavao, as listed above.

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

##### Division of Recreation and Parks

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

DATE AND TIME: Thursday, September 24, 2015, 9:00 a.m. EDT

PLACE: Senator George G. Kirkpatrick Marine Laboratory, 11350 S.W. 153rd Court, Cedar Key, Florida 32625

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Presentation and discussion of the proposed unit management plan update for Cedar Key Museum State Park with the advisory group members.

A copy of the agenda may be obtained by contacting: Tommy Pavao, Park Manager, Cedar Key Museum State Park at 12231 S.W. 166 Court, Cedar Key, Florida 32625, (352)543-5567, fax (352)543-6315 or email [Tommy.Pavao@dep.state.fl.us](mailto:Tommy.Pavao@dep.state.fl.us). A copy of the draft plan and agenda are available before the date of the public meeting online at <https://www.fldepnet.org/public-notices>.

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: Tommy Pavao as listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Tommy Pavao as listed above.

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#### DEPARTMENT OF HEALTH

##### Board of Massage Therapy

The Board of Massage Therapy announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 25, 2015, 4:00 p.m. ET

PLACE: Meet me number 1(888)670-3525; participant passcode 4284364155

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business of the board. Meetings may be cancelled prior to the meeting date. Please check the Board website at [www.floridasmassage.com](http://www.floridasmassage.com) for cancellations or changes to meeting dates or times.

A copy of the agenda may be obtained by contacting: Alexandra Alday at [Alexandra.Alday@flhealth.gov](mailto:Alexandra.Alday@flhealth.gov) or (850)245-4161.

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: Alexandra Alday at [Alexandra.Alday@flhealth.gov](mailto:Alexandra.Alday@flhealth.gov) or (850)245-4161. 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: Alexandra Alday at [Alexandra.Alday@flhealth.gov](mailto:Alexandra.Alday@flhealth.gov) or (850)245-4161.

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#### DEPARTMENT OF HEALTH

##### Board of Orthotists and Prosthetists

The Board of Orthotists and Prosthetists announces a workshop to which all persons are invited.

DATE AND TIME: Friday, October 9, 2015, 9:00 a.m.

PLACE: Safety Harbor Resort and Spa, 105 North Bayshore Drive, Safety Harbor, Florida 34695, (727)726-1161

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General board business.

A copy of the agenda may be obtained by contacting: Edith Rogers at [edith.rogers@flhealth.gov](mailto:edith.rogers@flhealth.gov), or by visiting the Board's website at: <http://floridasorthotistsprosthetists.gov/meeting-information/>.

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: Edith Rogers at [edith.rogers@flhealth.gov](mailto:edith.rogers@flhealth.gov). 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: Edith Rogers at [edith.rogers@flhealth.gov](mailto:edith.rogers@flhealth.gov).

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DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

The Boards of Medicine and Osteopathic Medicine – Office Surgery Rule Subcommittee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 8, 2015, immediately following the Council on Physician Assistants meeting.

PLACE: B Resort, 1905 Hotel Plaza Boulevard, Lake Buena Vista, Florida 32830, (407)828-2828.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board website at [www.floridasosteopathicmedicine.gov](http://www.floridasosteopathicmedicine.gov) for cancellations or changes to meeting dates or call the Board of Osteopathic Medicine at (850)245-4161 for information.

A copy of the agenda may be obtained by contacting: Alexandra Alday at [alexandra.alday@flhealth.gov](mailto:alexandra.alday@flhealth.gov) or call at (850)245-4161.

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: Alexandra Alday at [alexandra.alday@flhealth.gov](mailto:alexandra.alday@flhealth.gov) or call at (850)245-4161. 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.

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DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

The Boards of Medicine and Osteopathic Medicine – Telemedicine Subcommittee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 8, 2015, immediately following the Boards of Medicine and Osteopathic Medicine - Office Surgery Rule Subcommittee meeting.

PLACE: B Resort, 1905 Hotel Plaza Boulevard, Lake Buena Vista, Florida 32830, (407)828-2828.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board website at [www.floridasosteopathicmedicine.gov](http://www.floridasosteopathicmedicine.gov) for cancellations or changes to meeting dates or call the Board of Osteopathic Medicine at (850)245-4161 for information.

A copy of the agenda may be obtained by contacting Alexandra Alday at [alexandra.alday@flhealth.gov](mailto:alexandra.alday@flhealth.gov) or calling (850)245-4161.

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 Alexandra Alday at [alexandra.alday@flhealth.gov](mailto:alexandra.alday@flhealth.gov) or calling (850)245-4161. 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 Alexandra Alday at [alexandra.alday@flhealth.gov](mailto:alexandra.alday@flhealth.gov) or call (850)245-4161.

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DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

The Board of Osteopathic Medicine announces a public meeting to which all persons are invited.

DATE AND TIME: November 13, 2015, 8:00 a.m. ET

PLACE: Rosen Plaza Hotel, 9700 International Dr., Orlando, FL 32819; (407)996-9700

GENERAL SUBJECT MATTER TO BE CONSIDERED: This notice replaces notice ID 15484321. Please note new location of the meeting.

General business of the board. Meetings may be cancelled prior to the meeting date. Please check the Board website at <http://floridasosteopathicmedicine.gov/> for cancellations or changes to meeting dates or times.

A copy of the agenda may be obtained by contacting: Alexandra Alday at [Alexandra.Alday@flhealth.gov](mailto:Alexandra.Alday@flhealth.gov) or (850)245-4161.

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: Alexandra Alday at Alexandra.Alday@flhealth.gov or (850)245-4161. 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: Alexandra Alday at Alexandra.Alday@flhealth.gov or (850)245-4161.

**DEPARTMENT OF HEALTH**

**Council of Medical Physicists**

The Florida Advisory Council of Medical Physicists announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, October 16, 2015, 9:00 a.m.

**PLACE:** Embassy Suites Orlando - Lake Buena Vista South, 4955 Kyngs Heath Road, Kissimmee, FL 34746

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business of the Council.

A copy of the agenda may be obtained by contacting: Edith Rogers at edith.rogers@flhealth.gov, or by accessing the Council's website at: <http://www.floridahealth.gov/licensing-and-regulation/medical-physicist/meetings/index.html>.

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: Edith Rogers at edith.rogers@flhealth.gov. 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: Edith Rogers at edith.rogers@flhealth.gov.

**DEPARTMENT OF HEALTH**

**Council of Licensed Midwifery**

**RULE NO.:** RULE TITLE:

64B24-1.004: Meetings, Quorum, and Absences

The Council of Licensed Midwifery announces a public meeting to which all persons are invited.

**DATE AND TIME:** October 14, 2015, 9:00 a.m.

**PLACE:** Omni Orlando Resort at Championsgate, 1500 Masters Boulevard, Championsgate, Florida 33896

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Revisions to the Council of Licensed Midwifery Rule Chapter 64B24.

A copy of the agenda may be obtained by contacting: Daisy King, Program Operations Administrator, (850)245-4588 or 4052 Bald Cypress Way, #C-06, Tallahassee, FL 32399; or by visiting the website at <http://www.floridahealth.gov/licensing-and-regulation/midwifery/meetings/index.html>.

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: Daisy King. 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: Daisy King at (850)245-4588.

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Refugee Services**

The Miami-Dade Refugee Task Force announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, October 9, 2015; 10:00 a.m. – 12:00 Noon

**PLACE:** Miami-Dade College, Wolfson Campus, 500 NE 2nd Avenue, Bldg. 3, Room 3208-09, Miami, FL 33132

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of the Miami-Dade Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Lourdes Dysna-Leconte at (786)257-5173 or Taddese Fessehayee at (407)317-7335.



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: Lourdes Dysna-Leconte at (786)257-5173 or Taddese Fessehaye at (407)317-7335. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF CHILDREN AND FAMILIES**

Office on Homelessness

The Office on Homelessness announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 23, 2015, 9:00 a.m. – 5:00 p.m.

PLACE: Dial toll free 1(888)670-3525, enter participant code 701-539-8451, then press #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Council Meeting.

A copy of the agenda may be obtained by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik.braun@myflfamilies.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: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik.braun@myflfamilies.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).

For more information, you may contact: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik.braun@myflfamilies.com.

**DEPARTMENT OF FINANCIAL SERVICES**

Division of Treasury

The Department of Financial Services (DFS), Division of Treasury announces a public meeting to which all persons are invited.

DATE AND TIME: September 24, 2015, 8:30 a.m. – 5:00 p.m. ET

PLACE: Hermitage Center, 1801 Hermitage Blvd. Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation & Negotiation Session pursuant to Section 287.057(5), F.S., for Third Party Administrator services.

A copy of the agenda may be obtained by contacting: Gloriann McInnis at gloriann.mcinnis@myfloridacfo.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: Gloriann McInnis at gloriann.mcinnis@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.**

The Center for Independent Living in Central Florida, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: September 17, 2015; 1:30 p.m.

PLACE: Center for Independent Living offices at 720 North Denning Drive, Winter Park, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: 40th Anniversary Planning Meeting.

A copy of the agenda may be obtained by contacting: Margaux Pagan.

For more information, you may contact: Margaux Pagan, (407)623-1070, mpagan@cilorlando.org.

**CITIZENS PROPERTY INSURANCE CORPORATION**

The Audit Committee of Citizens Property Insurance Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: September 29, 2015, 2.00 pm.

PLACE: Sheraton Orlando North Hotel, 600 North Lake Destiny Drive, Maitland, FL 32751

GENERAL SUBJECT MATTER TO BE CONSIDERED: as per the agenda.

A copy of the agenda may be obtained by contacting: Betty Veal at (904)407-0440 or (www)cit-zensfla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Betty Veal. 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: Betty Veal, (904)407-0440.

**CITIZENS PROPERTY INSURANCE CORPORATION**

The Citizens Property Insurance Corp - Consumer Services Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 24, 2015, 11:00 a.m. – 12:00 Noon Eastern Time

PLACE: Telephone conference: 1(866)361-7525, code 6487811621#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consumer Services Committee Report.

A copy of the agenda may be obtained by contacting: citizensfla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Barbara Walker at (850)513-3744. 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).

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**SOUTH DADE SOIL AND WATER CONSERVATION DISTRICT**

The South Dade Soil & Water Conservation District announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 17, 2015, 9:30 a.m.

PLACE: USDA Florida City Service Center, 1450 N. Krome Ave. #102

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular agenda items for presentation to the Board of Supervisors, Ag Lab Report, MIL Report, and District Projects.

A copy of the agenda may be obtained by contacting: Gina Dolleman.

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 1 day before the workshop/meeting by contacting: SDSWCD, (305)242-1288. 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: Morgan Levy, District Administrator, (305)242-1288.

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**FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOC., INC.**

The Audit Committee of the Florida Workers' Compensation Insurance Guaranty Association announces a public meeting to which all persons are invited.

DATE AND TIME: September 29, 2015, 1:00 p.m.

PLACE: Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The Audit Committee will meet to discuss general matters of the Association. The agenda will include, but not be limited to: Minutes, 990 Tax Return, Operational Review, 2015 Audit-Agreed Upon Procedures & Charter/Checklist.

A copy of the agenda may be obtained by contacting Cathy Irvin at (850)386-9200.

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 4 days before the workshop/meeting by contacting: Cathy Irvin at (850)386-9200. 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).

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**AECOM**

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

DATE AND TIME: September 22, 2015, 5:00 p.m. – 7:00 p.m.

PLACE: New Hope Baptist Church, 3514 Allen Road, Zephyrhills, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: You are invited to attend and participate in the Florida Department of Transportation (FDOT), District Seven public hearing for a Project Development and Environment (PD&E) study for proposed improvements to US 301 in Pasco County, Florida. This public hearing is being held to allow interested persons an opportunity to provide comments concerning the location, conceptual design, and social, economic, and environmental effects of widening US 301 from State Road (SR) 56 (proposed) to just south of the realigned intersection at SR SR 39 (Buchman Highway), a distance of approximately 2 miles. Work Program Item Segment No. 416564-1.

The study considered two alternatives: widening US 301 to the east of the existing corridor and the No-Build or do-nothing alternative. The widening of US 301 is proposed as a four lane divided roadway with pedestrian and bicycle facilities on both sides of the roadway. Additional information may be found at the study website: [www.fdotd7studies.com/us301/sr56-to-sr39](http://www.fdotd7studies.com/us301/sr56-to-sr39).

Your involvement is important to FDOT and to the success of this study. We invite you to share your ideas and comments about the proposed improvements at our upcoming public hearing from 5:00 p.m. to 7:00 p.m. on Tuesday, September 22, 2015 at New Hope Baptist Church, 3514 Allen Road, Zephyrhills, FL. FDOT representatives will be available

beginning at 5:00 p.m. to answer questions and discuss the project informally. Draft project documents and other project-related materials will be displayed, and a PowerPoint presentation will run continuously during the open house. A court reporter will be available to receive comments in a one-on-one setting.

At 6:00 p.m., FDOT representatives will begin the formal portion of the hearing, which will provide an opportunity to make formal oral public comments. Following the formal portion of the hearing, the informal open house will resume and continue until 7:00 p.m. You can attend anytime during the two-hour meeting to review project information and talk one-on-one with project team members. FDOT welcomes and appreciates everyone's participation.

Draft project documents will be available for public review from Tuesday, September 1, 2015 to Friday, October 2, 2015 at the following locations:

- Zephyrhills Public Library, 5347 8th Street, Zephyrhills, FL (Business hours: Sunday, Monday closed; Tuesday through Friday 9:00 a.m. to 7:00 p.m.; Saturday 9:00 a.m. to 12:00 Noon)
- Florida Department of Transportation, District Seven Headquarters, 11201 N. McKinley Drive, Tampa, Florida 33612-6456 (Business hours: Monday to Friday: (8:00 a.m. to 5:00 p.m.)

Draft project documents will also be displayed at the public hearing. Persons wishing to submit written statements or other exhibits, in place of or in addition to oral statements, may do so at the hearing or by sending them to Ming Gao, P.E., Intermodal Systems Development Manager, FDOT, District Seven, 11201 N. McKinley Drive MS 7-500, Tampa, FL 33612, or electronically to the project website at [www.fdotd7studies.com/us301/sr56-to-sr39](http://www.fdotd7studies.com/us301/sr56-to-sr39). All exhibits or statements must be postmarked or emailed no later than Friday, October 2, 2015 to become part of the official public hearing record.

A copy of the agenda may be obtained by contacting: Ming Gao, P.E., Intermodal Systems Development Manager, 11201 N. McKinley Drive, MS 7-500, Tampa, FL 33612-6456.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Lee Royal, Government Liaison Administrator, 11201 N. McKinley Drive, MS 7-500, Tampa, FL 33612-6456, (813)975-6427, [lee.royal@dot.state.fl.us](mailto:lee.royal@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: Stephanie Pierce, Project Manager, 11201 N. McKinley Drive, MS 7-500, Tampa, FL 33612-6456, (813)975-6445, or [stephanie.pierce@dot.state.fl.us](mailto:stephanie.pierce@dot.state.fl.us).

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## Section VII

### Notice of Petitions and Dispositions Regarding Declaratory Statements

#### PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has issued an order disposing of the petition for declaratory statement filed by the Office of Public Counsel on May 20, 2014. The following is a summary of the agency's disposition of the petition:

The agency granted the petition for declaratory statement and declared that the Office of Public Counsel has the authority under Section 350.0611(1), F.S., to utilize discovery pursuant to Fla. R. Civ. Pro. 1.280-1.390 in any proceeding affecting rates or cost of service processed using the proposed agency action procedures of Sections 366.06(4) and 367.081(8), F.S. Final Order No. PSC-15-0381-DS-PU was filed on September 14, 2015, in Docket No. 140107-PU. A copy of the petition and final order may be obtained by contacting: Carlotta Stauffer, Commission Clerk, Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, [Clerk@psc.state.fl.us](mailto:Clerk@psc.state.fl.us), (850)413-6770.

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an order disposing of the petition for declaratory statement filed by Steven A. Weinberg, Esq., In Re: Cristelle Condominium Association of Broward County, Inc., Docket No. 2015034455, on August 5, 2015. The following is a summary of the agency's disposition of the petition:

Replacing wallpapers with textured paint and carpeting with terracotta colored marble constitutes material alterations to the common elements pursuant to Section 718.113(2)(a), Florida Statutes. The statement was filed with the Agency Clerk on September 11, 2015.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Rikki Anderson, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217; (850)717-1415; Rikki.Anderson@myfloridalicense.com.

**Section VIII**  
**Notice of Petitions and Dispositions**  
**Regarding the Validity of Rules**

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

NONE

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

NONE

**Section IX**  
**Notice of Petitions and Dispositions**  
**Regarding Non-rule Policy Challenges**

NONE

**Section X**  
**Announcements and Objection Reports of**  
**the Joint Administrative Procedures**  
**Committee**

NONE

**Section XI**  
**Notices Regarding Bids, Proposals and**  
**Purchasing**

NONE

**Section XII**  
**Miscellaneous**

**REGIONAL UTILITY AUTHORITIES**

Tampa Bay Water - A Regional Water Supply Authority  
Annual Regulatory Plan

Tampa Bay Water's 2015-2016 Regulatory Plan was published on the agency's website on September 4, 2015, in compliance with Section 120.74, Fla. Stat. The 2015-2016 Regulatory Plan can be obtained by visiting [www.tampabaywater.org](http://www.tampabaywater.org) or by contacting the agency's Records Department at [records@tampabaywater.org](mailto:records@tampabaywater.org).

**AGENCY FOR HEALTH CARE ADMINISTRATION**  
Certificate of Need

**EXEMPTIONS**

The Agency for Health Care Administration approved the following exemptions on September 14, 2015 pursuant to Section 408.036(3), Florida Statutes:

ID #E150032 District: 5 (Pasco County)  
Facility/Project: North Tampa Behavioral Health  
Applicant: Ten Broeck Tampa, Inc.  
Project Description: Add 28 adult inpatient psychiatric beds

ID #E150033 District: 5 (Pasco County)  
Facility/Project: North Tampa Behavioral Health  
Applicant: Ten Broeck Tampa, Inc.  
Project Description: Add 20 adult inpatient substance abuse beds

Proposed Project Cost: The combined cost for the above exemptions is \$9,000,000.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
Office of the Secretary

Florida State Clearinghouse

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(42), F.S. This includes Outer Continental Shelf activities and other actions subject to federal consistency review under the Florida Coastal Management Program. A list of projects, comments deadlines and the address for providing comments is available at: <https://fldep.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2170. This public notice fulfills the requirements of 15 CFR 930.

**Section XIII**  
**Index to Rules Filed During Preceding**  
**Week**

**INDEX TO RULES FILED BETWEEN SEPTEMBER 7,**  
**2015 AND SEPTEMBER 11, 2015**

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

**Florida Forest Service**

5I-4.002	9/10/2015	9/30/2015	41/113	41/144
5I-4.003	9/10/2015	9/30/2015	41/113	41/144
5I-4.005	9/10/2015	9/30/2015	41/113	41/144
5I-4.006	9/10/2015	9/30/2015	41/113	41/144
5I-4.008	9/10/2015	9/30/2015	41/113	41/144
5I-4.011	9/10/2015	9/30/2015	41/113	41/144

**DEPARTMENT OF EDUCATION**

**State Board of Education**

6A-1.0014	9/10/2015	9/30/2015	41/147	
6A-6.0212	9/10/2015	9/30/2015	41/120	41/147
6A-6.0573	9/10/2015	9/30/2015	41/147	

**PUBLIC SERVICE COMMISSION**

25-22.028	9/8/2015	9/28/2015	41/142	
25-40.001	9/8/2015	9/28/2015	41/142	

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

40D-2.021	9/9/2015	9/29/2015	41/81	
40D-2.091	9/9/2015	9/29/2015	41/81	
40D-2.301	9/9/2015	9/29/2015	41/81	
40D-2.321	9/9/2015	9/29/2015	41/81	41/144
40D-2.331	9/9/2015	9/29/2015	41/81	41/144
40D-2.351	9/9/2015	9/29/2015	41/81	

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

59G-1.035	9/8/2015	9/28/2015	41/120	
59G-1.045	9/8/2015	9/28/2015	41/118	41/156
59G-4.266	9/8/2015	9/28/2015	41/115	41/153

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Regulatory Council of Community Association Managers**

61E14-5.003	9/10/2015	9/30/2015	41/136	
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**Board of Veterinary Medicine**

61G18-12.001	9/8/2015	9/28/2015	41/152	
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**Building Code Administrators and Inspectors Board**

61G19-6.005	9/9/2015	9/29/2015	41/149	
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**Board of Accountancy**

61H1-36.004	9/10/2015	9/30/2015	41/153	
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**State Boxing Commission**

61K1-1.0055	9/10/2015	9/30/2015	41/145	
61K1-1.024	9/10/2015	9/30/2015	41/145	

**DEPARTMENT OF HEALTH**

**Board of Chiropractic**

64B2-11.001	9/9/2015	9/29/2015	41/131	
64B2-12.0155	9/10/2015	9/30/2015	41/130	
64B2-12.022	9/10/2015	9/30/2015	41/130	
64B2-13.008	9/9/2015	9/29/2015	41/130	
64B2-18.002	9/10/2015	9/30/2015	41/130	

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

64B4-6.002	9/10/2015	9/30/2015	41/131	
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**Board of Medicine**

64B8-1.007	9/8/2015	9/28/2015	41/135	
64B8-4.009	9/8/2015	9/28/2015	41/135	

**Board of Optometry**

64B13-4.001	9/10/2015	9/30/2015	41/115	
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**Board of Physical Therapy Practice**

64B17-5.001	9/10/2015	9/30/2015	41/134	
64B17-7.0027	9/10/2015	9/30/2015	41/134	
64B17-7.003	9/10/2015	9/30/2015	41/134	

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Worker's Compensation**

69L-7.100	9/8/2015	9/28/2015	41/85	41/147
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**BOARD OF GOVERNORS**

72-1.001	9/11/2015	10/1/2015	41/120	41/144;41/156
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**LIST OF RULES AWAITING LEGISLATIVE  
APPROVAL PURSUANT TO SECTION 120.541(3),  
FLORIDA STATUTES**

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Worker's Compensation**

69L-7.020 7/20/2015\*\*\*\*\*41/21 41/72

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